

Supporting Notes to CPD 22-13, Buy America

Note 1: Existing FHWA waiver [1983] concerning manufactured products limits Buy America applicability to manufactured products containing steel or iron materials. Deputy Director DD-119, "Buy America for Steel and Iron Products," is consistent with the existing FHWA waiver and therefore is compliant with Buy America requirements of the Infrastructure Investment and Jobs Act [2021].

Note 2: A federal-aid risk project is defined as any of the following: (1) contains federal-aid, (2) is under a NEPA umbrella document that contains any project such as environmental, right-of-way, or construction with federal-aid, (3) has another phase of the project with federal-aid, or (4) desires to maintain future federal-aid eligibility.