

CLIENT ALERT

Utilities React to Confusing Buy America Restrictions

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As a result of recent changes in the Moving Ahead for Progress in the 21st Century Act (MAP-21) and how those changes are being implemented by federal and state agencies, utilities are now facing expanded application of two longstanding, but different, Buy America provisions of the Federal Highway Administration and the Federal Transit Administration on the use of foreign iron, steel, and manufactured goods on relocation agreements with state agencies. Utility industry representatives have objected and requested that DOT clarify the requirements, establish consistent, DOT-wide Buy America provisions, and implement a transition period during which the restrictions would not apply, and CALTRANS, a California state agency, has sought a waiver for a significant project, prompting a spectrum of thoughtful comments.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

Alan W. H. Gourley

Partner – Washington, D.C.

Phone: +1 202.624.2561

Email: agourley@crowell.com

Adelicia R. Cliffe

Partner – Washington, D.C.

Phone: +1 202.624.2816

Email: acliffe@crowell.com