

SEC. 5018. MISSOURI RIVER AND TRIBUTARIES, MITIGATION, RECOVERY, AND RESTORATION, IOWA, KANSAS, MISSOURI, MONTANA, NEBRASKA, NORTH DAKOTA, SOUTH DAKOTA, AND WYOMING.

(a) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the Missouri River Recovery Implementation Committee to be established under subsection (b)(1), shall conduct a study of the Missouri River and its tributaries to determine actions required—

- (A) to mitigate losses of aquatic and terrestrial habitat;*
- (B) to recover federally listed species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and*
- (C) to restore the ecosystem to prevent further declines among other native species.*

(2) FUNDING.—The study to be conducted under paragraph (1) shall be funded using amounts made available to carry out the Missouri River recovery and mitigation plan authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143).

(b) MISSOURI RIVER RECOVERY IMPLEMENTATION COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall establish a committee to be known as the Missouri River Recovery Implementation Committee (in this section referred to as the “Committee”).

(2) MEMBERSHIP.—The Committee shall include representatives from—

- (A) Federal agencies;*
- (B) States located near the Missouri River basin; and*
- (C) other appropriate entities, as determined by the Secretary, including—*

- (i) water management and fish and wildlife agencies;*
- (ii) Indian tribes located near the Missouri River basin; and*
- (iii) nongovernmental stakeholders, which may include—*

- (I) navigation interests;*
- (II) irrigation interests;*
- (III) flood control interests;*
- (IV) fish, wildlife, and conservation organizations;*
- (V) recreation interests; and*
- (VI) power supply interests.*

(3) DUTIES.—The Committee shall—

(A) with respect to the study to be conducted under subsection (a)(1), provide guidance to the Secretary and any affected Federal agency, State agency, or Indian tribe; and

(B) provide guidance to the Secretary with respect to the Missouri River recovery and mitigation plan in existence on the date of enactment of this Act, including recommendations relating to—

- (i) changes to the implementation strategy from the use of adaptive management;*
- (ii) coordination of the development of consistent policies, strategies, plans, programs, projects, activities,*

and priorities for the Missouri River recovery and mitigation plan;

(iii) exchange of information regarding programs, projects, and activities of the agencies and entities represented on the Committee to promote the goals of the Missouri River recovery and mitigation plan;

(iv) establishment of such working groups as the Committee determines to be necessary to assist in carrying out the duties of the Committee, including duties relating to public policy and scientific issues;

(v) facilitating the resolution of interagency and intergovernmental conflicts between entities represented on the Committee associated with the Missouri River recovery and mitigation plan;

(vi) coordination of scientific and other research associated with the Missouri River recovery and mitigation plan; and

(vii) annual preparation of a work plan and associated budget requests.

(4) **RECOMMENDATIONS AND GUIDANCE.**—In providing recommendations and guidance from the Committee, the members of the Committee may include dissenting opinions.

(5) **COMPENSATION; TRAVEL EXPENSES.**—

(A) **COMPENSATION.**—Members of the Committee shall not receive compensation from the Secretary in carrying out the duties of the Committee under this section.

(B) **TRAVEL EXPENSES.**—Travel expenses incurred by a member of the Committee in carrying out the duties of the Committee under this section shall not be eligible for Federal reimbursement.

(c) **NONAPPLICABILITY OF FAC.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

SEC. 5019. SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASINS, DELAWARE, MARYLAND, PENNSYLVANIA, AND VIRGINIA.

(a) **EX OFFICIO MEMBER.**—Notwithstanding section 3001(a) of the 1997 Emergency Supplemental Appropriations Act for Recovery From Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105–18; 111 Stat. 176), section 2.2 of the Susquehanna River Basin Compact to which consent was given by Public Law 91–575 (84 Stat. 1512), and section 2.2 of the Delaware River Basin Compact to which consent was given by Public Law 87–328 (75 Stat. 691), beginning in fiscal year 2002, and each fiscal year thereafter, the Division Engineer, North Atlantic Division, Corps of Engineers—

(1) shall be—

(A) the ex officio United States member of the Susquehanna River Basin Compact and the Delaware River Basin Compact; and

(B) one of the 3 members appointed by the President under the Potomac River Basin Compact to which consent was given by Public Law 91–407 (84 Stat. 856);

(2) shall serve without additional compensation; and

(3) may designate an alternate member in accordance with the terms of those compacts.