



JUL 22 2004

MEMORANDUM FOR RONALD POUSSARD

DIRECTOR
DEFENSE ACQUISITION REGULATIONS COUNCIL

FROM:

RODNEY P. LANTIER, DIRECTOR
REGULATORY AND FEDERAL ASSISTANCE
PUBLICATIONS DIVISION

A handwritten signature in blue ink that reads "Rodney P. Lantier".

SUBJECT:

FAR Notice 2004-N1, List of Nonavailable Articles Under the Buy American Act

Attached is a comment received on the subject FAR case published at 69 FR 28104; May 18, 2004. The comment closing date was July 19, 2004.

<u>Response Number</u>	<u>Date Received</u>	<u>Comment Date</u>	<u>Commenter</u>
2004-N1-1	07/16/04	07/16/04	House of Representatives Anibal Acevedo-Vila

2004-N1-1
Congress of the United States
House of Representatives
Washington, DC 20515-5401

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July 14, 2004

FAR Secretariat (MVD)
Attention Laurie Durante
General Services Administration
Room 4035, General Services Building
1800 F Street, NW
Washington, DC 20405

Re: FAR Notice 2004-N01
48 CFR Part 25
Federal Acquisition Regulation;
List of Non-available Articles Under the Buy American Act

Dear Ms. Durante:

On behalf of the Commonwealth of Puerto Rico, I am requesting your assistance to remove "raw or green bean coffee" from the Federal Acquisition Regulation's "List of Non-available Articles Under the Buy American Act". The coffee producers of Puerto Rico can provide American-grown coffee beans for procurement for public use in the United States. I think it is important that we support domestic producers and that we Buy American first.

Puerto Rico currently has and will continue to have a surplus inventory of premium quality, American-grown, green coffee beans which can meet public demands for coffee. We can provide these and additional coffee beans in sufficient quantities, for federal agencies and commercial distribution. On a yearly basis, we can supply the American Coffee Industry with a minimum of 12 million pounds of green coffee.

In 1998, Hurricane Georges destroyed a large segment of our coffee industry in Puerto Rico. We lost over 30,000 small family farms, and our market share of the coffee business around the world plummeted. Coffee trees require four years to mature, so our coffee farms are ready to provide the world-renowned premium coffee of "Kings and Popes". We now have over 10,000 farmers and 26,000 workers producing American-grown coffee. Coffee is our largest cash crop, supporting over 24.6% of our entire market value of crops (1998 Census of Agriculture for Puerto Rico).

Growing coffee is an art and a tradition in Puerto Rico, dating back to the early 1700's. Our fine coffee is grown in the mountains of Puerto Rico, and shaded by citrus trees,

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which were planted to protect the coffee crops from future weather disasters. Our warehouses are also "hurricane proof" to protect our supply.

The removal of green coffee from the list will provide much needed socio-economic assistance. There is a world coffee crisis, and an American coffee crisis. Without the protection of the Buy American Act, our coffee farmers must compete with the inferior quality of green coffee being sold at low prices. The majority of these beans come from underdeveloped nations at the expense of the workers, who live in substandard conditions and work in sweatshop situations. The United States Coffee Industry should not continue to purchase raw products, which encourage these standards.

American jobs, American citizens and American farms are at risk, and we should do all we can to protect them. On behalf of the coffee producers of Puerto Rico, I thank you for the opportunity to present our request, and for your consideration of this situation. Should you need any additional information, please don't hesitate to contact me or Eric Lausten of my staff.

Sincerely,



Anibal Acevedo-Vila
Resident Commissioner
Member of Congress