

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

At the end of title I, add the following:

1 **SEC. \_\_\_\_ . COST AND BENEFIT FEASIBILITY ASSESSMENT.**

2 (a) COST BENEFIT AND SPECIAL CONDITIONS.—Sec-  
3 tion 5(a) of the Act of August 18, 1941 (55 Stat. 650,  
4 chapter 377; 33 U.S.C. 701n(a)), as amended by this Act,  
5 is further amended by striking paragraph (2) and insert-  
6 ing the following:

7 “(2) COST AND BENEFIT FEASIBILITY ASSESS-  
8 MENT.—

9 “(A) CONSIDERATION OF BENEFITS.—In  
10 preparing a cost and benefit feasibility assess-  
11 ment for any emergency project described in  
12 paragraph (1), the Chief of Engineers shall con-  
13 sider the benefits to be gained by such project  
14 for the protection of—

15 “(I) residential establishments;

16 “(ii) commercial establishments, in-  
17 cluding the protection of inventory; and

18 “(iii) agricultural establishments, in-  
19 cluding the protection of crops.

1 “(B) SPECIAL CONDITIONS.—

2 “(i) The Chief of Engineers may carry  
3 out repair or restoration work described in  
4 paragraph (1) that does not produce bene-  
5 fits greater than cost, if the non-Federal  
6 sponsor agrees to pay, or contribute to, an  
7 amount sufficient to make the remaining  
8 costs of the project equal to the estimated  
9 value of the benefits of the repair or res-  
10 toration work and the Secretary deter-  
11 mines the damage to the structure was not  
12 as a result of negligent operation and  
13 maintenance, and that repair of the project  
14 could benefit other Corps project missions.

15 “(ii) Non-Federal payments pursuant  
16 to clause (i) shall be in addition to any  
17 non-Federal payments required by the  
18 Chief of Engineers which are applicable to  
19 the remaining costs of the repair or res-  
20 toration work.”.

21 (b) CONTINUED ELIGIBILITY.—Notwithstanding a  
22 non-Federal flood control work’s status in the Rehabilita-  
23 tion and Inspection Program, any unconstructed emer-  
24 gency project for the non-Federal flood control work that  
25 was formulated during the three fiscal years preceding the

1 fiscal year in which this Act was enacted but that was  
2 determined to not produce benefits greater than costs shall  
3 remain eligible for assistance under Section 5 of the Act  
4 of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C.  
5 701n) until the last day of the third fiscal year following  
6 the fiscal year in which this Act was enacted if the non-  
7 Federal sponsor agrees, in accordance with section 5 as  
8 amended by subsection (a) of this section, to pay, or pro-  
9 vide contributions equal to, an amount sufficient to make  
10 the remaining costs of the project equal to the estimated  
11 value of the benefits of the repair or restoration work and  
12 the Secretary determines the damage to the structure was  
13 not as a result of negligent operation and maintenance,  
14 and that repair of the project could benefit other Corps  
15 project missions.

