AMENDMENT NO._____ Calendar No._____

Purpose: To ensure that certain materials used in projects carried out using amounts from the National Parks and Public Land Legacy Restoration Fund are made in the United States.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

H. R. 1957

To amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. BALDWIN (for herself, Mr. BRAUN, and Mr. BROWN) to the amendment (No. _____) proposed by _____

Viz:

In section 200402 of title 54, United States Code (as added by section 2(a)), add at the end the following:

''(l) BUY AMERICA REQUIREMENTS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PRODUCED IN THE UNITED STATES.—The term 'produced in the United States' means—

''(i) in the case of iron or steel products, that all manufacturing processes for

the iron or steel product, from the initial melting stage through the application of coatings, occurred in the United States;

"(ii) in the case of manufactured products, that—

"(I) the manufactured product was manufactured in the United States; and

"(II) the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 50 percent of the total cost of all components of the manufactured product; and

"(iii) in the case of construction materials described in clauses (iv) through (ix) of paragraph (3)(A), that all manufacturing processes for the construction material occurred in the United States.

"(B) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

"(2) UNIFORM STANDARDS.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act,

the Secretary shall issue uniform standards that define the term 'all manufacturing processes' for the purposes of this subsection—

"(i) in the case of iron and steel, in a manner consistent with section 635.410(b)(1)(ii) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

"(ii) in the case of construction materials described in clauses (iv) through (ix) of paragraph (3)(A), in accordance with subparagraph (B).

"(B) CONSIDERATIONS.—In issuing uniform standards under subparagraph (A)(ii), the Secretary shall—

"(i) ensure that the uniform standards require that each manufacturing process required for the manufacture of the construction material and the inputs of the construction material occurs in the United States, without regard to the origin of raw material inputs; and

"(ii) take into consideration and seek to maximize the direct and indirect jobs

benefited or created in the production of the construction material.

''(3) PROHIBITED USE OF FUND AMOUNTS.—

''(A) IN GENERAL.—No amounts shall be expended from the Fund for a project under subsection (e) unless all of the following materials used in the project are produced in the United States:

''(i) Steel.

''(ii) Iron.

''(iii) Manufactured products.

''(iv) Non-ferrous metals.

''(v) Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables).

''(vi) Concrete and other aggregates.

''(vii) Glass (including optic glass).

''(viii) Lumber.

''(ix) Drywall.

''(B) EXCEPTION.—Subparagraph (A) shall not apply in any case in which the head of the covered agency carrying out the project determines that—

"(i) applying subparagraph (A) would be inconsistent with the public interest;

"(ii) the relevant material is not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

"(iii) inclusion of the relevant material produced in the United States will increase the cost of the overall project by more than 25 percent.

"(C) WAIVER.—If the head of the covered agency carrying out the applicable project makes a finding under subparagraph (B) to waive subparagraph (A), the head of the covered agency shall, before the date on which the waiver takes effect—

"(i) publish in the Federal Register a detailed written justification that provides the reasons that the waiver is needed; and

"(ii) provide an opportunity for public comment on the proposed waiver for a period of not more than 60 days.

"(D) APPLICATION.—This paragraph shall be applied in a manner consistent with United

States obligations under international agreements.''.