

[DISCUSSION DRAFT]119TH CONGRESS
2^D SESSION**H. R.** _____

To clarify the evidentiary treatment of documentation generated under a qualifying process standard for purposes of compliance with the Build America, Buy America Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MANN introduced the following bill; which was referred to the Committee
on _____

A BILL

To clarify the evidentiary treatment of documentation generated under a qualifying process standard for purposes of compliance with the Build America, Buy America Act, 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. DOMESTIC CONTENT CERTIFICATION.**

4 (a) IN GENERAL.—For the purposes of administering
5 the Build America, Buy America Act (title IV of division
6 G of Public Law 117–58; 42 U.S.C. 8301 note) with re-
7 spect to financial assistance administered by the Depart-

1 ment of Housing and Urban Development, the Secretary
2 of Housing and Urban Development (hereafter referred to
3 as the “Secretary”) shall treat documentation generated
4 in accordance with the Make It American Process Stand-
5 ard (NEMA 70901–2024), as in effect on the date of en-
6 actment of this Act, or a successor version approved by
7 the Secretary, as sufficient evidence for purposes of deter-
8 mining whether a funding recipient’s domestic content cer-
9 tification complies with applicable domestic content re-
10 quirements.

11 (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-
12 tion may be construed to—

13 (1) require a recipient or prospective recipient
14 of financial assistance administered by the Depart-
15 ment of Housing and Urban Development to use
16 documentation generated in accordance with the
17 Make It American Process Standard (NEMA
18 70901–2024) to certify that their domestic content
19 complies with applicable domestic content require-
20 ments; or

21 (2) prohibit a recipient or prospective recipient
22 of Federal financial assistance administered by the
23 Department of Housing and Urban Development
24 from using any other method to certify that their
25 domestic content complies with applicable domestic

1 content requirements if such method is permitted by
2 law.

3 (c) SIMILAR STANDARDS.—The Secretary may, if the
4 Secretary determines appropriate, treat documentation
5 produced through standards that are similar to the Make
6 It American Process Standard (NEMA 70901–2024) if
7 such standard provides an auditable and verifiable domes-
8 tic content certification process.