

# Federal Transit Administration



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## I. MAP-21

Before issuing a waiver, FTA must

- (i) publish in the Federal Register and make publicly and easily available on its website a detailed written explanation the waiver determination; and
- (ii) Provide the public with a reasonable period of time for notice and comment.

49 U.S.C. 5323(j)(3)(A)

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## II. Rolling Stock Overhaul & Rebuild

- a. Manufactured Product (100% U.S. Components)
- b. Rolling Stock Waiver (60% U.S. Components)
- c. 2007 Rulemaking ([72 Fed. Reg. 53688](#))
- d. Industry Practice
- e. Proposed Policy ([79 Fed. Reg. 29953](#))
- f. Public Comment
- g. Current Policy

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## III. Minivan Waiver

- a. Waiver ([75 Fed. Reg. 35123](#))
- b. Notice of Request to Rescind ([77 Fed. Reg. 46556](#))
- c. Rescission ([77 Fed. Reg. 71673](#))
- d. Guidance ([www.fta.dot.gov/buyamerica](http://www.fta.dot.gov/buyamerica))

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## IV. Utility Contracts

### a. FTA Policy

- Buy America rules have always applied to the entire scope of an FTA-funded project, including utility work.

### b. FHWA Policy

- Buy America applies to any contract eligible for Federal highway funding within the scope of an applicable finding, determination, or decision under the National Environmental Policy Act regardless of the funding source of such contracts if at least one contract for the project is funded with Federal-aid highway funds.

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**B** **U** **Y** **A** **M** **E** **R** **I** **C** **A**

## V. Question & Answer

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