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PART 5325 -  
Foreign Acquisition

[2019 Edition]

## **SUBPART 5325.1 — BUY AMERICAN - SUPPLIES**

5325.103 Exceptions

(b) Follow [MP5325](#) when a determination of non-availability is required by FAR 25.103 and DFARS 225.103. See [MP5301.601\(a\)\(i\)](#).

## **SUBPART 5325.2 — BUY AMERICAN - CONSTRUCTION MATERIALS**

### **5325.202 Exceptions**

(a)(2) *Nonavailability*. See [MP5301.601\(a\)\(i\)](#).

## **SUBPART 5325.4 — TRADE AGREEMENTS**

**5325.403 World Trade Organization Government Procurement Agreement and Free Trade Agreements**

(c)(ii)(A) See [MP5301.601\(a\)\(i\)](#).

## **SUBPART 5325.6 — AMERICAN RECOVERY AND REINVESTMENT ACT - BUY AMERICAN STATUTE - CONSTRUCTION MATERIALS**

### **5325.603 Exceptions**

(a)(1)(i) *Nonavailability*. See [MP5301.601\(a\)\(i\)](#).

## **SUBPART 5325.10 — ADDITIONAL FOREIGN ACQUISITION REGULATIONS**

### **5325.1001 Waiver of Right to Examination of Records**

(a)(2)(iii) Conditions for use of FAR 52.215-2, Alternate III. Submit requests for agency head determinations following the format at FAR 25.1001(b), through the SCO to [SAF/AQC](#).

SUBPART 5325.70 — AUTHORIZATION ACTS, APPROPRIATIONS ACTS, AND OTHER STATUTORY RESTRICTIONS ON FOREIGN ACQUISITION

### **5325.7002-2 Exceptions**

(b)(1)(iv) When the contracting officer determines through market research, that an article or suitable substitute is not available from a domestic source, the contracting officer must submit a [Domestic Non-availability Determination \(DNAD\)](#). The DNAD must be submitted through the SCO to [SAF/AQC](#) for approval by the Secretary of the Air Force (nondelegable). See MP5325.7002-2.

### **5325.7003-3 Exceptions**

(b) When the contracting officer determines, through market research, that a specialty metal melted or produced in the United States or its possessions cannot be procured in satisfactory quality and sufficient quantity, and in the required form, as and when needed, submit a [DNAD](#). The DNAD must be submitted through the SCO to [SAF/AQC](#) for approval by the Secretary of the Air Force (nondelegable).

(c) When a contractor or offeror submits a Commercial Derivative Military Article-Specialty Metals Compliance Certificate (DFARS 252.225-7010) for streamlined compliance for Commercial Derivative Military Articles (CDMA), the Secretary of the Air Force must determine that the item is a CDMA as defined at DFARS 252.225-7009 before using the rules for streamlined compliance for CDMA. The contracting officer must follow the procedures in DFARS 225.7003-3 and submit the [CDMA D&F](#) through the SCO to [SAF/AQC](#) for approval by the Secretary of the Air Force (nondelegable). See [MP5325.7003-3](#).

### **5325.7008 Waiver of Restrictions of 10 U.S.C. 2534**

(a)(2) See [MP5301.601\(a\)\(i\)](#).

(b)(2)(i) See [MP5301.601\(a\)\(i\)](#).

See [AFMC PGI 5325.7901-3-90](#).