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:

SEC. ___. BUY AMERICA.

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

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

(2) by inserting after subsection (b) the fol-

lowing:

“(c) WAIVER REQUIREMENTS.—

“(1) PUBLIC NOTIFICATION OF AND OPPOR-

TUNITY FOR COMMENT ON REQUEST FOR A WAIV-

ER.—

“(A) IN GENERAL.—If the Secretary re-

ceives a request for a waiver under subsection (b), the Secretary shall provide notice of and an opportunity for public comment on the request at least 30 days before making a finding based on the request.
“(B) NOTICE REQUIREMENTS.—A notice provided under subparagraph (A) shall—

“(i) include the information available to the Secretary concerning the request, including whether the request is being made under subsection (b)(1), (b)(2), or (b)(3); and

“(ii) be provided by electronic means, including on the official public Internet Web site of the Department of Transportation.

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

“(A) addresses the public comments received under paragraph (1)(A); and

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

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

“(A) WAIVER REQUIREMENTS.—
“(i) Public notification of and opportunity for comment on request for a waiver.—

“(I) In general.—If the Secretary receives a request for a waiver under paragraph (2), the Secretary shall provide notice of and an opportunity for public comment on the request at least 30 days before making a finding based on the request.

“(II) Notice requirements.—A notice provided under clause (i) shall—

“(aa) include the information available to the Secretary concerning the request, including whether the request is being made under paragraph (2)(A), (2)(B), (2)(C), or (2)(D); and

“(bb) be provided by electronic means, including on the official public Internet Web site of the Department of Transportation.
“(ii) **Detailed Justification in Federal Register.**—If the Secretary issues a waiver under paragraph (2), the Secretary shall publish in the Federal Register a detailed justification for the waiver that—

“(I) addresses the public comments received under clause (i)(I); and

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

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

“(4) **Waiver Requirements.**—

“(A) **Public Notification of and Opportunity for Comment on Request for a Waiver.**—

“(i) In general.—If the Secretary receives a request for a waiver under paragraph (2), the Secretary shall provide notice of and an opportunity for public comment on the request at least 30 days before making a finding based on the request.
(ii) NOTICE REQUIREMENTS.—

A notice provided under clause (i) shall—

“(I) include the information available to the Secretary concerning the request, including whether the request is being made under paragraph (2)(A), (2)(B), (2)(C), or (2)(D); and

“(II) be provided by electronic means, including on the official public Internet Web site of the Department of Transportation.

(B) DETAILED JUSTIFICATION IN FEDERAL REGISTER.—If the Secretary issues a waiver under paragraph (2), the Secretary shall publish in the Federal Register a detailed justification for the waiver that—

“(i) addresses the public comments received under subparagraph (A)(i); and
“(ii) is published before the waiver takes effect.”.