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DEPARTMENT OF THE AIR FORCE  
WASHINGTON DC

OFFICE OF THE ASSISTANT SECRETARY

27 JUN 1997

MEMORANDUM FOR ALMAJCOM/FOA/DRU (CONTRACTING)

FROM: SAF/AQC  
1060 Air Force Pentagon  
Washington DC 20330-1060

SUBJECT: Buy American Act Below the Simplified Acquisition Threshold

Congressional interest on the local purchase of foreign-made footwear has highlighted some weaknesses in our compliance with the Buy American Act. Specifically, our review determined that there were instances where combat or safety boots were purchased from vendors without first verifying whether these products were made in the U.S. or in another country.

Several matters need to be considered before we purchase foreign-made materials above the micropurchase threshold and below the Simplified Acquisition Threshold (SAT). DFARS 225.105 requires us to evaluate offerors by adding a 50 percent factor to the price of each nonqualifying country offer. In order to make this determination and comply with this and other policies in DFARS 225, you need to know when vendors are offering foreign-made products and the country of origin. This is true even for buys of commercial items.

We contacted several contracting activities to check compliance with the Buy American Act. I'm not satisfied with the results. In particular, we found many instances where buyers are telephonically contacting vendors for quotes to order items, but failing to verify where the products were made. We simply must do a better job of complying with the Buy American Act requirements on simplified acquisitions.

Attachment 1 is a message sent out by HQ AF/ILSP to the supply community reminding them of their responsibilities when reviewing requirements for local purchase. Please review the requirements at DFARS 225 for the Buy American Act and associated restrictions to ensure that your contracting personnel are fully trained and informed on pertinent policies and emphasize to them their important responsibility to comply with this section.

TIMOTHY P. MALISHENKO, Brig Gen, USAF  
Deputy Assistant Secretary (Contracting)  
Assistant Secretary (Acquisition)

Attachment:  
HQ AF/ILSP message, 210900Z May 97

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HQ USAF WASHINGTON DC//LGSP//

ALMAJCOM//LGS//

INFO HQ USAF WASHINGTON DC//ILSP//

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SUBJECT: LOCAL PURCHASE AUTHORIZATION FOR FOOTWEAR

1. IT HAS BEEN BROUGHT TO OUR ATTENTION THAT THE BUY AMERICAN ACT IS BEING OVERLOOKED INVOLVING LOCAL PURCHASE REQUISITIONS OF FOOTWEAR. ALTHOUGH BASE SUPPLY IS NOT DIRECTLY INVOLVED IN THE ESTABLISHMENT OF VENDOR CONTRACTS, IT IS RESPONSIBLE FOR ENSURING THAT CUSTOMERS ARE AUTHORIZED TO OBTAIN FOOTWEAR USING LOCAL PURCHASE PROCEDURES.

2. AS A REMINDER TO ALL UNITS, ADHERENCE TO AFMAN 23-110, VOLUME II, PART TWO, CHAPTER 27, PARA 27.3 AND AFM 67-1, VOL I, PART ONE, CHAPTER 8 IS A MUST. CUSTOMERS IN NEED OF FOOTWEAR MUST GO TO THE INDIVIDUAL EQUIPMENT ELEMENT IN SUPPLY TO OBTAIN FOOTWEAR. IF THEY ARE NOT AUTHORIZED IAW APPLICABLE ALLOWANCE STANDARDS, THEY MUST BE TURNED AWAY. IF THEY ARE AUTHORIZED, OVER-THE-COUNTER ISSUE PROCEDURES APPLY. IF NOT IN STOCK, THEY ARE BACKORDERED. IF SPECIAL CIRCUMSTANCES PREVAIL (I.E., MEDICAL REASONS) CUSTOMERS SHOULD

HEADD, GARY L. TSGT  
HQ USAF/ILSP DSN 227-8351

COL JOHN GUNSELMAN, ILSP, 224-8028  
CRC: 26505

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PROCEED TO THE RESEARCH ELEMENT WITH A DD FORM 1348-6. THE RESEARCH ELEMENT MUST THOROUGHLY ANALYZE THE REQUEST USING FEDLOG AND ANY OTHER AVAILABLE MEANS TO ENSURE THE REQUESTED ITEM IS CODED LOCAL PURCHASE, ACQUISITION ADVICE CODE "L".

3. QUESTIONS MUST BE ROUTED THROUGH THE MAJCOM BEFORE BE ELEVATED TO AF/ILSP. POC AT AF/ILSP IS MSGT JERRY SAMPERE, DSN 227-9429.

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