

116TH CONGRESS  
2D SESSION

# H. R. 8785

To direct the Secretary of Commerce to establish a committee to evaluate the manufacturing capacity for products and industries that are crucial to the resilience of the United States during national emergencies or severe disruptions in global trade, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2020

Ms. FINKENAUER (for herself and Mr. LAMB) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## A BILL

To direct the Secretary of Commerce to establish a committee to evaluate the manufacturing capacity for products and industries that are crucial to the resilience of the United States during national emergencies or severe disruptions in global trade, and for other purposes.

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 “Building Back Amer-  
5 ican Manufacturing Act” or “B–BAM Act”.

1 **SEC. 2. COMMITTEE ON BUILDING BACK AMERICAN MANU-**  
2 **FACTURING.**

3 (a) ESTABLISHMENT.—Not later than 90 days after  
4 the date of the enactment of this section, the Secretary  
5 of Commerce, in consultation with the Secretary of De-  
6 fense and the Secretary of Labor, shall establish an advi-  
7 sory committee to be known as the Committee on Building  
8 Back American Manufacturing (in this section referred to  
9 as the “Committee”).

10 (b) MEMBERSHIP.—

11 (1) COMPOSITION.—The Committee shall be  
12 composed of the following:

13 (A) The Secretary of Defense, or the Sec-  
14 retary’s designee.

15 (B) The Secretary of Commerce, or the  
16 Secretary’s designee.

17 (C) The Secretary of Labor, or the Sec-  
18 retary’s designee.

19 (D) The Secretary of Health and Human  
20 Services, or the Secretary’s designee.

21 (E) The Secretary of Homeland Security,  
22 or the Secretary’s designee.

23 (F) The Secretary of Transportation, or  
24 the Secretary’s designee.

25 (G) The Secretary of the Treasury, or the  
26 Secretary’s designee.

1 (H) The Secretary of Energy, or the Sec-  
2 retary's designee.

3 (I) The Administrator of the Small Busi-  
4 ness Administration, or the Administrator's  
5 designee.

6 (J) The Chairman of the Federal Trade  
7 Commission, or the Chairman's designee.

8 (K) Two members who represent organized  
9 labor, to be selected and appointed by the  
10 Labor Advisory Committee for Trade Negotia-  
11 tions and Trade Policy.

12 (L) Two members each, appointed by—

13 (i) the Speaker of the House of Rep-  
14 resentatives;

15 (ii) the minority leader of the House  
16 of Representatives;

17 (iii) the majority leader of the Senate;

18 (iv) the minority leader of the Senate;

19 and

20 (v) the President of the United  
21 States.

22 (M) The head of any other agency or a  
23 designee as determined by the Secretary of  
24 Commerce, in consultation with the Secretary of  
25 Defense and the Secretary of Labor.

1           (2) REQUIREMENTS.—Of the 10 members ap-  
2           pointed under paragraph (1)(L), the members shall  
3           be comprised of the following:

4                   (A) Individuals with expertise in private in-  
5           dustry.

6                   (B) Individuals with experience working  
7           with State and local governments.

8                   (C) Academics and those with research ex-  
9           perience in this field.

10                  (D) Members of a trade group or associa-  
11           tion.

12           (c) DUTIES.—The Committee shall carry out the fol-  
13           lowing duties:

14                  (1) Review and report on the strength, integ-  
15           rity, and capacity of the manufacturing base of the  
16           United States and supply chain for crucial, strategic  
17           resources and products in the United States as iden-  
18           tified by the Committee, including—

19                    (A) identifying strategic resources that are  
20           obtained or purchased from a foreign person or  
21           imported into the United States;

22                    (B) reporting on the benefits of increasing  
23           production of strategic resources identified  
24           under subparagraph (A) in the United States;

1           (C) identifying single-point-of-failure,  
2           vulnerabilities, or areas where there is a threat  
3           of disruption in the distribution and supply  
4           chain of strategic resources and ways to diver-  
5           sify manufacturing and supply chains; and

6           (D) assessing workforce readiness and the  
7           availability of high-skilled labor.

8           (2) Develop proposals to diversify production  
9           lines within the United States, including—

10           (A) the potential benefits of various tax  
11           credits;

12           (B) long-term and low-interest rates loans;

13           (C) grants;

14           (D) investments in workforce development;

15           (E) research and technology sharing agree-  
16           ments; and

17           (F) any other proposals that support and  
18           attract investment in manufacturing in the  
19           United States.

20           (3) Consider methods to increase consumer  
21           awareness of products made in the United States  
22           and the benefits the purchase of these products has  
23           on communities and workers, including—

1 (A) strengthening the enforcement of  
2 “Made in U.S.A.” claims by the Federal Trade  
3 Commission; and

4 (B) improving the information that retail-  
5 ers provide to consumers on the country of ori-  
6 gin of products, including those for online sales.

7 (4) Recommend policy proposals to improve  
8 production and acquisition of materials and products  
9 in the United States that have been identified by the  
10 Committee to be critical products and supplies where  
11 access can be severely limited in the event of global  
12 supply chain disruption.

13 (5) Determine resulting workforce needs to im-  
14 prove the production and acquisition of such mate-  
15 rials and products in the United States.

16 (6) Review ways to disseminate best practices,  
17 technical expertise, funding, or financing opportuni-  
18 ties, and foster industry collaborations that improve  
19 the competitiveness of manufacturers in the United  
20 States.

21 (7) Review existing domestic content policies  
22 and report on the following:

23 (A) Ways to improve compliance with the  
24 policy or policies.

1 (B) The processes and considerations for  
2 granting waivers under law.

3 (C) Identify programs, materials, and  
4 products not currently covered by applicable  
5 United States preference laws and regulations.

6 (D) Provide recommendations to extend  
7 similar provisions that would increase the use of  
8 goods sourced, manufactured, or assembled in  
9 the United States to programs, materials, and  
10 products according to subparagraph (C).

11 (d) CRITICAL PRODUCTS AND SUPPLIES.—The Com-  
12 mittee shall identify products and industries to be further  
13 developed that are critical for United States national and  
14 economic interests, including—

15 (1) defense war-time production;

16 (2) materials and products for construction and  
17 infrastructure projects;

18 (3) raw materials and supplies required for the  
19 production of technology that the Committee deter-  
20 mines is critical; and

21 (4) products and materials needed to respond to  
22 a pandemic or other global health crisis.

23 (e) REPORTS.—Not later than 1 year after the date  
24 on which the Committee is established, and every 2 years

1 thereafter for 4 years, the Committee shall submit to Con-  
2 gress a report—

3           (1) that details the findings of the Committee  
4           and include recommendations for policies and ac-  
5           tions to improve manufacturing independence in the  
6           United States for products that the Committee has  
7           determined are critical to meet identified targets;  
8           and

9           (2) that details how to strengthen the require-  
10          ments for United States content under section 313  
11          of title 23, United States Code, or chapter 83 of  
12          title 41, United States Code (commonly referred to  
13          as the Buy American Act).

14          (f) TERMINATION.—The Committee shall terminate  
15          on the date on which the final report is submitted pursu-  
16          ant to subsection (e).

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