
In 1995, Buy American requirements were included in a number of other statutes, including:

- 1996 Military Construction Appropriations;
- 1996 Appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies;
- 1996 Department of Transportation and Related Agencies Appropriations Act;
- 1996 Department of Defense Appropriations;
- 1996 Energy and Water Development Appropriations Act.

Other Discriminatory Legislation

Canadian exports are often impaired by protectionist provisions in state and local government contracts. Procurement by these levels of government is not covered by the WTO Agreement on Government Procurement or the NAFTA.

U.S. state and local governments, and private sector entities, often receive federal project funding on condition that procurement be restricted to U.S. suppliers. As a result, the use of Canadian products in such projects, frequently in sectors of significant interest to Canadian exporters such as transportation-related supplies and equipment, may be difficult or impossible.

Restrictions attached to federal funding of transportation projects (including urban mass transit, rail and highways) generally require the use of U.S. materials and equipment unless the granting agency determines that an exception should be made.

For example, grants by the Federal Transit Administration to state and local governments are only made on condition that all steel and manufactured products (except cement) used in the funded project be produced in the United States. All of the manufacturing processes for the product must take place in the United States and all items or materials used in the product must be of U.S. origin. However, grants made for the purchase of transit vehicles require that the cost of components produced in the United States be at least 60% of the cost of all components, and that final assembly take place in the United States.

Federal Aviation Administration grants to state, local and private organizations to build and improve airports and related facilities and equipment require that all facilities and equipment purchased with such funds contain a minimum of 60% U.S. materials, and final assembly of the goods or systems must take place in the United States.

Sub-contracting Requirements

Canadian companies are at a significant disadvantage when seeking subcontracts to U.S. prime contractors. Prime contractors to the United States government are required, for contracts valued over US\$500,000 (US\$1 million for construction contracts), to direct subcontracts to certain classes of U.S. business.