



## Federal Financial Assistance (FFA) Waiver Submission Form

Pursuant to [M-22-11](#), all waiver requests must include a detailed justification for the use of goods, products, or materials mined, produced, or manufactured outside the United States and a certification that there was a good faith effort to determine domestic manufacturing production capacity, including, where relevant, soliciting bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with potential suppliers. The waiver submission form will support efficiency of waiver submission and review process, and ensure agencies are providing the necessary information for the MIAO to run an efficient process in evaluating waivers as well as support a more standardized and predictable process. This form should be submitted alongside proposed waiver text, and is an opportunity for agencies to provide greater specificity with respect to the need for the waiver, market research conducted and additional considerations, as necessary.

1. Type of waiver:  Unreasonable Cost  Public Interest  Nonavailability
2. Recipient Name:
3. Recipient Unique Entity Identifier (UEI):
4. Federal Awarding Agency Name:
5. Awarding Agency Common Governmentwide Accounting Classification (CGAC) Code:
6. Federal Awarding Bureau/Office Name, if applicable:
7. Financial Assistance Listing Name:
8. Federal Assistance Listing Number:
9. Federal Financial Assistance Program Name:
10. Federal Award Identification Number (FAIN), if available:
11. Federal Financial Assistance Funding Amount/ size of program(s):
  - If different, identify the specific or estimated amount expected to be waived.

12. Funding mechanics:

- Formula or discretionary;
- Is there pre-award authority.
- Average size and length of projects i.e., are projects generally small and single-year or large, complex, and multi-year?

13. Infrastructure project description and location (to the extent known). Type of infrastructure activities funded (i.e., EV chargers, solar and wind projects, road construction, building construction, etc.). Are products used in projects funded by other agencies? Have agencies pooled intelligence?

14. List of iron or steel item(s), manufactured products, and construction material(s) proposed to be excepted from Buy America requirements, including name, cost, country(ies) of origin (if known), and relevant PSC and NAICS code for each:

15. Market Research and Outreach –Discussion of relevant market research and outreach conducted. The market research should address the following elements:

- When was the market research conducted (Should be current and no longer than past 18 months)
- Where or how was the market research conducted, (e.g., posted a Request for Information on SAM.gov or searched the SBA’s Dynamic Small Business Search Database? Did agency coordinate with Manufacturing institutes, ITA, I&A; US Commercial Service; Select USA, etc.??)
- Who conducted the market research?
- What were the results?
- For nonavailability waivers, the agency should have adequate information to determine that the items are not produced or manufactured in the U.S. in sufficient and reasonable quantity of a satisfactory quality.

16. Certification that the Federal official or assistance recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor. 24 Executive Order, § 4(c). 25 IJJA, § 70937(c)(2)(A). 26 IJJA, § 70937(c)(2)(D):

17. Justification - The justification explains the need for the waiver as connected to one of the three waiver types: nonavailability, unreasonable cost, or public interest.

18. Narrative Discussion - Discuss the impact absent the waiver, actions the agency has taken to implement BABA and expected outcome.

19. Required Assurance - The waiver must contain the required assurance from M-22-11. Include analysis whether significant cost advantage of foreign sourced product is the result of the use of dumped steel, iron, or manufactured products or the use of injuriously subsidized steel, iron, or manufactured product? This is most relevant for unreasonable cost waivers, but all waivers are required to certify whether or not this applies (Not applicable to a nonavailability waiver):

20. Summary of relevant comments received through the public comment period.

21. Waiver Form Submitter

Name (Last, First):

Submitter Email:

Submitter Phone Number:

***-- END OF FORM***

