



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

**Acquisition  
Bulletin (AB)  
No. 05-07  
May 18, 2005**

**MEMORANDUM FOR BUREAU CHIEF PROCUREMENT OFFICERS**

*Thomas A. Sharpe, Jr.*  
**FROM:** Thomas A. Sharpe, Jr.  
Director  
Office of the Procurement Executive

**SUBJECT: Reporting Requirements, Acquisitions Subject to the Buy American Act, FY 2005 and Subsequent Years**

**Purpose:** This Acquisition Bulletin (AB) establishes Bureau reporting requirements for compliance with Section 641 of Public Law 108-447, Consolidated Appropriations Act, FY 2005, for acquisitions subject to the Buy American Act.

**Effective Date:** Effective upon issuance.

**Expiration Date:** This AB will expire when cancelled or superseded.

**Background:**

Treasury is required to report to Congress on FY 2005 acquisitions from entities that manufacture articles, materials, or supplies outside the United States. The Consolidated Appropriations Act for FY 2005 applies only to FY 2005; however, Congress is currently considering legislation to amend the Buy American Act that would include the reporting requirements for each fiscal year. Therefore, the Bureau reporting requirements apply to this fiscal year and, for planning and management purposes, to subsequent fiscal years. If the reporting requirements are modified or not included in future legislation, this AB will be revised.

PL 108-447, Consolidated Appropriations Act, 2005, Section 641, contains the following requirement:

- (a) Not later than 180 days after the end of the fiscal year, the head of each Federal agency shall submit a report to Congress on the amount of the acquisitions made by the agency from entities that manufacture the articles, materials, or supplies outside of the United States in that fiscal year.
- (b) The report required by subsection (a) shall separately indicate –
  - (1) the dollar value of any articles, materials, or supplies purchased that were manufactured outside of the United States;

- (2) an itemized list of all waivers granted with respect to such articles, materials, or supplies under the Buy American Act (41 U.S.C. 10a et seq.); and
- (3) a summary of the total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

(c) The head of each Federal agency submitting a report under subsection (a) shall make the report publicly available to the maximum extent practicable.

(d) This section shall not apply to acquisitions made by an agency, or component thereof, that is an element of the intelligence community as set forth in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

**Required Bureau Action:**

Beginning with FY 2005, and for subsequent fiscal years, Bureaus shall report to the Office of the Procurement Executive (OPE):

1. All Buy American Act waivers that were granted during the previous fiscal year for articles, materials, or supplies that were manufactured outside the United States. Waiver reports shall include the data elements as shown in the Attachment to this AB.
2. The total dollar value of acquisitions for goods manufactured outside the United States in the previous fiscal year.
3. The total dollar value of acquisitions for goods manufactured inside the United States in the previous fiscal year.

Reports addressing the above three items are due to OPE no later than ninety days after the end of each fiscal year.

Questions about this AB may be directed to Jean Carter at [jean.carter@do.treas.gov](mailto:jean.carter@do.treas.gov) telephone (202) 622-6760.

Attachment: FY 2005 Waivers, Buy American Act