

**Amendment to the Amendment in the Nature of a Substitute to H.R. 2415,
“Orphaned Well Cleanup and Jobs Act”
(Rep. Teresa Leger Fernández)**

- Redesignate subsections (h) and (i) and add a new subsection:

“(h) American Iron, Steel, and Manufactured Products.—

(1) Definitions.—In this paragraph:

(A) Iron or Steel Manufactured Product.—the term “iron or steel manufactured product” includes any construction material or end product (as those terms are defined in subpart 25.003 of the Federal Acquisition Regulation) that does not otherwise qualify as an iron or steel product, including—

- (i) an electrical component;
- (ii) a non-ferrous building material, including—
 - (I) aluminum and polyvinylchloride;
 - (II) glass;
 - (III) fiber optics;
 - (IV) plastic;
 - (V) wood;
 - (VI) masonry;
 - (VII) rubber;
 - (VIII) manufactured stone; and
 - (IX) any other non-ferrous metals; and
- (iii) an unmanufactured construction material.

(B) Produced in the United States.—

(i) In General.—The term “produced in the United States”—

(I) with respect to an iron or steel product or an iron or steel manufactured product, means that all manufacturing processes for, and materials and components of, the iron or steel product or iron or steel manufactured product, from the initial melting stage through the application of coatings, occurred in the United States; and

(II) with respect to an iron or steel manufactured product, means that—

(aa) the iron or steel manufactured product was manufactured in the United States; and

(bb) the cost of the components of the iron or steel manufactured product that were mined, produced, or manufactured in the United States is greater than 60 percent of the total cost of the components of the iron or steel manufactured product.

(ii) Exclusions.—The term “produced in the United States”, with respect to an iron or steel product or iron or steel manufactured product, does not include an

iron or steel product or an iron or steel manufactured product the materials and components of which were manufactured—

- (I) abroad from semi-finished steel or iron from the United States; or
- (II) in the United States from semi-finished steel or iron of foreign origin.

(2) Requirement.—Funds made available under this section may not be used for an orphaned well plugging or remediation project unless all of the iron and steel products and iron and steel manufactured products used in the project are produced in the United States.

(3) Waiver.—

(A) In General.—On request of the recipient of a grant under this section, the Secretary may grant for the project of the recipient of the grant a waiver of the requirement described in paragraph (2) if the Secretary finds that—

- (i) the application of paragraph (2) would be inconsistent with the public interest;
- (ii) iron or steel products or iron or steel manufactured products are not produced in the United States—
 - (I) in sufficient and reasonably available quantities; or
 - (II) of a satisfactory quality; or
- (iii) the inclusion of iron or steel products or iron or steel manufactured products in the United States would increase the cost of the overall project by greater than 25 percent.

(B) Public Notice.—On receipt of a request for a waiver under subparagraph (A), the Secretary shall—

- (i) make available to the public, including by electronic means, including on the official public website of the Department, on an informal basis, a copy of the request and all information available to the Secretary relating to the request; and
- (ii) provide for informal public input on the request for a period of not fewer than 15 days before making with respect to the request the finding described in subparagraph (A).”

- Page 14, line 14: replace “subsection (h)(5)(A)(ii)” with “subsection (i)(5)(A)(ii)”