

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY M . _____

At the end of subtitle D of title I of division D, add the following:

1 **SEC. ____ . BUY AMERICA.**

2 (a) HIGHWAYS.—Section 313 of title 23, United
3 States Code, is amended—

4 (1) by redesignating subsections (c) through (g)
5 as subsection (d) through (h), respectively; and

6 (2) by inserting after subsection (b) the fol-
7 lowing:

8 “(c) WAIVER REQUIREMENTS.—

9 “(1) PUBLIC NOTIFICATION OF AND OPPOR-
10 TUNITY FOR COMMENT ON REQUEST FOR A WAIV-
11 ER.—

12 “(A) IN GENERAL.—If the Secretary re-
13 ceives a request for a waiver under subsection
14 (b), the Secretary shall provide notice of and an
15 opportunity for public comment on the request
16 at least 30 days before making a finding based
17 on the request.

1 “(B) NOTICE REQUIREMENTS.—A notice
2 provided under subparagraph (A) shall—

3 “(i) include the information available
4 to the Secretary concerning the request, in-
5 cluding whether the request is being made
6 under subsection (b)(1), (b)(2), or (b)(3);
7 and

8 “(ii) be provided by electronic means,
9 including on the official public Internet
10 Web site of the Department of Transpor-
11 tation.

12 “(2) DETAILED JUSTIFICATION IN FEDERAL
13 REGISTER.—If the Secretary issues a waiver under
14 subsection (b), the Secretary shall publish in the
15 Federal Register a detailed justification for the
16 waiver that—

17 “(A) addresses the public comments re-
18 ceived under paragraph (1)(A); and

19 “(B) is published before the waiver takes
20 effect.”.

21 (b) PUBLIC TRANSPORTATION.—Section
22 5323(j)(3)(A) of title 49, United States Code, is amended
23 to read as follows:

24 “(A) WAIVER REQUIREMENTS.—

1 “(i) PUBLIC NOTIFICATION OF AND
2 OPPORTUNITY FOR COMMENT ON REQUEST
3 FOR A WAIVER.—

4 “(I) IN GENERAL.—If the Sec-
5 retary receives a request for a waiver
6 under paragraph (2), the Secretary
7 shall provide notice of and an oppor-
8 tunity for public comment on the re-
9 quest at least 30 days before making
10 a finding based on the request.

11 “(II) NOTICE REQUIREMENTS.—
12 A notice provided under clause (i)
13 shall—

14 “(aa) include the informa-
15 tion available to the Secretary
16 concerning the request, including
17 whether the request is being
18 made under paragraph (2)(A),
19 (2)(B), (2)(C), or (2)(D); and

20 “(bb) be provided by elec-
21 tronic means, including on the of-
22 ficial public Internet Web site of
23 the Department of Transpor-
24 tation.

1 “(ii) DETAILED JUSTIFICATION IN
2 FEDERAL REGISTER.—If the Secretary
3 issues a waiver under paragraph (2), the
4 Secretary shall publish in the Federal Reg-
5 ister a detailed justification for the waiver
6 that—

7 “(I) addresses the public com-
8 ments received under clause (i)(I);
9 and

10 “(II) is published before the
11 waiver takes effect.”.

12 (c) RAIL.—Section 24405(a)(4) of title 49, United
13 States Code, is amended to read as follows:

14 “(4) WAIVER REQUIREMENTS.—

15 “(A) PUBLIC NOTIFICATION OF AND
16 OPPORTUNITY FOR COMMENT ON REQUEST
17 FOR A WAIVER.—

18 “(i) IN GENERAL.—If the Sec-
19 retary receives a request for a waiver
20 under paragraph (2), the Secretary
21 shall provide notice of and an oppor-
22 tunity for public comment on the re-
23 quest at least 30 days before making
24 a finding based on the request.

1 “(ii) NOTICE REQUIREMENTS.—
2 A notice provided under clause (i)
3 shall—

4 “(I) include the information
5 available to the Secretary con-
6 cerning the request, including
7 whether the request is being
8 made under paragraph (2)(A),
9 (2)(B), (2)(C), or (2)(D); and

10 “(II) be provided by elec-
11 tronic means, including on the of-
12 ficial public Internet Web site of
13 the Department of Transpor-
14 tation.

15 “(B) DETAILED JUSTIFICATION IN
16 FEDERAL REGISTER.—If the Secretary
17 issues a waiver under paragraph (2), the
18 Secretary shall publish in the Federal Reg-
19 ister a detailed justification for the waiver
20 that—

21 “(i) addresses the public com-
22 ments received under subparagraph
23 (A)(i); and

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“(ii) is published before the waiv-

2

er takes effect.”.

