



## POLICY FLASH 2010-54

**DATE:** May 24, 2010

**TO:** Procurement Directors

**FROM:** Office of Procurement and Assistance Policy, MA-61  
Office of Procurement and Assistance Management

**SUBJECT:** Guidance on Manufactured Goods and Substantial Transformation for Financial Assistance Awards under the Buy American Provisions of the American Recovery and Reinvestment Act of 2009 (Section 1605 of Pub. L. 111-5).

**SUMMARY:** The attached guidance was developed to explain how to determine if a manufactured good has been manufactured in the United States using the “substantial transformation” standard derived from Federal court cases, Customs Department administrative rulings and interpretive rules for U.S. trade agreements. The guidance is being added as Attachment 14 to the Recovery Act Guide.

This Flash and its attachment will be available online within a day, at the following website: [http://www.management.energy.gov/policy\\_guidance/policy\\_flashes.htm](http://www.management.energy.gov/policy_guidance/policy_flashes.htm).

Questions concerning this policy flash should be directed to Jacqueline Kniskern at (202) 287-1342 or [Jacqueline.Kniskern@hq.doe.gov](mailto:Jacqueline.Kniskern@hq.doe.gov).



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Attachment