

1 **SEC. 5008. MISSOURI RIVER AND TRIBUTARIES, MITIGA-**  
2 **TION, RECOVERY AND RESTORATION, IOWA,**  
3 **KANSAS, MISSOURI, MONTANA, NEBRASKA,**  
4 **NORTH DAKOTA, SOUTH DAKOTA, AND WYO-**  
5 **MING.**

6 (a) **STUDY.—**

7 (1) **IN GENERAL.—**The Secretary, in consulta-  
8 tion with the Missouri River Recovery and Imple-  
9 mentation Committee established by subsection  
10 (b)(1), shall conduct a study of the Missouri River  
11 and its tributaries to determine actions required—

12 (A) to mitigate losses of aquatic and ter-  
13 restrial habitat;

14 (B) to recover federally listed species under  
15 the Endangered Species Act (16 U.S.C. 1531 et  
16 seq.); and

17 (C) to restore the ecosystem to prevent  
18 further declines among other native species.

19 (2) **FUNDING.—**The study under paragraph (1)  
20 shall be funded under the Missouri River Fish and  
21 Wildlife Mitigation Program.

22 (b) **MISSOURI RIVER RECOVERY IMPLEMENTATION**  
23 **COMMITTEE.—**

24 (1) **ESTABLISHMENT.—**Not later than June 31,  
25 2006, the Secretary shall establish a committee to be  
26 known as the “Missouri River Recovery Implementa-

1 tion Committee” (referred to in this section as the  
2 “Committee”).

3 (2) MEMBERSHIP.—The Committee shall in-  
4 clude representatives from—

5 (A) Federal agencies;

6 (B) States located near the Missouri River  
7 Basin; and

8 (C) other appropriate entities, as deter-  
9 mined by the Secretary, including—

10 (i) water management and fish and  
11 wildlife agencies;

12 (ii) Indian tribes located near the Mis-  
13 souri River Basin; and

14 (iii) nongovernmental stakeholders.

15 (3) DUTIES.—The Commission shall—

16 (A) with respect to the study under sub-  
17 section (a), provide guidance to the Secretary  
18 and any other affected Federal agency, State  
19 agency, or Indian tribe;

20 (B) provide guidance to the Secretary with  
21 respect to the Missouri River recovery and miti-  
22 gation program in existence on the date of en-  
23 actment of this Act, including recommendations  
24 relating to—

1 (i) changes to the implementation  
2 strategy from the use of adaptive manage-  
3 ment; and

4 (ii) the coordination of the develop-  
5 ment of consistent policies, strategies,  
6 plans, programs, projects, activities, and  
7 priorities for the program;

8 (C) exchange information regarding pro-  
9 grams, projects, and activities of the agencies  
10 and entities represented on the Committee to  
11 promote the goals of the Missouri River recov-  
12 ery and mitigation program;

13 (D) establish such working groups as the  
14 Committee determines to be necessary to assist  
15 in carrying out the duties of the Committee, in-  
16 cluding duties relating to public policy and sci-  
17 entific issues;

18 (E) facilitate the resolution of interagency  
19 and intergovernmental conflicts between entities  
20 represented on the Committee associated with  
21 the Missouri River recovery and mitigation pro-  
22 gram;

23 (F) coordinate scientific and other research  
24 associated with the Missouri River recovery and  
25 mitigation program; and

1 (G) annually prepare a work plan and as-  
2 sociated budget requests.

3 (4) COMPENSATION; TRAVEL EXPENSES.—

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

8 (B) TRAVEL EXPENSES.—Travel expenses  
9 incurred by a member of the Committee in car-  
10 rying out the duties of the Committee under  
11 this section shall be paid by the agency, Indian  
12 tribe, or unit of government represented by the  
13 member.

14 (c) NONAPPLICABILITY OF FACA.—The Federal Ad-  
15 visory Committee Act (5 U.S.C. App.) shall not apply to  
16 the Committee.

17 **SEC. 5009. ST. MARY PROJECT, BLACKFEET RESERVATION,**  
18 **MONTANA.**

19 (a) IN GENERAL.—The Secretary, in consultation  
20 with the Bureau of Reclamation, shall conduct all nec-  
21 essary studies, develop an emergency response plan, pro-  
22 vide technical and planning and design assistance, and re-  
23 habilitate and construct the St. Mary Diversion and Con-  
24 veyance Works project located within the exterior bound-