

104TH CONGRESS
2D SESSION

H. R. 4265

To apply the Buy American Act to articles, materials, and supplies for use outside the United States.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1996

Mr. NEUMANN (for himself and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To apply the Buy American Act to articles, materials, and supplies for use outside the United States.

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 “Buy American Im-
5 provement Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Buy American Act (41 U.S.C. 10a et
9 seq.) currently provides an exemption that allows for
10 Federal agencies to purchase foreign-made goods if

1 the goods are for use outside the United States. The
2 exemption applies even if American-made goods are
3 available.

4 (2) This exemption is a serious loophole, allow-
5 ing the use of United States tax dollars to purchase
6 foreign goods. In 1995, for example, the Department
7 of Defense alone purchased \$3.8 billion in foreign-
8 made goods.

9 (3) This exemption should be ended to ensure
10 that American companies and American workers re-
11 ceive fair and equitable treatment in all Federal
12 Government procurement contracts.

13 **SEC. 3. APPLICATION OF BUY AMERICAN ACT TO ARTICLES,**
14 **MATERIALS, AND SUPPLIES FOR USE OUT-**
15 **SIDE THE UNITED STATES.**

16 The Buy American Act (41 U.S.C. 10a et seq.) is
17 amended—

18 (1) in section 2—

19 (A) in the first sentence, by inserting be-
20 fore the period at the end the following: “, in-
21 cluding for use outside the United States”; and

22 (B) in the second sentence, by striking out
23 “with respect to articles, materials, or supplies
24 for use outside the United States, or”; and

25 (2) in section 4(b)—

- 1 (A) by striking out paragraph (1); and
- 2 (B) by redesignating paragraphs (2) and
- 3 (3) as paragraphs (1) and (2), respectively.

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