Build America, Buy America (BABA) Act

- On November 15, 2021, President Joseph R. Biden Jr. signed into law the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. No. 117-58, which includes the Build America, Buy America Act ("the Act"). Pub. L. No. 117-58, §§ 70901-52. The Act strengthens Made in America Laws and will bolster America's industrial base, protect national security, and support high-paying jobs. The Act requires that no later than May 14, 2022—180 days after the enactment of the IIJA—the head of each covered Federal agency shall ensure that "none of the funds made available for a Federal financial assistance program for infrastructure, including each deficient program, may be obligated for a project unless all of the *iron, steel, manufactured products, and construction materials* used in the project are produced in the United States." (Build America, Buy America (BABA) Act, P.L. 117-58, Secs 70911 - 70917.
- The Office of Management and Budget (OMB) is proposing to revise OMB



Guidance for Grants and Agreements

proposed amendments to 2 CFR 184 would provide guidance and clarify requirements for the manufactured products content test and non-ferrous construction materials. Public comments are due March 13, 2023.

• On April 18, 2022, the Office of Management and Budget's (OMB) Made in America Office released its guidance for implementing the BABA Act

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