

111TH CONGRESS
2^D SESSION

S. 4019

To clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2010

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Congressional Made
5 in America Promise Act of 2010”.

1 **SEC. 2. APPLICABILITY OF BUY AMERICAN ACT TO LEGIS-**
2 **LATIVE BRANCH; NO EXCEPTIONS FOR PROD-**
3 **UCTS BEARING OFFICIAL CONGRESSIONAL**
4 **INSIGNIA.**

5 (a) IN GENERAL.—Section 2 of the Buy American
6 Act (41 U.S.C. 10a) is amended—

7 (1) by redesignating subsection (b) as sub-
8 section (c); and

9 (2) by inserting after subsection (a) the fol-
10 lowing new subsection:

11 “(b) CLARIFICATION OF APPLICABILITY TO ARTI-
12 CLES, MATERIALS, AND SUPPLIES FOR USE OF LEGISLA-
13 TIVE BRANCH.—

14 “(1) APPLICABILITY TO LEGISLATIVE
15 BRANCH.—Except as provided in paragraph (2),
16 subsection (a) applies with respect to articles, mate-
17 rials, and supplies acquired for the use of any office
18 in the legislative branch, including the House of
19 Representatives and the Senate, in the same manner
20 as such subsection applies with respect to articles,
21 materials, and supplies acquired for the use of a de-
22 partment or independent establishment.

23 “(2) SPECIAL RULE FOR PRODUCTS BEARING
24 OFFICIAL CONGRESSIONAL INSIGNIA.—In the case of
25 any product which bears an official insignia (includ-
26 ing a mark resembling an official seal) of the United

1 States House of Representatives, the United States
2 Senate, or the United States Congress and which is
3 acquired for the use of an office of the legislative
4 branch, the following shall apply:

5 “(A) The head of the office may not make
6 a determination under subsection (a) that it is
7 inconsistent with the public interest to enter
8 into a contract in accordance with this Act.

9 “(B) The head of the office may not make
10 a determination under subsection (a) that an
11 article, material, or supply is not mined, pro-
12 duced, or manufactured, as the case may be, in
13 the United States in sufficient and reasonably
14 available commercial quantities and of satisfac-
15 tory quality.

16 “(C) The last sentence of subsection (a)
17 shall not apply.”.

18 (b) CONFORMING AMENDMENT.—Section 69 of the
19 Revised Statutes of the United States (2 U.S.C. 109) is
20 repealed.

21 **SEC. 3. EFFECTIVE DATE.**

22 The amendments made by this Act shall take effect
23 upon the expiration of the 180-day period which begins
24 on the date of the enactment of this Act.

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