



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

ACQUISITION
AND SUSTAINMENT

July 14, 2021

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Madam Speaker:

Title 41, United States Code (U.S.C.), section 8305, requires the Secretary of Defense submit, no later than 60 days after the end of the fiscal year, a report on the amount of Department of Defense (DoD) purchases from foreign entities in that fiscal year. In addition, section 8029(b) of the Consolidated Appropriations Act, 2020 (Public Law 116-93), requires the Secretary of Defense identify the dollar value of items for which the Buy American Act was waived pursuant to any reciprocal defense procurement Memorandum of Understanding, the Trade Agreement Act of 1979 (Title 19, U.S.C., section 2501 et seq.), or any international agreement to which the United States is a party.

On September 1, 2020, the Department submitted an interim report indicating the FY 2020 report would be delivered by the end of June 2021. Of the \$421.6 billion in total DoD contract obligations in FY 2020, the enclosed report identifies \$11.4 billion or 2.7 percent of total DoD obligations were expended on purchases from foreign entities. The total dollar value of items for which the Buy American Act was not applied due to inapplicability, waivers, and authorized exceptions, was \$5.7 billion. The Department will provide the FY 2021 DoD Purchases from Foreign Entities report by the end of June 2022.

I am sending identical letters to the President of the Senate and the congressional defense committees.

Sincerely,

Stacy A. Cummings
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Stacy A. Cummings
Principal Deputy Assistant Secretary of Defense
(Acquisition)
Performing the Duties of Under Secretary of
Defense for Acquisition and Sustainment

Enclosure:
As stated



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

ACQUISITION
AND SUSTAINMENT

July 14, 2021

The Honorable Rosa L. DeLauro
Chair
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Madam Chair:

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Stacy A. Cummings
Principal Deputy Assistant Secretary of Defense
(Acquisition)
Performing the Duties of Under Secretary of
Defense for Acquisition and Sustainment

Enclosure:
As stated

cc:
The Honorable Kay Granger
Ranking Member



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

ACQUISITION
AND SUSTAINMENT

July 14, 2021

The Honorable Adam Smith
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Sincerely,

Stacy A. Cummings
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Stacy A. Cummings
Principal Deputy Assistant Secretary of Defense
(Acquisition)
Performing the Duties of Under Secretary of
Defense for Acquisition and Sustainment

Enclosure:
As stated

cc:
The Honorable Mike D. Rogers
Ranking Member



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

ACQUISITION
AND SUSTAINMENT

July 14, 2021

The Honorable Kamala D. Harris
President of the Senate
United States Senate
Washington, DC 20510

Dear Madam President:

Title 41, United States Code (U.S.C.), section 8305, requires the Secretary of Defense submit, no later than 60 days after the end of the fiscal year, a report on the amount of Department of Defense (DoD) purchases from foreign entities in that fiscal year. In addition, section 8029(b) of the Consolidated Appropriations Act, 2020 (Public Law 116-93), requires the Secretary of Defense identify the dollar value of items for which the Buy American Act was waived pursuant to any reciprocal defense procurement Memorandum of Understanding, the Trade Agreement Act of 1979 (Title 19, U.S.C., section 2501 et seq.), or any international agreement to which the United States is a party.

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I am sending identical letters to the Speaker of the House and the congressional defense committees.

Sincerely,

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Principal Deputy Assistant Secretary of Defense
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Performing the Duties of Under Secretary of
Defense for Acquisition and Sustainment

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

ACQUISITION
AND SUSTAINMENT

July 14, 2021

The Honorable Patrick J. Leahy
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Title 41, United States Code (U.S.C.), section 8305, requires the Secretary of Defense submit, no later than 60 days after the end of the fiscal year, a report on the amount of Department of Defense (DoD) purchases from foreign entities in that fiscal year. In addition, section 8029(b) of the Consolidated Appropriations Act, 2020 (Public Law 116-93), requires the Secretary of Defense identify the dollar value of items for which the Buy American Act was waived pursuant to any reciprocal defense procurement Memorandum of Understanding, the Trade Agreement Act of 1979 (Title 19, U.S.C., section 2501 et seq.), or any international agreement to which the United States is a party.

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Stacy A. Cummings
Principal Deputy Assistant Secretary of Defense
(Acquisition)
Performing the Duties of Under Secretary of
Defense for Acquisition and Sustainment

Enclosure:
As stated

cc:
The Honorable Richard C. Shelby
Vice Chairman



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

ACQUISITION
AND SUSTAINMENT

July 14, 2021

The Honorable Jack Reed
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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(Acquisition)
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Defense for Acquisition and Sustainment

Enclosure:
As stated

cc:
The Honorable James M. Inhofe
Ranking Member

**REPORT TO CONGRESS ON
DEPARTMENT OF DEFENSE
FISCAL YEAR 2020 PURCHASES FROM
FOREIGN ENTITIES**



Office of the Under Secretary of Defense for
Acquisition and Sustainment

June 2021

The estimated cost of this report or study for the Department of Defense is approximately \$6,630 in DoD labor for the 2021 Fiscal Year.

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Background

Title 41, United States Code (U.S.C.), section 8305, requires the Secretary of Defense submit, no later than 60 days after the end of the fiscal year, a report on the amount of Department of Defense (DoD) purchases from foreign entities in that fiscal year. In addition, section 8029(b) of the Consolidated Appropriations Act, 2020 (Public Law 116-93), requires the Secretary of Defense identify the dollar value of items for which the Buy American Act (BAA) was waived pursuant to any reciprocal defense procurement Memorandum of Understanding (MOU), the Trade Agreement Act (TAA) of 1979 (Title 19, U.S.C., section 2501 et seq.), or any international agreement to which the United States is a party.

Discussion

The information contained in this report is based on FY 2020 contract data from the Federal Procurement Data System – Next Generation (FPDS-NG), which includes obligations from multiple fiscal years of available funds. The FPDS-NG data addresses contracting procedures, competition, financing, statutory requirements, socioeconomic programs, and other information relating to DoD contracting activity with prime contractors. The data was then certified by the Military Departments and Defense Agencies. On February 12, 2021, the Department certified to the Administrator of the Office of Federal Procurement Policy, that as of January 26, 2021, the department executed approximately 48.8 million contract actions with total obligations valued at approximately \$421.6 billion in FY 2020.

All procurements from foreign entities

DoD procurement actions recorded and certified in FPDS-NG during FY 2020 totaled approximately \$421.6 billion. Of that amount, approximately \$11.4 billion or 2.7 percent of total DoD obligations were expended on purchases from foreign entities. Table 1 highlights the twelve (12) countries with the highest amount of contract obligations. These countries accounted for approximately 80 percent of the total DoD foreign obligations during FY 2020. A detailed breakout of obligated dollars by country in alphabetic order is contained in Table 2.

TABLE 1: Top twelve countries with the highest contract obligations under contract with DoD during FY 2020 (Source: FPDS-NG)

ENTITY OF ORIGIN	ACTIONS	OBLIGATED AMOUNT	% OF TOTAL OBLIGATION
JAPAN	18,056	\$1,555,998,145.95	13.66%
GERMANY	24,193	\$1,194,653,962.24	10.48%
SOUTH KOREA	17,796	\$1,070,136,745.32	9.39%
SAUDI ARABIA	637	\$867,766,536.34	7.62%
UNITED ARAB EMIRATES	21,503	\$832,659,525.36	7.31%
CANADA	5,227	\$794,113,474.23	6.97%
QATAR	661	\$639,056,129.80	5.61%
UNITED KINGDOM	8,780	\$579,744,251.28	5.09%
KUWAIT	8,201	\$460,720,565.06	4.04%
AFGHANISTAN	1,792	\$452,727,766.26	3.97%
BAHRAIN	2,545	\$348,718,904.96	3.06%
ITALY	4,559	\$315,298,210.70	2.77%

TABLE 2: All DoD procurement actions with foreign entities during FY 2020
(Source: FPDS-NG)

ENTITY OF ORIGIN	ACTIONS	OBLIGATED AMOUNT	% OF TOTAL
TOTAL:	138,507	\$11,394,982,906	100%
AFGHANISTAN	1,792	\$452,727,766.26	3.97%
ANGUILLA [UNITED KINGDOM]	2	\$55,500.00	0.00%
ARGENTINA	1	(\$12,218.78)*	0.00%
ARMENIA	6	\$1,407,049.00	0.01%
ARUBA [NETHERLANDS]	24	\$1,688,246.53	0.01%
AUSTRALIA	290	\$105,692,804.36	0.93%
AUSTRIA	4	\$45,561.32	0.00%
AZERBAIJAN	4	\$2,069,475.00	0.02%
BAHAMAS,THE	2	\$96,128.55	0.00%
BAHRAIN	2,545	\$348,718,904.96	3.06%
BANGLADESH	28	(\$27,790.86)*	0.00%
BARBADOS	47	\$5,019,134.77	0.04%
BELGIUM	2,260	\$60,067,849.56	0.53%
BELIZE	8	(\$39,920.53)*	0.00%
BERMUDA [UNITED KINGDOM]	97	\$14,555,889.20	0.13%
BHUTAN	1	\$10,000.00	0.00%
BOLIVIA	1	\$47,106.66	0.00%
BOSNIA AND HERZEGOVINA	24	\$817,534.61	0.01%
BRAZIL	18	\$499,412.63	0.00%
BRITISH VIRGIN ISLANDS [UNITED KINGDOM]	16	\$708,318.00	0.01%
BULGARIA	110	\$6,062,175.50	0.05%
BURKINA FASO	16	\$535,091.63	0.00%
BURMA (MYANMAR)	1	\$90,684.84	0.00%
CAMBODIA	47	\$4,168,542.14	0.04%
CAMEROON	11	\$276,216.00	0.00%
CANADA	5,227	\$794,113,474.23	6.97%
CHAD	12	\$221,919.78	0.00%
CHILE	2	(\$45,768.40)*	0.00%
CHINA	4	\$0.00**	0.00%
COLOMBIA	277	\$5,174,793.50	0.05%
COSTA RICA	4	\$231,097.06	0.00%
CROATIA	69	\$11,541,549.33	0.10%
CYPRUS	11	\$3,220,193.64	0.03%
CZECH REPUBLIC	4	\$73,786.00	0.00%
DENMARK	5,050	\$109,619,714.48	0.96%
DJIBOUTI	245	\$14,102,649.20	0.12%
DOMINICAN REPUBLIC	5	(\$4,452.00)*	0.00%
EAST TIMOR (TIMOR-LESTE)	17	\$748,916.05	0.01%
ECUADOR	14	\$22,771,597.39	0.20%
EGYPT	3	\$36,891.84	0.00%
EL SALVADOR	16	(\$30,094.51)*	0.00%
ESTONIA	18	\$16,066,395.44	0.14%
ETHIOPIA	6	\$1,110,862.42	0.01%

FIJI	11	\$289,079.83	0.00%
FINLAND	11	\$1,790,980.50	0.02%
FRANCE	319	\$58,925,944.56	0.52%
GEORGIA	19	\$2,105,517.60	0.02%
GERMANY	24,193	\$1,194,653,962.24	10.48%
GHANA	15	\$1,209,486.60	0.01%
GIBRALTAR [UNITED KINGDOM]	29	\$17,180,906.18	0.15%
GREECE	343	\$164,168,011.57	1.44%
GREENLAND [DENMARK]	5	\$783,629.32	0.01%
GRENADA	1	(\$38,496.29)*	0.00%
GUATEMALA	45	\$2,765,163.88	0.02%
GUYANA	4	\$71,129.94	0.00%
HONDURAS	246	\$20,592,025.74	0.18%
HONG KONG	304	\$204,991,645.56	1.80%
HUNGARY	7	\$111,968.79	0.00%
ICELAND	6	\$44,833,532.00	0.39%
INDIA	13	\$11,852,828.39	0.10%
INDONESIA	10	\$989,515.22	0.01%
IRAQ	545	\$61,205,828.85	0.54%
IRELAND	6	\$2,399,475.83	0.02%
ISRAEL	173	\$71,462,303.04	0.63%
ITALY	4,559	\$315,298,210.70	2.77%
JAMAICA	1	(\$24,171.36)*	0.00%
JAPAN	18,056	\$1,555,998,145.95	13.66%
JORDAN	298	\$138,610,572.43	1.22%
KAZAKHSTAN	8	\$2,405,399.26	0.02%
KENYA	48	\$2,481,555.49	0.02%
KOSOVO	397	\$2,315,156.89	0.02%
KUWAIT	8,201	\$460,720,565.06	4.04%
LAOS	19	\$1,582,339.66	0.01%
LATVIA	67	\$1,811,239.28	0.02%
LEBANON	9	\$1,296,400.00	0.01%
LIBYA	3	\$14,400.00	0.00%
LITHUANIA	46	(\$140,238.22)*	0.00%
LUXEMBOURG	2	\$26,093.05	0.00%
MACEDONIA	24	\$1,625,739.92	0.01%
MADAGASCAR	2	\$47,348.68	0.00%
MALAWI	2	(\$18,209.10)*	0.00%
MALAYSIA	27	\$265,802.76	0.00%
MALDIVES	2	(\$314,650.00)*	0.00%
MALI	3	\$95,880.00	0.00%
MALTA	1,367	\$48,065,124.43	0.42%
MAN, ISLE OF	81	\$258,244.32	0.00%
MARSHALL ISLANDS	9	\$6,204,398.98	0.05%
MAURITANIA	23	\$1,866,511.17	0.02%
MAURITIUS	4	\$75,952.00	0.00%
MEXICO	67	\$1,250,428.05	0.01%
MOLDOVA	7	\$640,238.00	0.01%

MONGOLIA	14	\$3,166,234.60	0.03%
MOROCCO	21	\$752,868.26	0.01%
MOZAMBIQUE	1	(\$491.47)*	0.00%
NEPAL	13	\$423,875.86	0.00%
NETHERLANDS	430	\$28,274,846.15	0.25%
NEW ZEALAND	76	\$27,394,745.24	0.24%
NIGER	237	\$4,718,211.83	0.04%
NIGERIA	5	\$66,100.84	0.00%
NORWAY	284	\$73,510,761.63	0.65%
OMAN	14	\$1,208,442.10	0.01%
PAKISTAN	40	\$412,637.68	0.00%
PALAU	13	\$1,278,377.14	0.01%
PANAMA	65	\$1,735,962.90	0.02%
PAPUA NEW GUINEA	12	\$206,118.97	0.00%
PARAGUAY	4	\$68,943.40	0.00%
PERU	184	\$1,161,466.86	0.01%
PHILIPPINES	341	\$11,888,687.12	0.10%
POLAND	447	\$224,764,384.90	1.97%
PORTUGAL	62	\$7,604,292.94	0.07%
QATAR	661	\$639,056,129.80	5.61%
ROMANIA	873	\$20,959,640.25	0.18%
RWANDA	5	\$0.00**	0.00%
SAMOA	1	\$399,173.50	0.00%
SAUDI ARABIA	637	\$867,766,536.34	7.62%
SENEGAL	10	\$183,343.76	0.00%
SERBIA	51	\$4,642,000.96	0.04%
SINGAPORE	1,579	\$89,446,077.85	0.78%
SLOVAKIA	1	\$35,833.84	0.00%
SOLOMON ISLANDS	2	(\$15,740.15)*	0.00%
SOMALIA	112	\$2,904,901.82	0.03%
SOUTH AFRICA	13	\$1,954,646.28	0.02%
SOUTH KOREA	17,796	\$1,070,136,745.32	9.39%
SPAIN	1,425	\$253,467,470.95	2.22%
SRI LANKA	11	\$230,168.00	0.00%
SWEDEN	130	\$153,147,183.59	1.34%
SWITZERLAND	2,645	\$35,994,139.42	0.32%
SYRIA	57	\$4,078,370.22	0.04%
TAJIKISTAN	10	\$245,041.92	0.00%
TANZANIA	8	(\$532,489.64)*	0.00%
THAILAND	878	\$18,902,009.28	0.17%
TRINIDAD AND TOBAGO	4	\$45,188.70	0.00%
TUNISIA	10	\$767,390.12	0.01%
TURKEY	902	\$25,844,376.82	0.23%
UGANDA	24	\$368,145.66	0.00%
UKRAINE	63	\$5,591,546.73	0.05%
UNITED ARAB EMIRATES	21,503	\$832,659,525.36	7.31%
UNITED KINGDOM	8,780	\$579,744,251.28	5.09%
URUGUAY	1	(\$11,787.70)*	0.00%

VIETNAM	56	\$6,032,095.51	0.05%
YEMEN	19	\$2,929,480.86	0.03%
ZAMBIA	1	\$339,139.00	0.00%

* Net contract de-obligations exceed obligations during the fiscal year.

** Zero net contract obligations or de-obligations associated with contract actions during the fiscal year.

The \$11.4 billion of obligations cover services, petroleum, construction, subsistence, defense equipment, and other miscellaneous items. Chart 1 provides a breakout of procurement categories from the foreign entities. Petroleum, services, construction, and subsistence account for approximately 72 percent of the total purchases from foreign entities. Defense equipment constitutes approximately 15 percent of the purchases from foreign entities. The remaining 13 percent of the purchases cover a variety of categories.

CHART 1: Percentage of DoD Procurement Category from Foreign Entities

(Source: FPDS-NG)

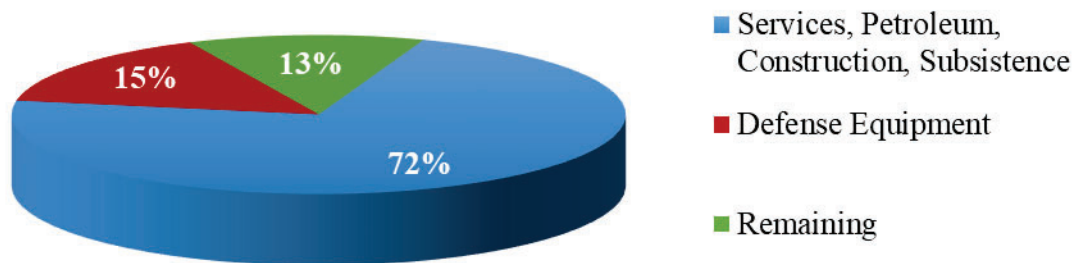


Table 3 provides a breakout of the \$11.4 billion by purchase category and the percentage of the total obligation.

TABLE 3: DoD foreign purchases by category and the total obligation during FY 2020

(Source: FPDS-NG)

DOD PURCHASE CATEGORY	ACTIONS	DOLLARS	% OF TOTAL
TOTAL:	138,507	\$11,394,982,906.15	100.00%
SERVICES	37,062	\$3,268,535,184.22	28.68%
CONSTRUCTION	7,096	\$2,643,632,244.30	23.20%
PETROLEUM	14,115	\$2,314,983,498.17	20.32%
ALL OTHERS NOT IDENTIFIABLE TO ANY OTHER PROCUREMENT PROGRAM	66,023	\$1,316,776,250.76	11.56%
OTHER AIRCRAFT EQUIPMENT	1,672	\$331,474,656.17	2.91%
ELECTRONICS AND COMMUNICATION EQUIPMENT	756	\$330,635,342.37	2.90%
AMMUNITION	207	\$311,420,171.90	2.73%

SHIPS	4,199	\$241,782,645.09	2.12%
AIRFRAMES AND SPARES	1,348	\$156,931,954.44	1.38%
COMBAT VEHICLES	561	\$126,448,503.25	1.11%
WEAPONS	501	\$98,455,165.92	0.86%
AIRCRAFT ENGINES AND SPARES	1,411	\$81,139,354.99	0.71%
NON-COMBAT VEHICLES	1,408	\$56,408,083.46	0.50%
MEDICAL AND DENTAL SUPPLIES AND EQUIPMENT	1,000	\$45,185,288.67	0.40%
MISSILE AND SPACE SYSTEMS	34	\$21,459,379.71	0.19%
TEXTILES, CLOTHING AND EQUIPAGE	49	\$19,880,555.87	0.17%
CONSTRUCTION EQUIPMENT	125	\$7,696,565.42	0.07%
OTHER FUELS AND LUBRICANTS	641	\$4,477,882.43	0.04%
PRODUCTION EQUIPMENT	79	\$4,319,204.01	0.04%
MATERIALS HANDLING EQUIPMENT	68	\$3,606,938.30	0.03%
BUILDING SUPPLIES	80	\$3,335,443.96	0.03%
SUBSISTENCE	40	\$2,970,599.02	0.03%
TRANSPORTATION EQUIPMENT (RAILWAY)	4	\$1,247,701.29	0.01%
PHOTOGRAPHIC EQUIPMENT AND SUPPLIES	7	\$1,147,568.30	0.01%
SEPARATELY PROCURED CONTAINERS AND HANDLING EQUIPMENT	5	\$789,749.71	0.01%
MISCELLANEOUS	16	\$242,974.42	0.00%

Dollar value of manufactured articles for which the restrictions of the BAA were not applied pursuant to MOUs, the TAA, or other international agreements

The restrictions of the BAA were not applied to 62,944 DoD purchases totaling approximately \$5.7 billion due to inapplicability, waivers, and authorized exceptions. The breakout of these purchases is as follows:

- About 41 percent of dollars or 15,105 actions totaling approximately \$2.3 billion represent those contract actions for which the restrictions of the BAA *are not applicable* because they are for items manufactured and used outside the United States.
- The total authorized *wavers* of the BAA pursuant to MOUs, the TAA or other international agreements represented about 50 percent of dollars or 37,752 actions totaling approximately \$2.8 billion.
- The total authorized *exceptions* to the BAA represented about 9 percent of dollars or 10,087 actions for approximately \$536 million. These exceptions provided in the law include: (1) manufactured outside the United States – Resale; (2) manufactured outside the United States – Commercial Information Technology; (3) manufactured outside the United States – Public Interest Determinations; (4) manufactured outside the United States – Determination made based on Domestic Non-Availability; and (5) manufactured outside the United States – Unreasonable Cost of Domestic End Product.

Chart 2 provides a breakout of the approximately \$5.7 billion of manufactured articles for which the restrictions of the BAA were not applied due to waivers, authorized exceptions, and inapplicability.

CHART 2: Obligations for which the restrictions of the Buy American Act were not applied in FY 2020 (Source: FPDS-NG)

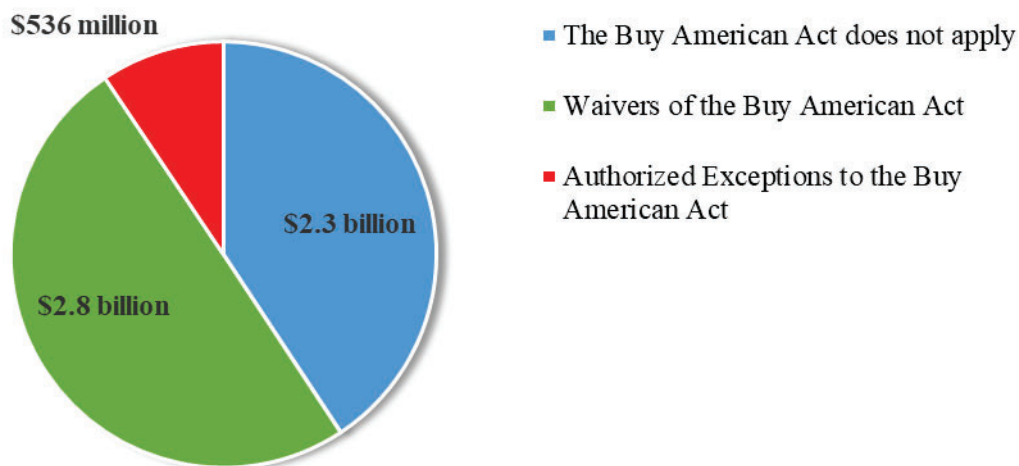


Table 4 provides a detailed breakout of the actions and dollars by category and an explanation of the authority for each of the categories.

TABLE 4: Number of purchases and dollar value of manufactured articles for which the restrictions of the BAA were not applied in FY 2020 (Source: FPDS-NG)

Authority	Actions	Dollars	% of Total
The Buy American Act does not apply			
Use outside the U.S.	15,105	\$2,319,159,891	40.72%
Waivers of the Buy American Act			
Qualifying Countries	36,216	\$2,754,798,340	48.37%
WTO GPA and Free Trade Agreements	1,536	\$84,907,612	1.49%
	37,752	\$2,839,705,951	49.86%
Authorized Exceptions to the Buy American Act			
Domestic Non-availability Determinations	2,580	\$374,799,376	6.58%
Commercial IT	416	\$118,183,033	2.08%
Resale	65	\$3,428,341	0.06%
Unreasonable Cost	7,015	\$28,073,883	0.49%
Public Interest Exception	11	\$11,584,157	0.20%
	10,087	\$536,068,789	9.41%
Total:	62,944	\$5,694,934,631	100.00%

The Department will provide the FY 2021 DoD Purchases from Foreign Entities report by the end of June 2022.