



U.S. Department
of Transportation
**Federal Transit
Administration**

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Subject: Buy America Small Purchase Waivers Guidance Letter

Date: September 21, 2016

The Fixing America's Surface Transportation (FAST) Act changed the Federal Transit Administration's (FTA) Buy America program, <https://www.transit.dot.gov/regulations-and-guidance/buy-america/buy-america>, by, among other things, defining "small purchases" for general public interest waivers. The FAST Act set the small purchase waiver at \$150,000 or less; that threshold will not increase with future adjustments made to the simplified acquisition threshold under the Federal Acquisition Regulation (FAR). The small purchase waiver applies to purchases regardless of project size and covers capital, planning, or operating assistance made by grant recipients or sub-recipients. This provision of the FAST Act applies to all purchases made after October 1, 2015. For further information, see the FTA's Chief Counsel's Dear Colleague letter, <https://www.transit.dot.gov/regulations-and-guidance/buy-america/fta-guidance-letter-buy-america-small-purchase-waivers>.

FTA's Buy America statute requires that the steel, iron and manufactured products used in FTA-funded transit projects must be produced in the United States. In 1995, FTA issued a general public interest waiver to exempt from Buy America requirements purchases of \$100,000 or less. With the adoption of the Super Circular, http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl, in December 2014, the small purchase waiver was tied to the simplified acquisition threshold in the Federal Acquisition Regulation (FAR), and increased the small purchase waiver to \$150,000.

For general information, contact Region 10's Susan Fletcher at 206-220-7514 or email susan.fletcher@dot.gov.

Sincerely,

Linda M Gehrke
Regional Administrator

