

## S 2167

21st Century Buy American Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Government Operations and Politics

**Introduced:** Oct 8, 2015

**Current Status:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

**Latest Action:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Oct 8, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/2167>

### Sponsor

**Name:** Sen. Murphy, Christopher [D-CT]

**Party:** Democratic • **State:** CT • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Oct 8, 2015

### Subjects & Policy Tags

**Policy Area:**

Government Operations and Politics

### Related Bills

Bill	Relationship	Last Action
114 HR 3670	Identical bill	<b>Oct 2, 2015:</b> Referred to the Subcommittee on Water Resources and Environment.

## 21st Century Buy American Act

This bill amends the Buy American Act to define the term "substantially all" to mean that articles, materials, or supplies shall be treated as made substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if the cost of the domestic components of such articles, materials, or supplies exceeds 60% of the total cost of all such components.

The bill prohibits the use of the overseas exception to Buy American requirements unless one of the following criteria is met: (1) the articles, materials, or supplies are needed urgently for national security reasons; or (2) a cost analysis demonstrates that the articles, materials, or supplies to be acquired would be more than 50% more expensive if made in the United States.

The bill requires the head of a federal agency, in determining whether to apply the public interest exception to Buy American requirements, to: (1) consider the short-term and long-term effects on employment in the United States, and (2) determine that preserving or increasing employment in the United States is consistent with the public interest.

The bill requires each federal agency that applies an exception or grants a waiver to Buy American requirements to submit to the Office of Management and Budget (OMB) a notification of such exception or waiver and post such notification on the OMB website.

The bill: (1) authorizes the Department of Defense to establish and carry out a program to make or guarantee loans to certain business entities, up to \$500,000 per entity, under the Defense Production Act; and (2) sets forth eligibility requirements for such entities, including requirements that such an entity is a manufacturer in the United States, is certified as eligible to apply for trade adjustment assistance, and meets criteria relating to the availability of an item.

## Actions Timeline

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- **Oct 8, 2015:** Introduced in Senate
- **Oct 8, 2015:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.