

**AMENDMENT TO H.R. 4441**  
**OFFERED BY MR. LIPINSKI OF ILLINOIS**

At the end of subtitle C of title I, add the following:

1 **SEC. 139. BUY AMERICA REQUIREMENTS.**

2 (a) IN GENERAL.—Section 50101 of title 49, United  
3 States Code, is amended—

4 (1) in subsection (a) by inserting “, iron,” after  
5 “only if steel”; and

6 (2) by adding at the end the following:

7 “(d) WAIVER PUBLICATION.—

8 “(1) IN GENERAL.—If the Secretary determines  
9 that it is necessary to waive the application of sub-  
10 section (a) based on a finding under subsection (b),  
11 the Secretary shall, before the date on which such  
12 finding takes effect—

13 (A) publish in the Federal Register a de-  
14 tailed written justification as to why the waiver  
15 is needed; and

16 (B) provide notice of such finding and an  
17 opportunity for public comment on such finding  
18 for a reasonable period of time not to exceed 15  
19 days.

1           “(2) REPORT TO CONGRESS.—Not later than  
2           90 days after the last day of each fiscal year, the  
3           Secretary shall submit to Congress a report on the  
4           amount of the number of Buy America waivers  
5           granted under this section during that fiscal year.  
6           The report required by this paragraph shall sepa-  
7           rately indicate—

8                         “(A) an itemized list of all waivers granted  
9                         with respect to steel, iron, or manufactured  
10                        goods;

11                       “(B) the dollar value of any steel, iron, or  
12                        manufactured goods purchased that were manu-  
13                        factured outside of the United States; and

14                       “(C) a summary of the total procurement  
15                        funds spent on steel, iron, or manufactured  
16                        goods manufactured in the United States versus  
17                        funds spent on steel, iron, or manufactured  
18                        goods manufactured outside of the United  
19                        States.

20           “(3) AVAILABILITY OF REPORT.—The Secretary  
21           shall make the report submitted under paragraph  
22           (2) publicly available on the Internet Web site of the  
23           Department of Transportation not later than 30  
24           days after the date of submission of the report to  
25           Congress.