

## How to Submit your Build America, Buy America (BABA) Comment


- **All comments must be submitted by May 13 through Regulations.gov at:**  
<https://www.regulations.gov/commenton/FHWA-2023-0037-0001>
- Either copy and paste your comment or upload it as a Word document or PDF.
- Select “Public Comment” under Comment Category
- Attach any additional documents you would like to submit.
- Select “Organization” in the “Tell us about yourself” section and enter your company’s information.

The screenshot shows the 'Write a Comment' form. At the top, it says 'Write a Comment' and 'Commenter's Checklist'. Below that is a 'Comment\*' text area with the placeholder text 'Start typing comment here...'. To the right of the text area is a character count '5000' and a 'Give Feedback' button. Below the text area is a dropdown menu labeled 'What is your comment about?' and another dropdown menu labeled 'Select a Comment Category'.


The screenshot shows the 'Select a Comment Category' dropdown menu. The categories listed are: Amendment / Revision, Application / Petition, Decision / Response, Guidelines / Policy, Notice / Order, Other, Public Comment(s) (highlighted in blue), Request for Comment(s), Request / Motion, Rule / Proposed Rule / Final Rule, and Supporting / Supplement Material(s). Below the list is a 'Select a Comment Category' label.

The screenshot shows the 'Attach Files' section. It includes the text: 'You can attach up to 20 files, but each file cannot exceed 10MB. Valid file types include: bmp, docx, gif, jpg, jpeg, pdf, png, pptx, rtf, sgmil, tif, tiff, txt, wpd, xlsx, xml'. Below this is a large dashed box for file uploads with the text 'Drop files here or' and a 'Browse...' button. Below the upload area are two 'Email Address' input fields and a checkbox labeled 'Opt to receive email confirmation of submission and tracking number? (We will never post on Regulations.gov or share your email with anyone else.)'.


Tell us about yourself! I am...\*  
(Select an identity below)




An Individual  
*If you or another single person is the author*




An Organization  
*A company, organization, or government agency*



Anonymous  
*If you do not want an entity associated with the comment*



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 Your Organization Information

Organization Type \*

Company

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Organization Name \*

Organization Name

Give Feedback

## SUGGESTED CONTENT FOR COMMENTS SUBMISSION

**(Insert company name)** is pleased to submit comments to the Federal Highway Administration (FHWA) in response to the Notice of Proposed Rulemaking (NPRM) on Buy America Requirements for Manufactured Products – 23 CFR 635 (Docket No. FHWA-2023-0037), published in the Federal Register on March 12, 2024. We are **(Provide brief overview of your company and the products you manufacture/install. Explain what you do, where you're located, etc.)**. The following comments are in response to the Request for Information posed in the NPRM regarding targeted waivers.

### Suggestions for what to include in comment:

- **Importance of Your Product:** Explain the critical safety role that the product provides.
- **Procurement/Manufacturing Constraints:** Highlight the current limitations in the domestic production of the product and the resulting strain on the supply chain that the discontinuation of the Manufactured Products waiver.
- **Impact on Project Delivery and Cost:** Emphasize the adverse effects that the discontinuation of the Manufactured Products waiver would have on project delivery and costs related to your product.
- **Supporting Data and Evidence:** Provide any relevant information, data, statistics, or case studies that support the need for the continuation of the manufactured products waiver.
- **Need for Targeted Waiver:** Ask that FHWA not rescind the Manufactured Products waiver, but in the event that is not possible, emphasize the need for your product to receive a targeted waiver.

**(Name of Company)** understands it is in the public's interest to improve roadway safety and urge FHWA to recognize this interest as well when finalizing the rules outlined in this NPRM. FHWA should acknowledge the real-world challenges and time needed to create domestically sourced products and understand the need for flexibility in any final guidance to avoid unnecessary project cost increases and transportation project impacts.