AMENDMENT TO RULES COMMITTEE

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OFFERED BY MR. MAST OF FLORIDA

At the end of title I, add the following:

1 SEC. ____. CLARIFICATION FOR INTEGRAL DETERMINATION.

2 (a) WRDA 2000.—Section 601(e)(5)(B) of the
3 Water Resources Development Act of 2000 (Public Law
4 106–541) is amended to read as follows:

5 “(B) Work.—The Secretary may provide
6 credit, including in-kind credit, toward the non-
7 Federal share for the reasonable cost of any
8 work performed in connection with a study,
9 preconstruction engineering and design, or con-
10 struction that is necessary for the implementa-
11 tion of the Plan if—

12 “(i)(I) the credit is provided for work
13 completed during the period of design, as
14 defined in a design agreement between the
15 Secretary and the non-Federal sponsor;
16 “(II) the credit is provided for work
17 completed during the period of construc-
18 tion, as defined in a project cooperation
agreement for an authorized project between the Secretary and the non-Federal sponsor;

“(III) the credit is provided for work carried out before the date of the partnership agreement between the Secretary and the non-Federal sponsor, as defined in an agreement between the Secretary and the non-Federal sponsor providing for such credit; or

“(IV) the credit is provided for work carried out by the non-Federal sponsor in the implementation of an authorized project implementation report, and such work was defined in an agreement between the Secretary and the non-Federal sponsor prior to the execution of such work;

“(ii) the agreement prescribes the terms and conditions of the credit, including in the case of credit provided under clause (i)(iii) conditions relating to design and construction; and

“(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.”.
(b) TIMING.—Section 601(e)(5) of the Act referred to in subsection (a) is further amended by inserting after subparagraph (B) the following (and redesignating any subparagraphs accordingly):

“(C) TIMING.—In any case in which the Secretary approves credit under subparagraph (B), in writing or by electronic agreement with the non-Federal sponsor, the Secretary shall provide such credit for work completed during the period of construction under an agreement that prescribes the terms and conditions for the in-kind contributions not expressly defined.”.