

**AMENDMENT TO H.R. 7**  
**OFFERED BY MR. CRAVAACK OF MINNESOTA**

At the end of subtitle G of title I of the bill add at  
the end the following:

**1 SEC. 17 \_\_\_\_ . HIGHWAY BUY AMERICA PROVISIONS.**

2 Section 313 of title 23, United States Code, is  
3 amended by adding at the end the following:

4 “(g) APPLICATION OF BUY AMERICA TO HIGHWAY  
5 PROGRAMS.—The requirements of this section apply to all  
6 contracts for a project carried out within the scope of the  
7 applicable finding, determination, or decision under the  
8 National Environmental Policy Act of 1969 (42 U.S.C.  
9 4321 et seq.), regardless of the funding source of such  
10 contracts, if at least one contract for the project is funded  
11 with amounts made available to carry out this title.

12 “(h) WAIVER REQUIREMENTS.—

13 “(1) IN GENERAL.—If the Secretary receives a  
14 request for a waiver under this section, the Sec-  
15 retary shall provide notice of and an opportunity for  
16 public comment on the request at least 30 days be-  
17 fore making a finding based on the request.

18 “(2) NOTICE REQUIREMENTS.—A notice pro-  
19 vided under paragraph (1) shall include the informa-

1       tion available to the Secretary concerning the re-  
2       quest and shall be provided by electronic means, in-  
3       cluding on the official public Internet Web site of  
4       the Department of Transportation.

5           “(3) DETAILED JUSTIFICATION.—If the Sec-  
6       retary issues a waiver under this subsection, the  
7       Secretary shall publish in the Federal Register a de-  
8       tailed justification for the waiver that addresses the  
9       public comments received under paragraph (1), and  
10      shall ensure that such justification is published be-  
11      fore the waiver takes effect.”.

At the end of title II of the bill, insert the following:

12 **SEC. 20\_\_\_ . TRANSIT BUY AMERICA PROVISIONS.**

13       Section 5323(j) is amended by adding at the end the  
14      following:

15           “(3) APPLICATION OF BUY AMERICA TO TRAN-  
16       SIT PROGRAMS.—The requirements of this sub-  
17       section apply to all contracts for a project carried  
18       out within the scope of the applicable finding, deter-  
19       mination, or decision under the National Environ-  
20       mental Policy Act of 1969 (42 U.S.C. 4321 et seq.),  
21       regardless of the funding source of such contracts,  
22       if at least one contract for the project is funded with  
23       amounts made available to carry out this chapter.

24           “(4) ADDITIONAL WAIVER REQUIREMENTS.—

1           “(A) IN GENERAL.—If the Secretary re-  
2 ceives a request for a waiver under this section,  
3 the Secretary shall provide notice of and an op-  
4 portunity for public comment on the request at  
5 least 30 days before making a finding based on  
6 the request.

7           “(B) NOTICE REQUIREMENTS.—A notice  
8 provided under subparagraph (A) shall include  
9 the information available to the Secretary con-  
10 cerning the request and shall be provided by  
11 electronic means, including on the official public  
12 Internet Web site of the Department of Trans-  
13 portation

14           “(C) DETAILED JUSTIFICATION.—If the  
15 Secretary issues a waiver under this subsection,  
16 the Secretary shall publish in the Federal Reg-  
17 ister a detailed justification for the waiver that  
18 addresses the public comments received under  
19 subparagraph (A), and shall ensure that such  
20 justification is published before the waiver takes  
21 effect.”.

In title VIII of the bill, at the end of subtitle B, in-  
sert the following new section (and conform the table of  
contents accordingly):

1 **SEC. 8107. APPLICATION OF BUY AMERICA TO AMTRAK.**

2 Section 24305(f) of title 49, United States Code, is  
3 amended by adding at the end the following new para-  
4 graphs:

5 “(5) The requirements of this subsection apply  
6 to all contracts for a project carried out within the  
7 scope of the applicable finding, determination, or de-  
8 cision under the National Environmental Policy Act  
9 of 1969 (42 U.S.C. 4321 et seq.), regardless of the  
10 funding source of such contracts, if at least one con-  
11 tract for the project is funded with amounts made  
12 available to carry out this title.

13 “(6) If the Secretary receives a request for an  
14 exemption under this subsection, the Secretary shall  
15 provide notice of and an opportunity for public com-  
16 ment on the request at least 30 days before making  
17 a finding based on the request. Such a notice shall  
18 include the information available to the Secretary  
19 concerning the request and shall be provided by elec-  
20 tronic means, including on the official public Inter-  
21 net Web site of the Department of Transportation.  
22 If the Secretary grants an exemption under this sub-  
23 section, the Secretary shall publish in the Federal  
24 Register a detailed justification for the exemption  
25 that addresses the public comments received under

1       this paragraph, and shall ensure that such justifica-  
2       tion is published before the exemption takes effect.”.

At the end of title VIII of the bill, insert the fol-  
lowing new subtitle (and conform the table of contents  
accordingly):

### 3                   **Subtitle H—Miscellaneous**

#### 4   **SEC. 8701. APPLICATION OF BUY AMERICA TO INTERCITY** 5                   **PASSENGER RAIL SERVICE CORRIDORS.**

6       Section 24405(a) of title 49, United States Code, is  
7   amended—

8               (1) by striking paragraph (4) and redesignating  
9       paragraphs (5) through (11) as paragraphs (4)  
10      through (10), respectively; and

11              (2) by adding at the end the following new  
12      paragraphs:

13      “(11) The requirements of this subsection apply to  
14      all contracts for a project carried out within the scope of  
15      the applicable finding, determination, or decision under  
16      the National Environmental Policy Act of 1969 (42 U.S.C.  
17      4321 et seq.), regardless of the funding source of such  
18      contracts, if at least one contract for the project is funded  
19      with amounts made available to carry out this title.

20      “(12) If the Secretary receives a request for a waiver  
21      under this subsection, the Secretary shall provide notice  
22      of and an opportunity for public comment on the request

1 at least 30 days before making a finding based on the re-  
2 quest. Such a notice shall include the information available  
3 to the Secretary concerning the request and shall be pro-  
4 vided by electronic means, including on the official public  
5 Internet Web site of the Department of Transportation.  
6 If the Secretary issues a waiver under this subsection, the  
7 Secretary shall publish in the Federal Register a detailed  
8 justification for the waiver that addresses the public com-  
9 ments received under this paragraph, and shall ensure  
10 that such justification is published before the waiver takes  
11 effect.”.

