

2 C.F.R. § 184.7

Federal awarding agency's issuance of a Buy America Preference waiver.

(a) *Justification of waivers.* A Federal awarding agency may waive the application of the Buy America Preference in any case in which it finds that:

- (1) Applying the Buy America Preference would be inconsistent with the public interest (a “public interest waiver”);
- (2) Types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality (a “nonavailability waiver”); or
- (3) The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall infrastructure project by more than 25 percent (an “unreasonable cost waiver”).

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