

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

COTS items are a subset of commercial items. 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 Items and Commercially Available Off-The-Shelf Items](#)