

# 12.505 Applicability of certain laws to contracts for the acquisition of COTS items.

COTS items are a subset of *commercial products*. Therefore, any laws listed in sections [12.503](#) and [12.504](#) are also inapplicable or modified in their applicability to contracts or *subcontracts* for the acquisition of COTS items. In addition, the following laws are not applicable to contracts for the acquisition of COTS items:

(a)

(1) The portion of [41 U.S.C. 8302](#) , American Materials Required for Public Use, paragraph (a)(1) that reads “substantially all from articles, materials, or *supplies* mined, produced, or manufactured in the *United States*,” Buy American—*Supplies*, domestic content test, except as provided in [25.101\(a\)\(2\)\(ii\)](#) (see [52.225-1](#) and [52.225-3](#)).

(2)The portion of [41 U.S.C. 8303](#), Contracts for Public Works, paragraph (a)(2) that reads “substantially all from articles, materials, or *supplies* mined, produced, or manufactured in the *United States*,” Buy American—*Construction Materials*, domestic content test, except as provided in [25.201\(b\)\(2\)\(ii\)](#)(see [52.225-9](#) and [52.225-11](#)).

(b) [42 U.S.C. 69 62\(c\)\(3\)\(A\)](#), Certification and Estimate of Percentage of *Recovered Material*.

(c) Compliance Plan and Certification Requirement, section 1703 of the *National Defense Authorization Act for Fiscal Year 2013* (Pub. L. 112-239), Title XVII, Ending trafficking in Government *Contracting* (see [52.222-50\(h\)](#) and [52.222-56](#)).

**Parent topic:** [Subpart 12.5 - Applicability of Certain Laws to the Acquisition of Commercial Products, Commercial Services and Commercially Available Off-the-Shelf Items](#)