



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

Subject: **ACTION: Buy America Materials Certifications**

Date **NOV 19 1992**

From **Chief, Construction and Maintenance Division
Office of Engineering**

Reply to
Attn of. **HNG-22**

To: **Regional Federal Highway Administrators**

This office recently received an inquiry regarding the procedures being used by State Departments of Transportation to verify certifications they receive on Federal-aid projects attesting that steel materials used meet Buy America requirements. In an effort to obtain current information, we conducted a telephonic survey with division offices in six different regions. From the results of this limited survey, we believe additional guidance to the field offices and the States on this subject is needed.

In my July 6, 1989, memorandum, copy attached, I advised of a "step certification" procedure that States could use to better ensure that steel materials being used on Federal-aid projects meet the Buy America regulations. This procedure, of requiring a certification for each step of the manufacturing process, was suggested as a result of a proposed policy resolution developed by AASHTO. The FHWA continues to endorse this approach as one method of helping assure compliance with the Buy America requirements.

For States that have not adopted the step certification approach, but instead require other forms of certification, we recommend, to help maintain the honesty of the program, that they initiate periodic verifications of the certifications being provided. The extent or depth of the verification will depend on the specific conditions in place in each State (i.e., the type of certification or acceptance program now being utilized). In some cases, an audit of supporting paperwork may be all that is needed. In other situations, it may be necessary to go beyond just a paper verification (e.g. physical and/or chemical testing of material properties may be needed).

We recognize that this request comes at a time when staff and other resources are limited due to the increased size of the program; however, we believe the additional effort is necessary to ensure the integrity of the certification process remains valid. If you have any questions regarding this matter, please contact Mr. David R. Geiger of my staff at (202) 366-0355.


William A. Weseman

Attachment

FHWA:HNG-22:DGeiger:tlf:60355:11/13/92
cc: Official File: 7345.50 Reader File: HNG-1/HNG-20 Chron File: HNG-22
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