



## OFFICE OF PUBLIC & INDIAN HOUSING

January 4, 2023

Dear Executive Director,

Increasing support for American manufacturing is something we can all get behind. Many of us have seen the consequences of decades of disinvestment in manufacturing in our hometowns. The Biden-Harris Administration has been taking concrete steps to give hope for the future of American manufacturing.

The Build America, Buy America Act (BABA) is a cornerstone of the Administration's work to revive American manufacturing. BABA is intended to further stimulate home grown manufacturing capacity and good-paying jobs to strengthen the American economy and make our nation more competitive by maximizing the purchase and production of American-made goods to rebuild critical infrastructure.

While BABA is currently limited to iron or steel purchased through the Choice Neighborhoods Implementation grants awarded this past summer, its application is about to expand more broadly for PHAs, becoming effective for iron and steel purchases made under all grants that PIH awards to PHAs on or after **February 22, 2024**.

Per the timeline conveyed in the [Phased Implementation Waiver](#) published in the Federal Register last spring, iron and steel purchases for maintenance projects, as well as purchases of construction materials and manufactured products will remain exempt until later this year.

We recognize that housing authorities have many questions about the practical challenges associated with implementing BABA. **PIH has just published [BABA Implementation Guidance for the Public Housing Program](#)** that provides guidance on topics raised by PHA and public housing industry representatives. This guidance covers a number of topics including:

- How to determine the scope of an infrastructure project to determine whether existing public interest waivers apply;
- Acceptable strategies for procuring in compliance with BABA, including the minimum search requirements for BABA compliant products before submitting a waiver request; and
- How to document BABA compliance.

PIH will provide additional materials and training in the coming weeks. We will continue to listen to the public housing community during this time of transition. In the meantime, I encourage anyone wishing to comment on the implementation guidance notice or other aspects of BABA implementation to send an email to [BuildAmericaBuyAmerica@hud.gov](mailto:BuildAmericaBuyAmerica@hud.gov).

I look forward to working closely with you in the coming months as we transition together to implement this new government-wide requirement.

Many thanks,

Richard J. Monocchio  
Principal Deputy Assistant Secretary  
Office of Public and Indian Housing