



August 7, 2023

GENERAL NEWS

HUD Issues Proposed BAP Waiver for Pacific Island/Territory Communities

Today in the *Federal Register*, the Department of Housing and Urban Development ([HUD](#)) published a [proposed waiver](#) for a period of 18 months to the Buy American Preference (BAP) for all federal financial assistance (FFA) used for infrastructure projects in the Commonwealth of Northern Mariana Islands, Guam, and American Samoa—referred to collectively as Pacific Island/Territory Communities. In the case of FFA obligated by HUD through its Community Development Block Grant (CDBG) programs on or after November 15, 2022, but prior to the effective date of the [final waiver](#), the waiver applies to all expenditures incurred on or after the effective date of the final waiver up until the limited period of 18 months. For expenditures incurred on or after the effective date of the final waiver, the waiver applies both to funds obligated by HUD on or after the effective date of the final waiver and any expenditures up and until 18 months from the effective date of the final waiver.

The [Build America, Buy America Act](#), enacted as part of the Infrastructure Investment and Jobs Act on November 15, 2021, established a domestic content procurement preference for all federal financial assistance obligated for infrastructure projects. The Act requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States.

MTW PROGRAM NEWS

PIH Posts Resources for MTW Flexibility II Cohort

HUD's Office of Public and Indian Housing ([PIH](#)) has posted several new links and resources for the fifth cohort of the Moving to Work ([MTW](#)) expansion, MTW Flexibility II. Resources available include:

- A [link](#) to the PIH notice addressing the application process, Notice PIH 2023-20
- Questions and Answers ([Q&A](#)) on PIH 2023-20
- A [sample application timeline](#) for applicants
- An MTW [Certifications of Compliance](#) document

As you recall, the new cohort will test the overall effects of MTW flexibility on a PHA and the residents it serves, with a particular focus on administrative flexibilities. PHAs applying to this cohort must administer 1,000 or fewer aggregate public housing and/or HCV units. Interested PHAs that meet the eligibility criteria in Section 5(B) of the notice may submit an application package to HUD as detailed in Section 5(C) of the notice. The deadline for submission of the MTW plan and application package is **December 8, 2023**. Further details can be found in Notice

[PIH 2023-20](#). You can find links to the resources above and others for the fifth cohort on the [MTW Flexibility II Cohort](#) webpage.



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