

**AMENDMENT TO SENATE AMENDMENT  
TO H.R. 1957  
OFFERED BY MR. GOSAR OF ARIZONA**

Page 10, line 11, strike the closing quotation marks and the second period.

Page 10, after line 11, insert the following:

1       “(l) BUY AMERICA REQUIREMENTS.—

2               “(1) DEFINITIONS.—In this subsection:

3                       “(A) PRODUCED IN THE UNITED  
4                       STATES.—The term ‘produced in the United  
5                       States’ means—

6                               “(i) in the case of iron or steel prod-  
7                               ucts, that all manufacturing processes for  
8                               the iron or steel product, from the initial  
9                               melting stage through the application of  
10                              coatings, occurred in the United States;

11                             “(ii) in the case of manufactured  
12                             products, that—

13                               “(I) the manufactured product  
14                               was manufactured in the United  
15                               States; and

1                   “(II) the cost of the components  
2                   of the manufactured product that are  
3                   mined, produced, or manufactured in  
4                   the United States is greater than 50  
5                   percent of the total cost of all compo-  
6                   nents of the manufactured product;  
7                   and

8                   “(iii) in the case of construction mate-  
9                   rials described in clauses (iv) through (ix)  
10                  of paragraph (3)(A), that all manufac-  
11                  turing processes for the construction mate-  
12                  rial occurred in the United States.

13                  “(B) SECRETARY.—The term ‘Secretary’  
14                  means the Secretary of Commerce.

15                  “(2) UNIFORM STANDARDS.—

16                  “(A) IN GENERAL.—Not later than 180  
17                  days after the date of enactment of this Act,  
18                  the Secretary shall issue uniform standards  
19                  that define the term ‘all manufacturing proc-  
20                  esses’ for the purposes of this subsection—

21                  “(i) in the case of iron and steel, in  
22                  a manner consistent with section  
23                  635.410(b)(1)(ii) of title 23, Code of Fed-  
24                  eral Regulations (as in effect on the date  
25                  of enactment of this Act); and

1           “(ii) in the case of construction mate-  
2           rials described in clauses (iv) through (ix)  
3           of paragraph (3)(A), in accordance with  
4           subparagraph (B).

5           “(B) CONSIDERATIONS.—In issuing uni-  
6           form standards under subparagraph (A)(ii), the  
7           Secretary shall—

8           “(i) ensure that the uniform stand-  
9           ards require that each manufacturing proc-  
10          ess required for the manufacture of the  
11          construction material and the inputs of the  
12          construction material occurs in the United  
13          States, without regard to the origin of raw  
14          material inputs; and

15          “(ii) take into consideration and seek  
16          to maximize the direct and indirect jobs  
17          benefited or created in the production of  
18          the construction material.

19          “(3) PROHIBITED USE OF FUND AMOUNTS.—

20          “(A) IN GENERAL.—No amounts shall be  
21          expended from the Fund for a project under  
22          subsection (e) unless all of the following mate-  
23          rials used in the project are produced in the  
24          United States:

25          “(i) Steel.

1 “(ii) Iron.

2 “(iii) Manufactured products.

3 “(iv) Non-ferrous metals.

4 “(v) Plastic and polymer-based prod-  
5 ucts (including polyvinylchloride, composite  
6 building materials, and polymers used in  
7 fiber optic cables).

8 “(vi) Concrete and other aggregates.

9 “(vii) Glass (including optic glass).

10 “(viii) Lumber.

11 “(ix) Drywall.

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

16 “(i) applying subparagraph (A) would  
17 be inconsistent with the public interest;

18 “(ii) the relevant material is not pro-  
19 duced in the United States in sufficient  
20 and reasonably available quantities and of  
21 a satisfactory quality; or

22 “(iii) inclusion of the relevant mate-  
23 rial produced in the United States will in-  
24 crease the cost of the overall project by  
25 more than 25 percent.

1           “(C) WAIVER.—If the head of the covered  
2 agency carrying out the applicable project  
3 makes a finding under subparagraph (B) to  
4 waive subparagraph (A), the head of the cov-  
5 ered agency shall, before the date on which the  
6 waiver takes effect—

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

10           “(ii) provide an opportunity for public  
11 comment on the proposed waiver for a pe-  
12 riod of not more than 60 days.

13           “(D) APPLICATION.—This paragraph shall  
14 be applied in a manner consistent with United  
15 States obligations under international agree-  
16 ments.”.

