25.602-1 Section 1605 of the Recovery Act.

Except as provided in 25.603-

- (a) None of the funds appropriated or otherwise made available by the Recovery Act *may* be used for a project for the *construction*, alteration, maintenance, or repair of a *public building or public work* unless the *public building or public work* is located in the *United States* and-
- (1) All of the iron, *steel*, and manufactured goods used as *construction material* in the project are produced or manufactured in the *United States*.
- (i) All manufactured construction material must be manufactured in the United States.
- (ii) Iron or steel components.
- (A) Iron or *steel components* of *construction material* consisting wholly or predominantly of iron or *steel must* be produced in the *United States*. This does not restrict the origin of the elements of the iron or *steel*, but requires that all manufacturing processes of the iron or *steel must* take place in the *United States*, except metallurgical processes involving refinement of *steel* additives.
- (B) The requirement in paragraph (a)(1)(ii)(A) of this section does not apply to iron or *steel* components or subcomponents in construction material that does not consist wholly or predominantly of iron or *steel*.
- (iii) *All other components*. There is no restriction on the origin or place of production or manufacture of *components* or subcomponents that do not consist of iron or *steel*.
- (iv) Examples.
- (A) If a *steel* guardrail consists predominantly of *steel*, even though coated with aluminum, then the *steel* would be subject to the section 1605 restriction requiring that all stages of production of the *steel* occur in the *United States*, in addition to the requirement to manufacture the guardrail in the *United States*. There would be no restrictions on the other *components* of the guardrail.
- (B) If a wooden window frame is delivered to the site as a single *construction material*, there is no restriction on any of the *components*, including the *steel* lock on the window frame; or
- (2) If trade agreements apply, the *manufactured construction material shall* either comply with the requirements of paragraph (a)(1) of this subsection, or be wholly the product of or be substantially transformed in a *Recovery Act designated country*;
- (b) Manufactured materials purchased directly by the Government and delivered to the site for incorporation into the project *shall* meet the same domestic source requirements as specified for *manufactured construction material* in paragraphs (a)(1) and (a)(2) of this section; and
- (c) A project *may* include several contracts, a single contract, or one or more *line items* on a contract.

Parent topic: 25.602 Policy.