



OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION,
TECHNOLOGY,
AND LOGISTICS

JUN 21 2017

The Honorable Christopher S. Murphy
United States Senate
Washington, DC 20510

Dear Senator Murphy:

Thank you for your May 10, 2017, letter to Secretary Mattis regarding a procurement fraud case involving the Buy American Act and the Berry Amendment. I am responding on his behalf.

I share your concerns. My staff has been working with the Defense Acquisition University to update the content and delivery of the training curriculum for both the Buy American Act and Berry Amendment. The Director of Defense Procurement and Acquisition Policy issued guidance reminding the Department's acquisition community of the importance of complying with domestic procurement laws and instructing the contracting workforce to complete training CLC 027 - Buy American Act and CLC 125 - Berry Amendment. The revised CLC 125 was made available to the contracting workforce starting in October 2016 and the revised CLC 027 will be available starting in July 2017.

When fraud is brought to our attention, it is dealt with swiftly by utilizing the appropriate contractual, administrative, and judicial remedies available to the Department. As for the case you referenced in your letter, we appreciate the efforts of the law enforcement community and the Justice Department to prosecute the individual and hold him accountable for his crime.

The Department will continue to take the necessary actions to enforce compliance with domestic procurement laws, and will implement the President's Executive Order 13788. The Department is currently working with the Office of Management and Budget to refine the implementing guidance that will require the Department of Defense and the Federal Government to assess and enforce domestic preferences in contracts in accordance with Buy American laws. I thank you for your support of the Department and our Service members.

Sincerely,

A handwritten signature in black ink, appearing to read "J MacStravic", is positioned above the typed name.

James A. MacStravic
Performing the Duties of the
Under Secretary of Defense
for Acquisition, Technology,
and Logistics