

114TH CONGRESS
2D SESSION

S. 3131

To ensure the use of American iron and steel in public water systems,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 6, 2016

Ms. BALDWIN introduced the following bill; which was read twice and referred
to the Committee on Environment and Public Works

A BILL

To ensure the use of American iron and steel in public
water systems, 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 “Made in America
5 Water Infrastructure Act”.

6 **SEC. 2. TAXPAYER-PRODUCED IRON AND STEEL IN PUBLIC**
7 **WATER SYSTEMS.**

8 Section 1452(a) of the Safe Drinking Water Act (42
9 U.S.C. 300j–12(a)) is amended by adding at the end the
10 following:

1 “(4) REQUIREMENT FOR THE USE OF AMER-
2 ICAN MATERIALS.—

3 “(A) DEFINITION OF IRON AND STEEL
4 PRODUCTS.—In this paragraph, the term ‘iron
5 and steel products’ means the following prod-
6 ucts made, in part, of iron or steel:

7 “(i) Lined or unlined pipe and fit-
8 tings.

9 “(ii) Manhole covers and other munic-
10 ipal castings.

11 “(iii) Hydrants.

12 “(iv) Tanks.

13 “(v) Flanges.

14 “(vi) Pipe clamps and restraints.

15 “(vii) Valves.

16 “(viii) Structural steel.

17 “(ix) Reinforced precast concrete.

18 “(x) Construction materials.

19 “(B) REQUIREMENT.—Notwithstanding
20 any other provision of law, except as provided
21 in subparagraph (C), none of the funds made
22 available by a State loan fund authorized under
23 this section shall be used for a project for the
24 construction, alteration, maintenance, or repair
25 of a public water system unless all the iron and

1 steel products used in the project are produced
2 in the United States.

3 “(C) EXCEPTION.—Subparagraph (B)
4 shall not apply in any case or category of cases
5 in which the Administrator finds that—

6 “(i) applying subparagraph (B) would
7 be inconsistent with the public interest;

8 “(ii) iron and steel products are not
9 produced in the United States in sufficient
10 and reasonably available quantities and of
11 a satisfactory quality; or

12 “(iii) inclusion of iron and steel prod-
13 ucts produced in the United States will in-
14 crease the cost of the overall product by
15 more than 25 percent.

16 “(D) PUBLIC NOTICE; WRITTEN JUS-
17 TIFICATION.—

18 “(i) PUBLIC NOTICE.—If the Adminis-
19 trator receives a request for a waiver under
20 this paragraph, the Administrator shall—

21 “(I) make available to the public
22 on an informal basis, including on the
23 public website of the Administrator—

24 “(aa) a copy of the request;
25 and

1 “(bb) any information avail-
2 able to the Administrator regard-
3 ing the request; and

4 “(II) provide notice of, and op-
5 portunity for informal public comment
6 on, the request for a period of not less
7 than 15 days before making a finding
8 under subparagraph (C).

9 “(ii) WRITTEN JUSTIFICATION.—If,
10 after the period provided under clause (i),
11 the Administrator makes a finding under
12 subparagraph (C), the Administrator shall
13 publish in the Federal Register a detailed
14 written justification as to why subpara-
15 graph (B) is being waived.

16 “(E) APPLICATION.—This paragraph shall
17 be applied in a manner consistent with United
18 States obligations under international agree-
19 ments.

20 “(F) MANAGEMENT AND OVERSIGHT.—
21 The Administrator may use not more than 0.25
22 percent of any funds made available to carry
23 out this title for management and oversight of
24 the requirements of this paragraph.”.

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