

new submissions and supporting material.

*Will my comments be made available to the public?*

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

*May I submit comments confidentially?*

If you wish to submit comments under a claim of confidentiality, you should submit the information you claim to be confidential commercial information by email to [SmallVessels@dot.gov](mailto:SmallVessels@dot.gov). Include in the email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential claim highlighting or denoting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

In the event MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

#### Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

By Order of the Maritime Administrator.

**T. Mitchell Hudson, Jr.,**

*Secretary, Maritime Administration.*

[FR Doc. 2022-16126 Filed 7-27-22; 8:45 am]

BILLING CODE 4910-81-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2022-0157]

#### Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: Tempus Fugit (Motor); Invitation for Public Comments

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before August 29, 2022.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD-2022-0157 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Search MARAD-2022-0157 and follow the instructions for submitting comments.
- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2022-0157, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**Note:** If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

**Instructions:** All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at [www.regulations.gov](http://www.regulations.gov), including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

#### FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email [James.Mead@dot.gov](mailto:James.Mead@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described in the application, the intended service of the vessel TEMPUS FUGIT is:

—*Intended Commercial Use of Vessel:* "Day charters for recreational use."  
—*Geographic Region Including Base of Operations:* "Florida, Massachusetts, Rhode Island." (Base of Operations: Naples, FL)

—*Vessel Length and Type:* 71.6' Motor

The complete application is available for review identified in the DOT docket as MARAD 2022-0157 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

#### Public Participation

*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

*Where do I go to read public comments, and find supporting information?*

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2022-0157 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

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If you wish to submit comments under a claim of confidentiality, you

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(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

By Order of the Maritime Administrator,  
**T. Mitchell Hudson, Jr.,**  
Secretary, Maritime Administration.

[FR Doc. 2022–16132 Filed 7–27–22; 8:45 am]

BILLING CODE 4910–81–P

## DEPARTMENT OF TRANSPORTATION

[Docket No. DOT–OST–2022–0047]

### Construction Materials Used in Federal Financial Assistance Projects for Transportation Infrastructure in the United States Under the Build America, Buy America Act; Request for Information

**AGENCY:** Department of Transportation (DOT).

**ACTION:** Notice; request for information.

**SUMMARY:** The Build America, Buy America Act (BABA), enacted as part of the Bipartisan Infrastructure Law (BIL) on November 15, 2021, requires iron, steel, manufactured products, and construction materials used in infrastructure projects funded by Federal financial assistance to be produced in the United States. DOT is seeking input on the requirement as applied to construction materials: how

the requirement should be interpreted and implemented, the present availability of construction materials produced in the United States that are commonly used in transportation infrastructure projects, and the potential impacts to DOT-funded projects.

**DATES:** Written submissions must be received by August 12, 2022. DOT will consider comments received after this date to the extent practicable.

**ADDRESSES:** Please submit any written comments to Docket Number DOT–OST–2022–0047 electronically through the Federal eRulemaking Portal at <https://regulations.gov>. Go to <https://regulations.gov> and select “Department of Transportation (DOT)” from the agency menu to submit or view public comments. Note that, except as provided below, all submissions received, including any personal information provided, will be posted without change and will be available to the public on <https://www.regulations.gov>. You may review DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or at <https://www.transportation.gov/privacy>.

**FOR FURTHER INFORMATION CONTACT:** For questions about this RFI, please contact Darren Timothy, Office of the Assistant Secretary for Transportation Policy, at [darren.timothy@dot.gov](mailto:darren.timothy@dot.gov) or (202) 366–4051; Jason Luebbers, Federal Transit Administration, at [jason.luebbers@dot.gov](mailto:jason.luebbers@dot.gov) or (202) 366–8864; Lauren Gill, Maritime Administration, at [lauren.gill@dot.gov](mailto:lauren.gill@dot.gov) or (202) 366–2150; John Johnson, Federal Railroad Administration, at [john.johnson@dot.gov](mailto:john.johnson@dot.gov) or (202) 493–0078; Patrick Smith, Federal Highway Administration, at [patrick.c.smith@dot.gov](mailto:patrick.c.smith@dot.gov) or (202) 366–1345; or Carlos Fields, Federal Aviation Administration, at [carlos.fields@faa.gov](mailto:carlos.fields@faa.gov) or (202) 267–8826.

### SUPPLEMENTARY INFORMATION:

#### Construction Materials Procured Under Department of Transportation Programs

On November 15, 2021, President Biden signed into law the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Public Law 117–58, which includes the Build America, Buy America Act (BABA). Public Law 117–58, div. G §§ 70901–52. BABA’s requirements for the use of iron, steel, manufactured products, and construction materials produced in the United States will bolster America’s industrial base, protect national security, and support good-paying jobs.

Consistent with Executive Order 14005, Ensuring the Future Is Made in All of America by All of America’s Workers (E.O. 14005), BABA affirms the Biden-Harris Administration’s priority to “use terms and conditions of Federal financial assistance awards to maximize the use of goods, products, and materials produced in, and services offered in, the United States.” (E.O. 14005). Under BABA, all iron, steel, manufactured products, and construction materials used in infrastructure projects funded at least partly by Federal financial assistance must be produced in the United States.<sup>1</sup>

One of the new Buy America preferences included under Section 70914 of the Act is for construction materials. As of May 14, 2022, each covered Federal agency must ensure that all manufacturing processes for construction materials used in Federally assisted infrastructure projects occur in the United States. None of the specific statutes that apply particular Buy America<sup>2</sup> requirements to the Federal financial assistance programs administered by DOT’s Operating Administrations (OAs), including 49 U.S.C. 50101 (FAA); 23 U.S.C. 313 (FHWA); 49 U.S.C. 22905(a) (FRA); 49 U.S.C. 5323(j) (FTA); and 46 U.S.C. 54101(d)(2) (MARAD), specifically cover construction materials, other than to the extent that such materials would already be considered iron, steel, or manufactured products.

Waivers are authorized under BABA where (1) applying the Buy America requirement would be inconsistent with the public interest; (2) where the iron, steel, manufactured product, or construction material is not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; and (3) where inclusion of the domestic products or construction materials will increase the cost of the overall project by more than 25 percent. BIL § 70914(b). On May 19, 2022, DOT issued a temporary waiver of the construction materials requirement for 180 days, from May 14 until November 10, 2022. 87 FR 31931. Federal awards that DOT makes on or after November 10 will be subject to the

<sup>1</sup> Under section 70917(a) of the BIL, the BABA requirements apply to financial assistance programs for infrastructure only to the extent that a domestic content procurement preference does not already apply to iron, steel, manufactured products, and construction materials. Thus, the BABA requirement for construction materials supplements the existing DOT Buy America requirements for steel, iron, and manufactured products.

<sup>2</sup> In this notice, references to “Buy America” include domestic preference laws called “Buy American” that apply to DOT financial assistance programs.