



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

May 13, 2024

SUBJECT: BABA Tribal Waiver Extended Through September 30, 2024

Dear Tribal Leader,

HUD has published a proposed Build America, Buy America (BABA) waiver extension for Tribal recipients. The proposed extension can be found [here](#).

This proposed waiver would delay BABA's applicability for Tribal recipients of HUD programs through September 30, 2024.

The proposed waiver will also be published in the *Federal Register* in the coming days and will provide a 30-day comment period. Tribes and TDHEs are encouraged to submit comments on the proposed waiver through [regulations.gov](https://www.regulations.gov) once the waiver is published in the *Federal Register*.

The Office of Management and Budget has noted that it expects HUD's Tribal recipients to fully comply with BABA starting October 1, 2024, for Federal financial assistance obligated by HUD after that date. HUD will issue additional guidance to Tribal recipients on BABA's applicability to housing and infrastructure and provide training and technical assistance.

HUD appreciates all the comments submitted to date regarding BABA and is currently considering all Tribal feedback. Those comments have been received and do not need to be resubmitted via [regulations.gov](https://www.regulations.gov).

Thank you for your continued partnership and collaboration in the effective delivery of HUD's programs.

Sincerely,

A handwritten signature in blue ink that reads "Heidi J. Frechette".

Heidi J. Frechette  
Deputy Assistant Secretary  
for Native American Programs