



**Department of Energy  
Washington, DC 20585**

**MEMORANDUM FOR HEADS OF CONTRACTING ACTIVITY AND PROCUREMENT DIRECTORS**

**FROM:** JOHN R. BASHISTA  
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**SUBJECT:** MADE IN AMERICA (MIA) BUY AMERICAN ACT (BAA) DATA COLLECTION  
PILOT PROGRAM IMPLEMENTATION FOR MANAGEMENT AND  
OPERATING AND OTHER MAJOR SITE AND FACILITY MANAGEMENT  
CONTRACTS

Since earlier this Fiscal Year we have been collaborating with you, representatives of your offices, as well as the membership of the Procurement Evaluation and Reengineering Team to develop a pilot program to support the objectives of Executive Order 14005<sup>1</sup>, Ensuring the Future is Made in All of America by All of America's Workers, and Office of Management and Budget (OMB) M-21-26<sup>2</sup>, Increasing Opportunities for Domestic Sourcing and Reducing the Need for Waivers from Made in America Laws. As a result of this collaboration, the pilot program that has been developed implements new data collection and analysis processes of Management and Operating and other major site and facility management contract purchases that involve domestic non-availability waivers with the objectives of increasing transparency of such purchases and identifying potential opportunities to incentivize greater domestic production. The requested data is for any and all thresholds for domestic non-availability subcontract waivers inclusive of item specific fields, along with prime contract and subcontract fields that allow traceability to address future inquiries.

The pilot program determined that automated data collection is currently unavailable because acquisition systems do not contain necessary data fields. Therefore, the following phased approach will be utilized:

- Phase 1 (Short-Term): Manual upload of data collection through iPortal
- Phase 2 (Long-Term): Automated collection of data

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<sup>1</sup> <https://www.federalregister.gov/documents/2021/01/28/2021-02038/ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers>

<sup>2</sup> <https://www.whitehouse.gov/wp-content/uploads/2021/06/M-21-26.pdf>

HCAAs are requested to work with Management and Operating (M&O) contractors and Facilities Management Contractors (FMCs) to provide the data as described within the attachments. The initial data collection will cover the effective date of this memorandum through October 31, 2022, and reported within 14 days. Thereafter, data shall be reported 14 days after the end of each subsequent month, on a monthly basis.

For Phase 1, data shall be provided via upload to the Department's iPortal titled "MIA-Subcontract Exceptions". Please see the attachments for detailed instructions and guidance on reporting the data using **only unclassified data**.

Please email the names of your contractor site representatives requiring access and any questions using the subject line "MIA-Subcontract Exceptions". For DOE, please contact Barry Ross at [Barry.Ross@hq.doe.gov](mailto:Barry.Ross@hq.doe.gov) and Justin Crosby at [Justin.Crosby@hq.doe.gov](mailto:Justin.Crosby@hq.doe.gov). For NNSA, please contact Alfred Romo at [Alfred.Romo@nnsa.doe.gov](mailto:Alfred.Romo@nnsa.doe.gov) and Drake Russell at [Drake.Russell@nnsa.doe.gov](mailto:Drake.Russell@nnsa.doe.gov).

Your assistance supporting the Department's new BAA Pilot Program Initiative is greatly appreciated.

- Attachment 1** iPortal/IDW Reporting Access and Instructions
- Attachment 2** BAA Act Data Collection Instructions + Field Definitions
- Attachment 3** BAA Data Collection Template
- Attachment 4** iPortal initial Account Setup
- Attachment 5** Data Considerations