

1 **SEC. 8158. CORPS OF ENGINEERS WESTERN WATER COOP-**  
2 **ERATIVE COMMITTEE.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—Not later than 90 days after  
5 the date of enactment of this Act, the Secretary  
6 shall establish a Western Water Cooperative Com-  
7 mittee (referred to in this section as the “Coopera-  
8 tive Committee”).

9 (2) PURPOSE.—The purpose of the Cooperative  
10 Committee is to ensure that Corps of Engineers  
11 flood control projects in Western States are operated  
12 consistent with congressional directives by identi-  
13 fying opportunities to avoid or minimize conflicts be-  
14 tween the operation of Corps of Engineers projects  
15 and water rights and water laws in such States.

16 (3) MEMBERSHIP.—The Cooperative Committee  
17 shall be composed of—

18 (A) the Assistant Secretary of the Army  
19 for Civil Works (or a designee);

20 (B) the Chief of Engineers (or a designee);

21 (C) 1 representative from each of the  
22 Western States, who may serve on the Western  
23 States Water Council, to be appointed by the  
24 Governor of each State;

25 (D) 1 representative with legal experience  
26 from each of the Western States, to be ap-

1 pointed by the attorney general of each State;  
2 and

3 (E) 1 employee from each of the impacted  
4 regional offices of the Bureau of Indian Affairs.

5 (4) MEETINGS.—

6 (A) IN GENERAL.—The Cooperative Com-  
7 mittee shall meet not less than once each year  
8 in one of the Western States.

9 (B) AVAILABLE TO PUBLIC.—Each meet-  
10 ing of the Cooperative Committee shall be open  
11 and accessible to the public.

12 (C) NOTIFICATION.—The Cooperative  
13 Committee shall publish in the Federal Register  
14 adequate advance notice of a meeting of the Co-  
15 operative Committee.

16 (5) DUTIES.—

17 (A) IN GENERAL.—The Cooperative Com-  
18 mittee shall develop and make recommendations  
19 to avoid or minimize conflicts between the oper-  
20 ation of Corps of Engineers projects and the  
21 water rights and water laws of Western States.

22 (B) LIMITATION.—In carrying out sub-  
23 paragraph (A), the Cooperative Committee  
24 shall—

1 (i) make recommendations that only  
2 apply to Western States; and

3 (ii) ensure that any recommended  
4 changes or modifications to policy or regu-  
5 lations for Corps of Engineers projects  
6 would not adversely affect water resources  
7 within the State of Missouri.

8 (6) STATUS UPDATES.—

9 (A) IN GENERAL.—On an annual basis,  
10 the Secretary shall provide to the Committee on  
11 Environment and Public Works of the Senate  
12 and the Committee on Transportation and In-  
13 frastructure of the House of Representatives a  
14 written report that includes—

15 (i) a summary of the contents of  
16 meetings of the Cooperative Committee;

17 (ii) any legislative proposal from a  
18 Western State proposed to the Cooperative  
19 Committee; and

20 (iii) a description of any recommenda-  
21 tions made by the Cooperative Committee  
22 under paragraph (5), including actions  
23 taken by the Secretary in response to such  
24 recommendations.

25 (B) COMMENT.—

1 (i) IN GENERAL.—Not later than 45  
2 days following the conclusion of a meeting  
3 of the Cooperative Committee, the Sec-  
4 retary shall provide to members of the Co-  
5 operative Committee an opportunity to  
6 comment on the contents of the meeting  
7 and any recommendations made under  
8 paragraph (5).

9 (ii) INCLUSION.—Comments provided  
10 under clause (i) shall be included in the re-  
11 port provided under subparagraph (A).

12 (7) COMPENSATION.—

13 (A) IN GENERAL.—Except as provided in  
14 subparagraph (B), the members of the Coopera-  
15 tive Committee shall serve without compensa-  
16 tion.

17 (B) TRAVEL EXPENSES.—The members of  
18 the Cooperative Committee shall receive travel  
19 expenses, including per diem in lieu of subsist-  
20 ence, in accordance with applicable provisions  
21 under subchapter I of chapter 57 of title 5,  
22 United States Code.

23 (8) MAINTENANCE OF RECORDS.—The Cooper-  
24 ative Committee shall maintain records pertaining to

1 operating costs and records of the Cooperative Com-  
2 mittee for a period of not less than 3 years.

3 (9) SAVINGS PROVISIONS.—

4 (A) NO ADDITIONAL AUTHORITY.—Noth-  
5 ing in this section provides authority to the Co-  
6 operative Committee to affect any Federal or  
7 State water law or interstate compact governing  
8 water.

9 (B) OTHER STATES.—Nothing in this sec-  
10 tion may be interpreted, by negative implication  
11 or otherwise, as suggesting that States not rep-  
12 resented on the Cooperative Committee have  
13 lesser interest or authority, in relation to West-  
14 ern States, in managing the water within their  
15 borders or in vindicating State water rights and  
16 water laws.

17 (b) DEFINITION OF WESTERN STATES.—In this sec-  
18 tion, the term “Western States” means the States of Alas-  
19 ka, Arizona, California, Colorado, Idaho, Kansas, Mon-  
20 tana, Nebraska, Nevada, New Mexico, North Dakota,  
21 Oklahoma, Oregon, South Dakota, Texas, Utah, Wash-  
22 ington, and Wyoming.

23 **SEC. 8159. SUPPORT OF ARMY CIVIL WORKS MISSIONS.**

24 The Secretary is authorized to use contracts, coopera-  
25 tive agreements, or any other authorized means, in sup-