

112TH CONGRESS
1ST SESSION

H. R. 3645

To require consideration of the impacts of a public interest waiver from the Buy America requirement on domestic manufacturing employment for certain transportation provisions.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2011

Ms. SUTTON (for herself, Mr. LIPINSKI, Mr. JONES, Mr. HASTINGS of Florida, Mr. ANDREWS, Ms. KAPTUR, Mr. RYAN of Ohio, Mr. COURTNEY, Mr. YARMUTH, Mr. MURPHY of Connecticut, Mr. HOLDEN, Mr. CRITZ, and Mr. GENE GREEN of Texas) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require consideration of the impacts of a public interest waiver from the Buy America requirement on domestic manufacturing employment for certain transportation provisions.

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 “American Jobs Preser-
5 vation Act”.

1 **SEC. 2. HIGHWAYS.**

2 Section 313 of title 23, United States Code, is
3 amended—

4 (1) by redesignating subsections (e) through (f)
5 as subsections (d) through (g), respectively;

6 (2) by inserting after subsection (b) the fol-
7 lowing:

8 “(c) REQUIREMENTS FOR ISSUANCE OF PUBLIC IN-
9 TEREST WAIVER.—The Secretary may issue a waiver
10 based on a finding under subsection (b)(1) only after the
11 Secretary has considered the potential impacts of the
12 waiver on domestic manufacturing employment. The Sec-
13 retary shall include a statement detailing the short and
14 long-term impact of the finding on domestic manufac-
15 turing employment.”.

16 **SEC. 3. TRANSIT.**

17 Section 5323(j) of title 49, United States Code, is
18 amended—

19 (1) by redesignating paragraphs (3) through
20 (9) as paragraphs (4) through (10), respectively;
21 and

22 (2) by inserting after paragraph (2) the fol-
23 lowing:

24 “(3) REQUIREMENTS FOR ISSUANCE OF PUBLIC IN-
25 TEREST WAIVER.—The Secretary may issue a waiver
26 based on a finding under paragraph (2)(A) only after the

1 Secretary has considered the potential impacts of the
2 waiver on domestic manufacturing employment. The Sec-
3 retary shall include a statement detailing the short and
4 long-term impact of the finding on domestic manufac-
5 turing employment.”.

6 **SEC. 4. AVIATION.**

7 Section 50101 of title 49, United States Code, is
8 amended—

9 (1) by redesignating subsection (c) as sub-
10 section (d);

11 (2) by inserting after subsection (b) the fol-
12 lowing:

13 “(c) REQUIREMENTS FOR ISSUANCE OF PUBLIC IN-
14 TEREST WAIVER.—The Secretary may issue a waiver
15 based on a finding under subsection (b)(1) only after the
16 Secretary has considered the potential impacts of the
17 waiver on domestic manufacturing employment. The Sec-
18 retary shall include a statement detailing the short and
19 long-term impact of the finding on domestic manufac-
20 turing employment.”.

21 **SEC. 5. RAIL.**

22 Section 24405(a) of title 49, United States Code, is
23 amended—

1 (1) by redesignating paragraphs (3) through
2 (11) as paragraphs (4) through (12), respectively;
3 and

4 (2) by inserting after paragraph (2) the fol-
5 lowing:

6 “(3) REQUIREMENTS FOR ISSUANCE OF PUBLIC IN-
7 TEREST WAIVER.—The Secretary may issue a waiver
8 based on a finding under paragraph (2)(A) only after the
9 Secretary has considered the potential impacts of the
10 waiver on domestic manufacturing employment. The Sec-
11 retary shall include a statement detailing the short and
12 long-term impact of the finding on domestic manufac-
13 turing employment.”.

14 **SEC. 6. AMTRAK.**

15 Section 24305(f) of title 49 United States Code, is
16 amended by adding at the end the following new para-
17 graph:

18 “(5) REQUIREMENTS FOR ISSUANCE OF PUBLIC IN-
19 TEREST WAIVER.—The Secretary may issue a waiver
20 based on a finding under paragraph (4)(A)(i) only after
21 the Secretary has considered the potential impacts of the
22 waiver on domestic manufacturing employment. The Sec-
23 retary shall include a statement detailing the short and

- 1 long-term impact of the finding on domestic manufac-
- 2 turing employment.”.

