

111TH CONGRESS
2D SESSION

H. R. 6044

To amend the Foreign Assistance Act of 1961 to prohibit the United States Agency for International Development from procuring manufactured articles to provide disaster relief assistance or emergency relief assistance in a foreign country unless the articles are manufactured in such foreign country or in certain circumstances in the United States or third countries.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. LATTA (for himself, Mr. FORTENBERRY, Mr. BURTON of Indiana, and Mr. MANZULLO) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Foreign Assistance Act of 1961 to prohibit the United States Agency for International Development from procuring manufactured articles to provide disaster relief assistance or emergency relief assistance in a foreign country unless the articles are manufactured in such foreign country or in certain circumstances in the United States or third countries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Manufac-
3 turing Disaster Relief Act of 2010”.

4 **SEC. 2. CLARIFICATION OF CERTAIN BUY AMERICAN RE-**
5 **QUIREMENTS TO DISASTER RELIEF ASSIST-**
6 **ANCE AND EMERGENCY RELIEF ASSISTANCE**
7 **UNDER THE FOREIGN ASSISTANCE ACT OF**
8 **1961.**

9 (a) IN GENERAL.—Section 604 of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2354) is amended by adding
11 at the end the following new subsection:

12 “(h) CLARIFICATION OF CERTAIN BUY AMERICAN
13 REQUIREMENTS.—

14 “(1) IN GENERAL.—Except as provided in para-
15 graph (2), the Administrator may not procure a
16 manufactured article to provide disaster relief assist-
17 ance or emergency relief assistance in a foreign
18 country unless the article is manufactured in such
19 foreign country.

20 “(2) EXCEPTIONS.—

21 “(A) FOR U.S.-MANUFACTURED ARTI-
22 CLES.—If the Administrator determines that
23 satisfactory quality and sufficient quantity of
24 the article described in paragraph (1) cannot be
25 procured as and when needed, the Adminis-
26 trator may procure an article manufactured in

1 the United States to provide disaster relief as-
2 sistance or emergency relief assistance in such
3 foreign country.

4 “(B) FOR OTHER MANUFACTURED ARTI-
5 CLES.—If the Administrator determines that
6 satisfactory quality and sufficient quantity of
7 the article described in paragraph (A) cannot be
8 procured as and when needed, the Adminis-
9 trator may procure an article manufactured in
10 any other country to provide disaster relief as-
11 sistance or emergency relief assistance in such
12 foreign country.

13 “(3) CONSISTENCY WITH INTERNATIONAL
14 AGREEMENTS.—No provision of this subsection shall
15 apply to the extent the Administrator, in consulta-
16 tion with the United States Trade Representative,
17 determines that it is inconsistent with United States
18 obligations under an international agreement.

19 “(4) DEFINITIONS.—In this subsection—

20 “(A) the term ‘Administrator’ means the
21 Administrator of the United States Agency for
22 International Development;

23 “(B) the term ‘disaster relief assistance’
24 means assistance under chapter 9 of part I of
25 this Act;

1 “(C) the term ‘emergency relief assistance’
2 means assistance under part I of this Act to ad-
3 dress an urgent situation in which a population
4 is in imminent danger of increased malnutrition
5 and mortality as a result of food shortages; and

6 “(D) the term ‘manufactured’ means, with
7 respect to a country, the article has been manu-
8 factured in such country substantially all from
9 articles, materials, or supplies mined, produced,
10 or manufactured, as the case may be, in such
11 country.”.

12 (b) EFFECTIVE DATE.—The amendment made by
13 this section takes effect 90 days after the date of the en-
14 actment of this Act and applies to any contract entered
15 into on or after that date for the procurement of articles
16 to which such amendment applies.

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