

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

At the end of title I, add the following:

1 **SEC. ____ . CLARIFICATION OF IN-KIND CREDIT.**

2 (a) IN GENERAL.—Not withstanding any other law,
3 the Assistant Secretary of the Army for Civil Works may
4 determine in-kind contributions completed by a non-Fed-
5 eral sponsor as integral and eligible for credit toward the
6 non-Federal sponsor cost-share, including work performed
7 after a design, cooperation, or partnership agreement is
8 signed.

9 (b) Section 221 of the Flood Control Act of 1970
10 (Public Law 91–611) is amended by adding at the end
11 the following:

12 “(g) The Secretary may provide credit, including in-
13 kind credit, toward the non-Federal share for the reason-
14 able cost of any work performed in connection with a
15 study, preconstruction engineering and design, or con-
16 struction that is necessary for the implementation of the
17 project if—

18 “(1)(A) the credit is provided for work com-
19 pleted, as defined between the Secretary and the
20 non-Federal sponsor in the design agreement,

1 project cooperation agreement, or project partner-
2 ship agreement; or

3 “(B) in a case in which the Secretary approves
4 credit and the non-Federal sponsor agrees in writing
5 or by electronic communication, the Secretary shall
6 provide such credit for work completed under an
7 agreement that prescribes the terms and conditions
8 for in-kind contributions not expressly defined; and

9 “(2) the Secretary determines that the work
10 performed by the non-Federal sponsor is integral to
11 the project.”.

