AMENDMENT
TO RULES COMMITTEE PRINT 115–72
OFFERED BY MR. BOST OF ILLINOIS

At the end of title I, add the following:

SEC. ___. COST AND BENEFIT FEASIBILITY ASSESSMENT.

(a) Cost Benefit and Special Conditions.—Section 5(a) of the Act of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), as amended by this Act, is further amended by striking paragraph (2) and inserting the following:

“(2) Cost and benefit feasibility assessment.—

“(A) Consideration of benefits.—In preparing a cost and benefit feasibility assessment for any emergency project described in paragraph (1), the Chief of Engineers shall consider the benefits to be gained by such project for the protection of—

“(I) residential establishments;

“(ii) commercial establishments, including the protection of inventory; and

“(iii) agricultural establishments, including the protection of crops.
“(B) SPECIAL CONDITIONS.—

“(i) The Chief of Engineers may carry out repair or restoration work described in paragraph (1) that does not produce benefits greater than cost, if the non-Federal sponsor agrees to pay, or contribute to, an amount sufficient to make the remaining costs of the project equal to the estimated value of the benefits of the repair or restoration work and the Secretary determines the damage to the structure was not as a result of negligent operation and maintenance, and that repair of the project could benefit other Corps project missions.

“(ii) Non-Federal payments pursuant to clause (i) shall be in addition to any non-Federal payments required by the Chief of Engineers which are applicable to the remaining costs of the repair or restoration work.”.

(b) CONTINUED ELIGIBILITY.—Notwithstanding a non-Federal flood control work’s status in the Rehabilitation and Inspection Program, any unconstructed emergency project for the non-Federal flood control work that was formulated during the three fiscal years preceding the
fiscal year in which this Act was enacted but that was
determined to not produce benefits greater than costs shall
remain eligible for assistance under Section 5 of the Act
of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C.
701n) until the last day of the third fiscal year following
the fiscal year in which this Act was enacted if the non-
Federal sponsor agrees, in accordance with section 5 as
amended by subsection (a) of this section, to pay, or pro-
vide contributions equal to, an amount sufficient to make
the remaining costs of the project equal to the estimated
value of the benefits of the repair or restoration work and
the Secretary determines the damage to the structure was
not as a result of negligent operation and maintenance,
and that repair of the project could benefit other Corps
project missions.