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HUD Publishes Proposed Implementation Schedule for the BABA “Buy America” Program



On February 15, 2023, HUD published a [new proposed Public Interest Phased Implementation Waiver](#). HUD is proposing a public interest waiver for the Buy America Domestic Content Procurement Preference for recipients of Federal Financial Assistance provided by HUD (read KH's previous summary on “BABA” [here](#)). Comments on the proposal are due on or before March 2, 2023.

Under this proposed waiver, HUD will sequentially apply the Buy America Preference (“BAP”) to various programs and various construction materials. [Click here](#) for the implementation chart. As we understand some imprecise language, the dates shown are HUD obligation dates, so that for instance, the iron and steel requirements will apply to all Choice Neighborhoods, Lead Hazard Reduction, and Healthy Homes Production Grants that are obligated by HUD to a grantee after February 22, 2023, and will apply to other covered grants only if they are obligated by HUD to a grantee after specified later dates. The Buy America requirements for non-ferrous construction materials and manufactured products, by contrast, will generally apply to all covered grants obligated after August 23, 2024.

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