

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE
OFFERED BY MR. BANKS OF INDIANA**

Add at the end the following:

1 **SEC. ____ . BUY AMERICAN REQUIREMENT.**

2 (a) REQUIREMENT.—Notwithstanding any other pro-
3 vision of law, the Secretary of Veterans Affairs may not
4 obligate any funds authorized to be appropriated or appro-
5 priated under this title for major construction, minor con-
6 struction, non-recurring maintenance, lease, or other
7 projects relating to real property unless all materials used
8 in such projects are produced in the United States.

9 (b) EXCEPTION.—

10 (1) DETERMINATION.—The Secretary may
11 make an exception to the requirement under sub-
12 section (a) for any materials that the Secretary de-
13 termines are not produced in the United States in
14 sufficient and reasonably available quantities or of a
15 satisfactory quality.

16 (2) AUTHORIZED PROCUREMENTS.—If the Sec-
17 retary makes an exception under paragraph (1) with
18 respect to materials, the Secretary may only procure
19 such materials from a country designated under the

1 Trade Agreements Act of 1979 (19 U.S.C. 2501 et
2 seq.).

3 (c) FUNDING.—Of the amounts appropriated to the
4 Department of Veterans Affairs under this title,
5 \$180,000,000 shall be available to carry out this section.

6 (d) DEFINITIONS.—In this section:

7 (1) The term “materials” means steel, iron,
8 non-ferrous metals, manufactured products (includ-
9 ing plastic and polymer-based products), and other
10 construction materials (including glass, lumber, and
11 drywall).

12 (2) The term “produced in the United States”
13 means—

14 (A) in the case of steel, iron, or non-fer-
15 rous metals products, that all manufacturing
16 processes, from the initial melting stage
17 through the application of coatings, occurred in
18 the United States; and

19 (B) in the case of manufactured products
20 and other construction materials, that the prod-
21 uct or material was manufactured in the United
22 States and the cost of its components that are
23 mined, produced, or manufactured in the

1 United States is greater than 55 percent of the
2 total cost of all its components.

