



U.S. Department of Transportation
Federal Transit Administration



FACT SHEET:
BUY AMERICA
5323(j)

PROGRAM REQUIREMENT: This provision requires that federal tax dollars used to purchase steel, iron, and manufactured goods used in a transit project are produced domestically in the United States.

Statutory References: 49 U.S.C. Section 5323(j) / FAST Section 3011

Eligible Activities: Buy America applies to all federally funded purchases of steel, iron and manufactured goods, including rolling stock purchases and capital leases.

What's Changed?

- 1) The FAST Act phases in an increased domestic content percentage requirement for rolling stock, as follows:
 - FY16 & FY17: more than 60% domestic content
 - FY18 & FY19: more than 65% domestic content
 - FY20 & beyond: more than 70% domestic content
- 2) For rolling stock purchases for which the average cost of the vehicle is more than \$300,000, the FAST Act allows the cost of steel or iron produced in the U.S. and used in the rolling stock frames or car shells to be included in the domestic content calculation, regardless of whether the frame or car shell is produced in the U.S.
- 3) Alters the Buy America waiver process to include a requirement that USDOT/FTA must 1) certify that the steel, iron, or manufactured good is produced in the U.S. in a sufficient and reasonably available amount; 2) certify that the item produced in the U.S. is of a satisfactory quality; and 3) disclose the waiver denial and accompanying rationales on the DOT website.
- 4) For purposes of qualifying for the General Public Interest Waiver for Small Purchases, the FAST Act defines a Small Purchase as a purchase of \$150,000 or less.

For Additional Information on FTA and the FAST Act, please visit: www.fta.dot.gov/fast.html