SENATE RESOLUTION 610—RECOGNIZING THAT FOR 50 YEARS, THE REPUBLIC OF FIJI HAS WORKED WITH THE UNITED STATES TOWARD STABILITY, PROSPERITY, AND PEACE IN THE PACIFIC AND BEYOND, AND EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES WILL CONTINUE TO REMAIN A STRONG, RELIABLE, AND ACTIVE PARTNER IN THE PACIFIC

Mr. GARDNER (for himself and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 610

Whereas Fiji became independent of the United Kingdom on October 10, 1970;

Whereas Fiji is a valued security partner of the United States, participating in the International Military Education and Training (IMET) program, which sends members of the Republic of Fiji Military Forces to professional military education courses in the United States;

Whereas the Republic of Fiji Military Forces deployed to Australia in January 2020 to assist with the Australian bushfires and look to contribute to future United Nations peacekeeping operations;

Whereas Fiji participates in workshops sponsored by United States Indo-Pacific Command covering international humanitarian law, humanitarian assistance and disaster relief (HADR), maritime security, peacekeeping, and search and rescue operations;

Whereas, since signing a shiprider agreement with Fiji in 2019, the United States has hosted Fijian shipriders on United States Navy and Coast Guard vessels;

Whereas the United States Government supports strengthening cooperative activities with the Government of Fiji, including sustainable fisheries management and those authorized by the Asia Reassurance Initiative Act of 2018 (Public Law 115–109);

Whereas section 1252 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) expands the number of countries that receive assistance under the Indo-Pacific Maritime Security Initiative, including Fiji;

Whereas a peaceful, prosperous, and open Indo-Pacific rooted in a rule-based order that promotes security, opportunity, and dignity to all peoples benefits the people of both the United States and Fiji;

Whereas Fiji restored democratic governance in 2014;

Whereas over 30,000 United States citizens trace their roots to Fiji, and many of these reside in California;

Whereas Fiji has hosted the Peace Corps since 1968;

Whereas Des Plaines, Illinois, and Nailuva, Fiji, are sister cities, a broad-based, long-term partnership to promote peace through mutual respect, understanding, and cooperation centered on people-to-people exchanges; and

Whereas the Nevada National Guard entered into a State Partnership Program with Fiji in 2019: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Republic of Fiji on a successful return to democracy and 2 elections deemed to be free and fair by international observers;

(2) supports and affirms the full implementation of provisions of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409) with regard to deepening its cooperation with Fiji in areas of mutual interest, including fisheries and marine resource conservation, environmental challenges and resilience, global health, development and trade, and people-to-people ties, as well as continuing United States assistance, as appropriate, to support the rule of law, good governance, and economic development; and

(3) recognizes Fiji's participation in multinational security forces and multilateral institutions, including the United Nations, the International Monetary Fund, the World Bank, the Asian Development Bank, the International Atomic Energy Agency, the World Trade Organization, the Pacific Community, and the Secretariat of the Pacific Regional Environmental Programme, and the Pacific Islands Forum.

SENATE RESOLUTION 611—RECOGNIZING THAT FOR 50 YEARS, THE KINGDOM OF TONGA HAS WORKED WITH THE UNITED STATES TOWARD STABILITY, PROSPERITY, AND PEACE IN THE PACIFIC AND BEYOND, AND EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES WILL CONTINUE TO REMAIN A STRONG, RELIABLE, AND ACTIVE PARTNER IN THE PACIFIC

Mr. GARDNER (for himself and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 611

Whereas Tonga's Queen Salote Tupou III negotiated for the end of British protectorate status for her nation and transition to Commonwealth membership, which bore fruit in 1970;

Whereas Tonga is a valued security partner of the United States, and the Tongan Defense Services deployed four contingents to Iraq between 2004 and 2008;

Whereas, in the coming year, the United States is committed to deepening this relationship through security cooperation, including hosting Tongan defense forces for International Military Education and Training (IMET) programs;

Whereas the United States Government supports many cooperative activities with the Government of Tonga in sustainable fisheries management and development assistance, including those authorized by the Asia Reassurance Initiative Act of 2018 (Public Law 115–409);

Whereas section 1252 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) expands the number of countries that receive assistance under the Indo-Pacific Maritime Security Initiative, including Tonga;

Whereas a peaceful, prosperous, and open Indo-Pacific rooted in a rule-based order that promotes security, opportunity, and dignity to all peoples benefits the people of both the United States and the Kingdom of Tonga;

Whereas the Kingdom of Tonga, a constitutional monarchy, took steps towards democratic governance beginning in 2010;

Whereas over 50,000 United States citizens trace their roots to the Kingdom of Tonga, and many of these reside in the States of Utah, California, and Hawaii;

Whereas Tonga has hosted the Peace Corps since 1967; and

Whereas the Nevada National Guard entered into a State Partnership Program with Tonga in 2014: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Kingdom of Tonga on a successful transition to a constitutional monarchy and 3 elections deemed to be free and fair by international observers;

(2) supports and affirms the full implementation of provisions of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409) with regard to deepening its cooperation with Tonga in areas of mutual interest, including fisheries and marine resource conservation, environmental challenges and resilience, global health, development and trade, people-to-people ties, and continuing United States assistance, as appropriate, to support the rule of law, good governance, and economic development; and

(3) recognizes Tonga's participation in multinational security forces and multilateral institutions including the United Nations, International Monetary Fund, World Bank, Asian Development Bank, International Atomic Energy Agency, the World Trade Organization, the Pacific Community, the Secretariat of the Regional Environmental Programme, and the Pacific Islands Forum.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1593. Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. DURBIN, Ms. STABENOW, Ms. DUCKWORTH, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 3591, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities and for other purposes; which was ordered to lie on the table.

SA 1594. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 1957, to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; which was ordered to lie on the table.

SA 1595. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 1957, supra; which was ordered to lie on the table.

SA 1596. Ms. BALDWIN (for herself, Mr. BRAUN, Mr. BROWN, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 1957, supra; which was ordered to lie on the table.

SA 1597. Mr. CASSIDY (for himself, Mr. CORNYN, Mr. KENNEDY, Mr. JONES, Mr. WICKER, Mr. SULLIVAN, Mr. SHELBY, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 1957, supra; which was ordered to lie on the table.

SA 1598. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 1957, supra; which was ordered to lie on the table

TEXT OF AMENDMENTS

SA 1593. Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. DURBIN, Ms. STABENOW, Ms. DUCKWORTH, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 3591, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle A of title I, insert the following:

SEC. 1____. HARBOR MAINTENANCE TRUST FUND REFORM.

(a) EXPENDITURE OF COLLECTIONS FROM HARBOR MAINTENANCE TRUST FUND.—

(1) IN GENERAL.—Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended—

(A) by striking the section designation and heading and inserting the following:

"SEC. 210. EXPENDITURE OF RECEIPTS FROM HARBOR MAINTENANCE TRUST FUND.";

(B) by striking subsections (d) and (e);

(C) by redesignating subsections (a), (b), (c), and (f) as subsections (b), (c), (d), and (a), respectively, and moving the subsections so as to appear in alphabetical order;

(D) in subsection (a) (as so redesignated)—

(i) in paragraph (2), by striking ''referred to in subsection (a)(2)'';

(ii) in paragraphs (6) and (7), by striking ''subsection (a)(2)'' each place it appears and inserting ''subsection (b)(1)(B)'';

(iii) by striking paragraphs (8) and (9);

(iv) by redesignating paragraphs (1) through (7) as paragraphs (2), (5), (8), (9), (10), (12), and (14), respectively;

(v) by inserting before paragraph (2) (as so redesignated) the following:

''(1) CARGO CONTAINER.—The term 'cargo container' means a cargo container that is 1 Twenty-foot Equivalent Unit.'';

(vi) by inserting after paragraph (2) (as so redesignated) the following:

''(3) DISCRETIONARY CARGO.—The term 'discretionary cargo' means maritime cargo for which the United States port of unloading is different than the United States port of entry.

''(4) DONOR PORT.—

''(A) IN GENERAL.—The term 'donor port' means a port—

''(i) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

''(ii) at which, on an average annual basis for the previous 3 fiscal years, the total amount of harbor maintenance taxes collected, including domestic cargo and cruise passenger estimates, was not less than $15,000,000;

''(iii) that, on an annual average basis for the previous 5 fiscal years, received less than 25 percent of the total amount of harbor maintenance taxes collected at that port; and

''(iv) that is located in a State in which, on an average annual basis for the previous 3 fiscal years, more than 2,000,000 cargo containers were unloaded from or loaded onto vessels.

''(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described in subsection (d)(3)(B)(i) shall not be included.'';

(vii) by inserting after paragraph (5) (as so redesignated) the following:

''(6) ENERGY COMMODITY.—The term 'energy commodity' includes—

''(A) petroleum products;

''(B) natural gas;

''(C) coal;

''(D) wind and solar energy components; and

''(E) biofuels.

''(7) ENERGY TRANSFER PORT.—The term 'energy transfer port' means a port—

''(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

''(B) through which, on an average annual basis for the previous 3 fiscal years, more than 40,000,000 tons of cargo were transported; and

''(C) at which, on an average annual basis for the previous 3 fiscal years, energy commodities comprised greater than 25 percent of all commercial activity by tonnage.'';

(viii) in paragraph (8) (as so redesignated), by adding at the end the following:

''(C) An in-water improvement, if the improvement—

''(i) benefits commercial navigation at the applicable harbor; and

''(ii) is located in, or adjacent to, a berth that is accessible to a Federal navigation project.

''(D) An activity to maintain or improve slope stability at a berth in a harbor that is accessible to a Federal navigation project, if the activity benefits commercial navigation at the harbor.'';

(ix) by inserting after paragraph (10) (as so redesignated) the following:

''(11) HARBOR MAINTENANCE TRUST FUND.—The term 'Harbor Maintenance Trust Fund' means the Harbor Maintenance Trust Fund established by section 9505 of the Internal Revenue Code of 1986.''; and

(x) by inserting after paragraph (12) (as so redesignated) the following:

''(13) MEDIUM-SIZED DONOR PORT.—

''(A) IN GENERAL.—The term 'medium-sized donor port' means a port—

''(i) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

''(ii) at which, on an annual average basis for the previous 3 fiscal years, the total amount of harbor maintenance taxes collected, including domestic cargo and cruise passenger estimates, was more than $5,000,000, but less than $15,000,000;

''(iii) that, on an average annual basis for the previous 5 fiscal years, received less than 25 percent of the total amount of harbor maintenance taxes collected at that port; and

''(iv) that is located in a State in which, on an average annual basis for the previous 3 fiscal years, more than 2,000,000 cargo containers were unloaded from or loaded onto vessels.

''(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described in subsection (d)(3)(B)(i) shall not be included.'';

(E) in subsection (b) (as so redesignated)—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(ii) in subparagraph (A) (as so redesignated), by striking ''and'' at the end;

(iii) in subparagraph (B) (as so redesignated), by striking the period at the end and inserting the following: ''; and

''(C) up to 100 percent of the eligible costs to donor ports, medium-sized donor ports, and energy transfer ports, in accordance with this section.'';

(iv) in the matter preceding subparagraph (A) (as so redesignated)—

(I) by striking '', established by section 9505 of the Internal Revenue Code of 1954,''; and

(II) by striking ''There are'' and inserting the following:

''(1) IN GENERAL.—There are''; and

(v) by adding at the end the following:

''(2) LIMITATIONS.—

''(A) ENERGY TRANSFER PORTS.—The amounts available under this subsection for energy transfer ports shall be divided equally among all States that contain an energy transfer port.

''(B) DONOR PORTS AND MEDIUM-SIZED DONOR PORTS.—Of the amounts available under this subsection for donor ports and medium-sized donor ports—

''(i) 50 percent shall be equally divided among eligible donor ports, in accordance with this section; and

''(ii) 50 percent shall be divided between eligible donor ports and medium-sized donor ports based on the percentage of the total harbor maintenance tax revenues generated at each eligible donor port and medium-sized donor port.

''(C) GREAT LAKES NAVIGATION SYSTEM.—Of the amounts available under this subsection, the Secretary shall use not less than 12 percent for projects that are located within the Great Lakes Navigation System.

''(D) EMERGING HARBORS.—Of the amounts available under this subsection, the Secretary shall use not less than 12 percent for emerging harbor projects.

''(E) ALLOCATION.—

''(i) IN GENERAL.—Amounts provided to a port under this subsection shall be available to the port as—

''(I) a donor port;

''(II) a medium-sized donor port; or

''(III) an energy transfer port.

''(ii) TREATMENT.—No port may receive amounts made available under this subsection for more than 1 designation described in clause (i).'';

(F) in subsection (d) (as so redesignated)—

(i) by striking the subsection designation and heading and all that follows through ''the Secretary'' in paragraph (1) and inserting the following:

''(d) USE OF FUNDS.—

''(1) ALLOCATIONS.—The Secretary'';

(ii) in paragraph (1), by striking ''subsection (a)(2), including expenditures of funds appropriated from the Harbor Maintenance Trust Fund'' and inserting ''subsection (b)(1)(B)'';

(iii) by redesignating paragraph (4) as paragraph (5); and

(iv) by striking paragraph (3) and inserting the following:

''(3) DONOR PORTS AND ENERGY TRANSFER PORTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall use amounts in the Harbor Maintenance Trust Fund to pay the costs described in subsection (b)(1)(C), in accordance with the applicable allocations under paragraph (4).

''(B) USE OF FUNDS.—The amounts provided under this paragraph may be used at a donor port, a medium-sized donor port, or an energy transfer port—

''(i) to provide payments to importers entering cargo through that port, as calculated by the Secretary according to the value of discretionary cargo and in accordance with subparagraph (C);

''(ii) for expanded uses; or

''(iii) for environmental remediation related to dredging berths and Federal navigation channels.

''(C) ADMINISTRATION OF PAYMENTS.—

''(i) IN GENERAL.—If a donor port, medium-sized donor port, or energy transfer port elects to provide payments to importers pursuant to subparagraph (B)(i), the Secretary shall transfer to the Commissioner of U.S. Customs and Border Protection those payments that would otherwise be provided to the port under this paragraph to provide payments to the importers of discretionary cargo that is—

''(I) shipped through the port; and

''(II) most at risk of diversion to seaports outside the United States.

''(ii) REQUIREMENT.—The Secretary, in consultation with a port electing to provide payments pursuant to subparagraph (B)(i), shall determine the top importers at the port, as ranked by the value of discretionary cargo, and payments shall be limited to those top importers.

''(4) SPENDING BY ANNUAL HMTF RECEIPTS.—For each fiscal year, the amounts provided to carry out subparagraphs (B) and (C) of subsection (b)(1) shall be distributed in accordance with the following:

''(A) 85 percent shall be used in accordance with subsection (b)(1)(B); and

''(B) 15 percent shall be used in accordance with subsection (b)(1)(C), of which—

''(i) not less than 5 percent shall be provided to energy transfer ports in accordance with subsection (b)(2)(A); and

''(ii) not less than 10 percent shall be provided to donor ports and medium-sized donor ports in accordance with subsection (b)(2)(B).''; and

(G) by inserting after subsection (d) (as so redesignated) the following:

''(e) EMERGENCY EXPENDITURES.—Nothing in this section prohibits the Secretary from making an expenditure to pay for the operation and maintenance costs of a specific harbor or inland harbor, including the transfer of funding from the operation and maintenance of a separate project, if—

''(1) the Secretary determines that the action is necessary to address the navigation needs of a harbor or inland harbor where safe navigation has been severely restricted due to an unforeseen event; and

''(2) the Secretary provides, by not later than 90 days after the date of the action, a notice and information regarding the need for the action to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

''(f) ADDITIONAL REPORTS.—At the request of the Committee on Environment and Public Works or the Committee on Appropriations of the Senate, or the Committee on Transportation and Infrastructure or the Committee on Appropriations of the House of Representatives, the Secretary shall submit to the Committee an update in the form of testimony and any additional reports regarding the allocation of funding under this section.

''(g) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—Amounts made available from the Harbor Maintenance Trust Fund under this section or section 9505 of the Internal Revenue Code of 1986 shall be made available in accordance with section 14003 of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).''.

(2) DONOR PORTS AND ENERGY TRANSFER PORTS.—Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is repealed.

(3) GAO AUDIT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct, and submit to Congress a report describing the results of, a study to determine the means by which the Corps of Engineers allocates funds in the Harbor Maintenance Trust Fund established by section 9505 of the Internal Revenue Code of 1986 based on national needs, as compared to geographic equity.

(b) ANNUAL REPORT TO CONGRESS.—Section 330 of the Water Resources Development Act of 1992 (26 U.S.C. 9505 note; Public Law 102–580) is amended—

(1) in subsection (a)—

(A) by striking ''and annually thereafter,'' and inserting ''and annually thereafter concurrent with the submission of the annual budget request to Congress under section 1105 of title 31, United States Code,'';

(B) by striking ''Public Works and Transportation'' and inserting ''Transportation and Infrastructure''; and

(C) by inserting ''(referred to in this section as the 'trust fund')'' before the period at the end; and

(2) in subsection (b)(1), by adding at the end the following:

''(D) A description of the expected expenditures from the trust fund to meet the needs of navigation for the fiscal year of the budget request.''.

SA 1594. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 1957, to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR FEDERAL PURPOSES.

Section 200306(a) of title 54, United States Code, is amended by adding at the end the following:

''(5) CONSERVATION PROJECTS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, and annually thereafter, the Secretary and the Secretary of Agriculture shall develop a priority list for projects (including the types of projects described in subparagraph (B)) that would improve the health, condition, and utility of Federal land under the jurisdiction of the Secretary or the Secretary of Agriculture, as applicable, as of the date on which the list is published.

''(B) INCLUSIONS.—The project types referred to in subparagraph (A) include the following:

''(i) Reclamation, including mine and brownfield site reclamation projects conducted by Federal agencies.

''(ii) Post-fire rehabilitation.

''(iii) Vegetation management.

''(iv) Invasive species management.

''(v) Wildlife habitat restoration and enhancement.

''(vi) Watershed and stream restoration.

''(vii) Other conservation activities, as determined by the Secretary or the Secretary of Agriculture, as applicable.

''(C) ALLOTMENT.—Amounts shall be allotted for projects included on a priority list developed under subparagraph (A).''.

SA 1595. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 1957, to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. DEFERRED MAINTENANCE BACKLOG.

Section 200306 of title 54, United States Code, is amended by adding at the end the following:

''(e) DEFERRED MAINTENANCE BACKLOG.—No funds may be expended from the Fund under this section until the date on which the Secretary submits to Congress a written certification that the critical systems deferred maintenance backlog of the Service is less than $1,000,000,000.''.

SA 1596. Ms. BALDWIN (for herself, Mr. BRAUN, Mr. BROWN, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 1957, to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; which was ordered to lie on the table; as follows:

In section 200402 of title 54, United States Code (as added by section 2(a)), add at the end the following:

''(l) BUY AMERICA REQUIREMENTS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PRODUCED IN THE UNITED STATES.—The term 'produced in the United States' means—

''(i) in the case of iron or steel products, that all manufacturing processes for the iron or steel product, from the initial melting stage through the application of coatings, occurred in the United States;

''(ii) in the case of manufactured products, that—

''(I) the manufactured product was manufactured in the United States; and

''(II) the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 50 percent of the total cost of all components of the manufactured product; and

''(iii) in the case of construction materials described in clauses (iv) through (ix) of paragraph (3)(A), that all manufacturing processes for the construction material occurred in the United States.

''(B) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''(2) UNIFORM STANDARDS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue uniform standards that define the term 'all manufacturing processes' for the purposes of this subsection—

''(i) in the case of iron and steel, in a manner consistent with section 635.410(b)(1)(ii) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

''(ii) in the case of construction materials described in clauses (iv) through (ix) of paragraph (3)(A), in accordance with subparagraph (B).

''(B) CONSIDERATIONS.—In issuing uniform standards under subparagraph (A)(ii), the Secretary shall—

''(i) ensure that the uniform standards require that each manufacturing process required for the manufacture of the construction material and the inputs of the construction material occurs in the United States, without regard to the origin of raw material inputs; and

''(ii) take into consideration and seek to maximize the direct and indirect jobs benefited or created in the production of the construction material.

''(3) PROHIBITED USE OF FUND AMOUNTS.—

''(A) IN GENERAL.—No amounts shall be expended from the Fund for a project under subsection (e) unless all of the following materials used in the project are produced in the United States:

''(i) Steel.

''(ii) Iron.

''(iii) Manufactured products.

''(iv) Non-ferrous metals.

''(v) Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables).

''(vi) Concrete and other aggregates.

''(vii) Glass (including optic glass).

''(viii) Lumber.

''(ix) Drywall.

''(B) EXCEPTION.—Subparagraph (A) shall not apply in any case in which the head of the covered agency carrying out the project determines that—

''(i) applying subparagraph (A) would be inconsistent with the public interest;

''(ii) the relevant material is not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(iii) inclusion of the relevant material produced in the United States will increase the cost of the overall project by more than 25 percent.

''(C) WAIVER.—If the head of the covered agency carrying out the applicable project makes a finding under subparagraph (B) to waive subparagraph (A), the head of the covered agency shall, before the date on which the waiver takes effect—