

114TH CONGRESS  
2D SESSION

# H. R. 6460

To amend the Safe Drinking Water Act to require, for projects for the construction, alteration, maintenance, or repair of treatment works funded through a State drinking water treatment revolving loan fund, the use of iron and steel products that are produced in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2016

Mrs. BUSTOS (for herself, Mr. LIPINSKI, Mr. JONES, Mr. RUSH, Ms. KAPTUR, Mr. NOLAN, Ms. NORTON, Ms. MOORE, Mr. POCAN, Mr. GALLEGO, Mr. GARAMENDI, Mr. FOSTER, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Safe Drinking Water Act to require, for projects for the construction, alteration, maintenance, or repair of treatment works funded through a State drinking water treatment revolving loan fund, the use of iron and steel products that are produced in the United States.

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 “Buy America for  
5 Drinking Water Extension Act of 2016”.

1 **SEC. 2. REQUIREMENTS FOR USE OF AMERICAN MATE-**  
2 **RIALS.**

3 Section 1452 of the Safe Drinking Water Act (42  
4 U.S.C. 300j-12) is amended by adding at the end the fol-  
5 lowing:

6 “(s) REQUIREMENTS FOR USE OF AMERICAN MATE-  
7 RIALS.—

8 “(1) IN GENERAL.—Funds made available from  
9 a State drinking water treatment revolving loan fund  
10 established under this section may not be used for  
11 a project for the construction, alteration, mainte-  
12 nance, or repair of collection, treatment, storage,  
13 and distribution facilities, including publicly and pri-  
14 vately owned pipes or other constructed conveyances,  
15 unless all of the iron and steel products used in the  
16 project are produced in the United States.

17 “(2) DEFINITION OF IRON AND STEEL PROD-  
18 UCTS.—In this section, the term ‘iron and steel  
19 products’ means the following products made pri-  
20 marily of iron or steel: Lined or unlined pipes and  
21 fittings, manhole covers and other municipal cast-  
22 ings, hydrants, tanks, flanges, pipe clamps and re-  
23 straints, valves, structural steel, reinforced precast  
24 concrete, and construction materials.

1           “(3) APPLICATION.—Paragraph (1) shall not  
2 apply in any case or category of cases in which the  
3 Administrator finds that—

4                   “(A) applying paragraph (1) would be in-  
5 consistent with the public interest;

6                   “(B) iron and steel products are not pro-  
7 duced in the United States in sufficient and  
8 reasonably available quantities and of a satis-  
9 factory quality; or

10                   “(C) inclusion of iron and steel products  
11 produced in the United States will increase the  
12 cost of the overall project by more than 25 per-  
13 cent.

14           “(4) WAIVER.—If the Administrator receives a  
15 request for a waiver under this section, the Adminis-  
16 trator shall—

17                   “(A) make available to the public, on an  
18 informal basis, a copy of the request and infor-  
19 mation available to the Administrator con-  
20 cerning the request;

21                   “(B) make the request and accompanying  
22 information available by electronic means, in-  
23 cluding on the official public Internet site of the  
24 Environmental Protection Agency; and

1           “(C) allow for informal public input on the  
2           request for at least 15 days prior to making a  
3           finding based on the request.

4           “(5) INTERNATIONAL AGREEMENTS.—This sec-  
5           tion shall be applied in a manner consistent with  
6           United States obligations under international agree-  
7           ments.

8           “(6) MANAGEMENT AND OVERSIGHT.—The Ad-  
9           ministrator may retain up to 0.25 percent of the  
10          funds appropriated for this section for management  
11          and oversight of the requirements of this subsection.

12          “(7) NO EFFECT ON OTHER REQUIREMENTS.—  
13          The requirement in paragraph (1) is in addition to  
14          any other applicable requirements for the construc-  
15          tion, alteration, maintenance, or repair of facilities  
16          using iron and steel products that are produced in  
17          the United States.

18          “(8) EFFECTIVE DATE.—This subsection does  
19          not apply with respect to a project if a State agency  
20          approves the engineering plans and specifications for  
21          the project, in that agency’s capacity to approve  
22          such plans and specifications prior to a project re-  
23          questing bids, prior to October 1, 2018.”.

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