

Domestic Preference Guidelines^{***}

BAA – Buy American Act of 1933

If you require product compliant with the Buy American Act of 1933 (BAA), you must add the “BAA” suffix when ordering the relevant product. Failure to properly mark any relevant product could result in you receiving non-BAA compliant product with no recourse for an RMA or refund.

The BAA applies to purchases of products and materials by federal agencies. Generally, the BAA requires federal agencies to purchase “domestic end products” and use “domestic construction materials” on contracts that exceed the micro-purchase threshold and that are below the applicable dollar threshold for Trade Agreements Act applicability. This BAA designation hereunder does not address (i) the applicability of, or availability of a waiver under, the Trade Agreements Act, or (ii) the “Buy America” domestic content requirements imposed on states, localities, and other non-federal entities as a condition of receiving funds administered by the Department of Transportation or other federal agencies. For example, this BAA designation does not mean that product is compliant with the “Buy America” requirements of the (a) Federal Aviation Administration, (b) Federal Transit Administration, (c) Federal Railroad Administration or (d) Federal Highway Administration.

^{***}All domestic preference information provided herein is for general informational purposes only. Domestic preference information provided herein does not, and is not intended to, constitute legal advice. You should not act or refrain from acting based on any information provided herein. Please consult with your own legal counsel with respect to any questions you may have.