

107TH CONGRESS
1ST SESSION

H. R. 1458

To limit the exceptions to certain “Buy American” requirements, and to expand such requirements.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mr. HAYES (for himself, Mr. GRAHAM, Mr. DEMINT, and Mr. MCINTYRE) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To limit the exceptions to certain “Buy American” requirements, and to expand such requirements.

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. LIMITATION ON EXCEPTIONS TO BUY AMER-**
4 **ICAN REQUIREMENTS; EXPANSION OF RE-**
5 **QUIREMENTS.**

6 Section 9005 of the Department of Defense Appro-
7 priations Act, 1993 (10 U.S.C. 2241 note) is amended—

8 (1) by striking “shall determine” and all that
9 follows through “emergency procurements or” and
10 inserting “submits a certification to the Committees

1 on Armed Services and Subcommittees on Defense
2 of the Committees on Appropriations of the House
3 of Representatives and the Senate that (1) satisfac-
4 tory quality and sufficient quantity of a covered arti-
5 cle or item cannot be procured as and when needed
6 from suppliers which grow, reprocess, reuse, or
7 produce such articles or items in the United States
8 or its possessions, (2) an emergency exists and the
9 procurement is vital to national security, and the ar-
10 ticle or item to be procured is grown, reprocessed,
11 reused, or produced in a country that adheres to fair
12 labor practices (i.e., no labor practices involving
13 forced, slave, or child labor, or any other adverse
14 labor practice) as determined by the Department of
15 State and except”; and

16 (2) by inserting after “*Provided*,” the following:
17 “That in determining whether a purchase is for an
18 amount greater than the simplified acquisition
19 threshold for purposes of this section, multiple pur-
20 chases of a similar item in any fiscal year shall be
21 deemed to be a single purchase: *Provided further*,
22 That no procurement may be made by the Defense
23 Commissary Agency of any article or item described
24 in this section for purchases for amounts greater
25 than the simplified acquisition threshold covered by

1 section 2304(g) of title 10, United States Code, ex-
2 cept under the conditions described in this section:

3 *Provided further,*”.

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