



The Administrator

November 19, 2018

The Honorable Rodney P. Frelinghuysen
The Honorable Nita M. Lowey
Chairman and Ranking Member
Committee on Appropriations
House of Representatives
Washington, DC 20515

The Honorable Richard Shelby
The Honorable Patrick Leahy
Chairman and Ranking Member
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Tom Graves
The Honorable Mike Quigley
Chairman and Ranking Member
Subcommittee on Financial Services
and General Government
Committee on Appropriations
House of Representatives
Washington, DC 20515

The Honorable James Lankford
The Honorable Christopher Coons
Chairman and Ranking Member
Subcommittee on Financial Services
and General Government
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairmen and Ranking Members:

This letter transmits the U.S. General Services Administration's (GSA) report on the feasibility of creating a government-wide website, called BuyAmerican.gov to provide a comprehensive government-wide repository for information about waivers to the Buy American Act, Berry Amendment and other domestic content statutes.

1800 F Street, NW
Washington, DC 20405-0002

www.gsa.gov

If you have any additional questions or concerns, please contact me at (202) 501-0563.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey A. Post". The signature is stylized and written over the printed name.

Jeffrey A. Post
Associate Administrator

Enclosure



U.S. General Services Administration

A Report on feasibility of establishing a repository for
information on waivers to the Buy American Act

Prepared for the House and Senate Committees on Appropriations
October 2018

Legislative Background

The Explanatory Statement of Division E, Financial Services and General Government¹, in the Consolidated Appropriations Act of 2018 (P.L. 115-141), included language stating that *“The creation of a government-wide website, called Buy American.gov, would provide a comprehensive government-wide repository for information about waivers to the Buy American Act, Berry Amendment and other domestic content statutes; assist small- and medium-sized manufacturers; and achieve some of the goals of President Trump’s Executive Order on Buy American. GSA is encouraged, in conjunction with OMB, to examine the feasibility of establishing such a website, and to report to the House and Senate Committees on Appropriations within 120 days after enactment of this Act.”* Congressional Record Volume 164, Number 150, March 22, 2018.

Results of GSA Review

The General Services Administration (GSA) has examined the feasibility of providing a unified site for the public to review Buy American Act (BAA) waivers and exceptions and provides the following information on how the legislative report language would be implemented. GSA is able to provide information regarding the Government-wide use of Buy American waivers by adding capability to an existing government-wide point of entry, namely FedBizOpps (fbo.gov). This existing Government-wide platform is currently used by companies interested in doing business with the Federal government, so providing the BAA data here eliminates costs for standing up a new location and is a convenient and public way for prospective offerors seeking opportunities to view the data, as well as the general public.

GSA will register BuyAmerican.gov, which will serve as the public access point for the Buy American Act waiver and exception information submitted by Federal agencies. The site will open to the waiver data displayed on FebBizOpps.gov and its successor site (www.sam.gov). When users access BuyAmerican.gov, they will be automatically be re-directed to the appropriate entity that hosts the waiver data.

Status of Implementation

GSA has already begun implementing some of the elements in the appropriations report language. In July 2018, in order to provide visibility into the use of Buy American Act (BAA) waivers and exceptions, and to promote purchase of goods produced in the United States, GSA — in coordination with the Office of Management and Budget (OMB) — added a new feature to the FedBizOpps website (FBO.gov) providing access to historical agency spend data regarding waivers and exceptions to the BAA. That data, which is required to be reported by contracting officials Government-wide in the Federal Procurement Data System (FPDS), will be updated on

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- Date Signed
 - Completion Date
 - NAICS Code
 - NAICS Description
 - Product or Service Code
 - Product or Service Description
 - Vendor Name
 - Vendor City
 - Vendor State
 - Vendor Country
 - DUNS Number
 - Type of Contract
 - Award or IDV Type
 - Base and All Options Value (Total Contract Value)
 - Action Obligation
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