

AMENDMENT TO H.R. 8
OFFERED BY MR. MAST OF FLORIDA

At the end of title I, add the following:

1 **SEC. ____.** **CLARIFICATION FOR INTEGRAL DETERMINA-**
2 **TION.**

3 (a) **IN GENERAL.**—The Assistant Secretary of the
4 Army for Civil Works may determine in-kind contributions
5 completed by a non-Federal sponsor as integral and eligi-
6 ble for credit toward the non-Federal sponsor cost-share,
7 including work performed after a design, cooperation, or
8 partnership agreement is signed.

9 (b) **WRDA 2000.**—Section 601(e)(5)(B) of the
10 Water Resources Development Act of 2000 (Public Law
11 106–541) is amended, by striking clauses (i) through (iii)
12 and inserting the following:

13 “(i)(I)(aa) the credit is provided for
14 work completed during the period of de-
15 sign, as defined in a design agreement be-
16 tween the Secretary and the non-Federal
17 sponsor;

18 “(bb) the credit is provided for work
19 completed during the period of construc-
20 tion, as defined in a project cooperation

1 agreement for an authorized project be-
2 tween the Secretary and the non-Federal
3 sponsor; or

4 “(cc) the credit is provided for work
5 carried out before the date of the partner-
6 ship agreement between the Secretary and
7 the non-Federal sponsor, as defined in an
8 agreement between the Secretary and the
9 non-Federal sponsor providing for such
10 credit;

11 “(II) the agreement prescribes the
12 terms and conditions of the credit, includ-
13 ing in the case of credit provided under
14 clause (i)(I)(cc) conditions relating to de-
15 sign and construction; and

16 “(III) the Secretary determines that
17 the work performed by the non-Federal
18 sponsor, before or after the work is per-
19 formed, is integral to the project;

20 “(ii) the Secretary—

21 “(I) determines a project imple-
22 mentation report funded at 100 per-
23 cent cost to the non-Federal sponsor
24 is feasible; and

1 “(II) approves the project for
2 construction; or
3 “(iii) in a case in which the Secretary
4 approves credit and the non-Federal spon-
5 sor agrees in writing or by or electronic
6 communication, the Secretary shall provide
7 such credit for work completed during the
8 period of construction, under a project co-
9 operation agreement that prescribes the
10 terms and conditions for in-kind contribu-
11 tions not expressly defined.”.

