



National Council on Disability

An independent federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families.

February 25, 2022

Ms. Celeste Drake
Director of Made in America
Office of Management and Budget
Washington, DC 20503

Dear Ms. Drake:

The National Council on Disability (NCD) is pleased to submit its fiscal year (FY) 2021 report for items manufactured within the United States vs. outside the United States according to the Buy American Act (BAA) (41 U.S.C. 10a - 10d) and Executive Order 10582. NCD proudly supports implementation of and compliance with Made in America Laws. As such, NCD will continue to further effectuate the policy set forth in Section 1 of Executive Order 14005 and ensure compliance and support of the BAA when planning agency actions and initiatives.

NCD is an independent federal agency charged with advising the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities. NCD's statutory authority is purely advisory in nature, and as such, NCD does not have community outreach programs and does not aid, assist, or offer benefits or services to the public. NCD does not procure any goods, products, or materials in our cooperative agreements. As an agency focused on providing advice on U.S. policy, the terms and conditions of our cooperative agreements will require that the contractor be based in the United States. We have not issued any waivers to this policy in the terms and conditions of our cooperative agreements.

In support of the BAA, NCD has not requested nor granted any waivers with respect to such articles, materials, or supplies nor does NCD anticipate the use of nonavailability waivers in the future. NCD made no purchases of any articles, materials, or supplies manufactured outside the United States within the meaning of the BAA. There have been no significant changes or actions taken since the initial 180-day report was provided.

As prescribed by the Act, the appropriate information has been collected and reported herein. In FY 2021, NCD spent \$6,846 for goods manufactured in the United States, and \$0 for goods manufactured outside the United States. In accordance with BAA exemptions, information technology items are exempt and therefore not included.

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Furthermore, NCD complies with the Office of Federal Procurement Policy Act, 41 U.S.C. 401, et seq, and ensures compliance with procurement regulations, and monitors changes of the Federal Acquisition Regulatory Council (FAR), and GSA Chief Acquisition Officer for contracting, competitive outsourcing, and computer equipment.

NCD has reviewed the Final Rule's updated domestic content restrictions for government contractors and will encourage all contractors to review their supply chains and BAA-compliance regimes. To ensure compliance with the Final Rule, NCD will advise contractors to continue monitoring how the FAR Council intends to implement President Biden's Executive Order in the coming months.

This information will be made available to the public on NCD's website at https://ncd.gov/Accountability/buy_american_act. If you have any questions concerning this report, please contact Lisa Grubb at 202-684-5946, or by e-mail at lgrubb@ncd.gov. Please utilize her contact to provide NCD with information for our agency regarding Buy America Act requirements and communications.

Sincerely,


Anne Sommers McIntosh
Executive Director