

105TH CONGRESS  
2D SESSION

# S. 1672

To expand the authority of the Secretary of the Army to improve the control of erosion on the Missouri River.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 1998

Mr. DASCHLE (for himself and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To expand the authority of the Secretary of the Army to improve the control of erosion on the Missouri River.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Missouri River Erosion  
5 Control Act of 1998”.

6 **SEC. 2. MISSOURI RIVER EROSION CONTROL.**

7 Section 9(f) of the Act entitled “An Act authorizing  
8 the construction of certain public works on rivers and har-  
9 bors for flood control, and for other purposes”, approved  
10 December 22, 1944 (102 Stat. 4031), is amended—

1 (1) by striking “(f) The” and inserting the fol-  
 2 lowing:

3 “(f) MISSOURI RIVER BETWEEN FORT PECK DAM,  
 4 MONTANA, AND A POINT BELOW GAVINS POINT DAM,  
 5 SOUTH DAKOTA AND NEBRASKA.—

6 “(1) IN GENERAL.—The”;

7 (2) in the first sentence of paragraph (1) (as  
 8 designated by paragraph (1)), by striking “58” and  
 9 inserting “77”;

10 (3) in the second sentence—

11 (A) by striking “The cost” and inserting  
 12 the following:

13 “(2) COSTS.—

14 “(A) MAXIMUM.—The cost”; and

15 (B) by striking “\$3,000,000” and insert-  
 16 ing “\$6,000,000”;

17 (4) in the third sentence, by striking “Notwith-  
 18 standing” and inserting the following:

19 “(B) APPORTIONMENT AMONG PROJECT  
 20 PURPOSES.—Notwithstanding”;

21 (5) in the last sentence, by striking “In lieu”  
 22 and inserting the following:

23 “(3) ACQUISITION OF LAND.—

24 “(A) IN GENERAL.—In lieu”;

1 (6) in paragraph (3) (as designated by para-  
2 graph (5)), by adding at the end the following:

3 “(B) RECREATIONAL RIVER SEGMENTS.—

4 Notwithstanding the Wild and Scenic Rivers  
5 Act (16 U.S.C. 1271 et seq.), in the case of a  
6 segment of the Missouri River in the State of  
7 South Dakota that is administered as a rec-  
8 reational river under section 3(a) of that Act  
9 (16 U.S.C. 1274(a)), the Secretary of the Army  
10 may acquire, from willing sellers, such real es-  
11 tate interests as the Secretary determines are  
12 necessary to carry out this subsection.”; and

13 (7) by adding at the end the following:

14 “(4) MEASURES ON BEHALF OF NON-FEDERAL  
15 ENTITIES.—The Secretary of the Army may under-  
16 take measures authorized by paragraph (1) at the  
17 request of, or on behalf of, a non-Federal public or  
18 private entity or individual with respect to land  
19 owned by the entity or individual as of the date of  
20 enactment of this paragraph, if a non-Federal inter-  
21 est described in section 221(b) of the Flood Control  
22 Act of 1970 (42 U.S.C. 1962d–5b(b)) agrees in  
23 writing to provide 35 percent of the cost of the  
24 measures to be undertaken.”.

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