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