

117TH CONGRESS
2D SESSION

S. 4758

To provide for enhanced domestic content requirements in Federal procurement, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2022

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide for enhanced domestic content requirements in Federal procurement, 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. SHORT TITLE.**

4 This Act may be cited as the “Returning American
5 Manufacturing Potential Act” or “RAMP Act”.

6 **SEC. 2. ENHANCED DOMESTIC CONTENT REQUIREMENT.**

7 (a) IN GENERAL.—Except as provided in subsection
8 (b), for purposes of chapter 83 of title 41, United States
9 Code, manufactured articles, materials, or supplies pro-
10 cured are manufactured substantially all from articles,

1 materials, or supplies mined, produced, or manufactured
2 in the United States if the cost of such component articles,
3 materials, or supplies—

4 (1) supplied not later than the date of the en-
5 actment of this Act, exceeds 60 percent of cost of
6 the manufactured articles, materials, or supplies
7 procured;

8 (2) supplied during the period beginning Janu-
9 ary 1, 2024, and ending December 31, 2028, ex-
10 ceeds 65 percent of the cost of the manufactured ar-
11 ticles, materials, or supplies; and

12 (3) supplied on or after January 1, 2029, ex-
13 ceeds 75 percent of the cost of the manufactured ar-
14 ticles, materials, or supplies.

15 (b) EXCLUSION FOR CERTAIN MANUFACTURED AR-
16 TICLES.—Subsection (a) shall not apply to manufactured
17 articles that consist wholly or predominantly of iron, steel,
18 or a combination of iron and steel.

19 (c) RULEMAKING.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Fed-
22 eral Acquisition Regulatory Council shall amend the
23 Federal Acquisition Regulation to determine the
24 treatment of the lowest price offered for a foreign
25 end product for which 55 percent or more of the

1 component articles, materials, or supplies of such
2 foreign end product are manufactured substantially
3 all from articles, materials, or supplies mined, pro-
4 duced, or manufactured in the United States if—

5 (A) the application of subsection (a) re-
6 sults in an unreasonable cost; or

7 (B) no offers are submitted to supply man-
8 ufactured articles, materials, or supplies manu-
9 factured substantially all from articles, mate-
10 rials, or supplies mined, produced, or manufac-
11 tured in the United States.

12 (2) AUTHORITY TO EXTEND 75 PERCENT DEAD-
13 LINE.—The amendments to the Federal Acquisition
14 Regulation made pursuant to paragraph (1) shall
15 provide that the Administrator of the General Serv-
16 ices Administration may extend the deadline re-
17 quired under subsection (a)(3) by one additional
18 year if the Administrator determines that is it nec-
19 essary to the national security of the United States.

20 (3) TERMINATION.—Rules issued under this
21 subsection shall cease to have force or effect on Jan-
22 uary 1, 2030.

1 **SEC. 3. PRICE PREFERENCES FOR CRITICAL SUPPLY CHAIN**
2 **ITEMS.**

3 (a) IN GENERAL.—Not later than one year after the
4 date of the enactment of this Act, the Federal Acquisition
5 Regulatory Council shall amend the Federal Acquisition
6 Regulation to provide for higher price preferences applica-
7 ble to end products, construction materials, and compo-
8 nents determined pursuant to subsection (b) to be critical
9 to United States supply chains.

10 (b) LIST OF CRITICAL ITEMS.—

11 (1) IN GENERAL.—The Director of the Office of
12 Management and Budget shall establish and main-
13 tain a list of end products, construction materials,
14 and components that the Director, in consultation
15 with the heads of relevant agencies, determines are
16 critical to United States supply chains.

17 (2) PUBLIC COMMENT.—The Director of the
18 Office of Management and Budget shall seek public
19 comment on the list maintained under paragraph
20 (1), including by publishing the list in the Federal
21 Register no less often than once every four years.
22 The Director shall also consider any unsolicited rec-
23 ommendations and comments received at any time,
24 provided that such recommendations and comments
25 provide sufficient data and rationale to permit eval-
26 uation.

1 **SEC. 4. APPLICABILITY.**

2 The requirements of this Act shall apply to contracts
3 entered into on or after the date of the enactment of this
4 Act.

