

G Preparation of Customs Forms:

- 1) Except for shipments consigned to a military installation, the Contractor shall prepare, or authorize an agent to prepare, any customs forms required for the entry of foreign supplies in connection with DoD contracts into the United States, its possessions, or Puerto Rico. The completed customs forms shall be submitted to the District Director of Customs with a copy to DCASR, NY for execution of any required duty-free entry certificates. Shipments consigned directly to a military installation will be released in accordance with Sections 10.101 and 10.102 of the U.S. Customs Regulations.
- 2) For shipments containing both supplies which are to be accorded duty-free entry and supplies which are not, the Contractor shall identify on the customs forms those items which are eligible for duty-free entry.

H The Contractor agrees to prepare (if their contract is placed direct with a foreign supplier) or to instruct the foreign supplier to prepare a sufficient number of copies of the bill of lading (or other shipping document) so that at least two of the copies accompanying the shipment will be available for use by the District Director of Customs at the port of entry and to consign the shipment as specified in F above, and to mark the exterior of all packages as follows:

- 1) "UNITED STATES GOVERNMENT, DEPARTMENT OF DEFENSE" and
- 2) the Activity Address Number applicable to the contract administration office actually administering the prime contract.

I The Contractor agrees to ensure that the Contracting Officer administering the prime contract is notified in writing of any purchase under the contract of qualifying country supplies to be accorded duty-free entry that are to be imported into the United States for delivery to the Government or for incorporation in end items to be delivered to the Government. Such notice shall be furnished to the CAO immediately upon the award to the qualifying country supplier. The notice shall identify:

- 1) prime contract number plus delivery order number if applicable;
- 2) total dollar value of the prime contract or delivery order;
- 3) expiration date of the prime contract or delivery order;
- 4) foreign supplier name;
- 5) number of the subcontract/purchase order for foreign supplies;
- 6) total dollar value of the subcontract for foreign supplies;
- 7) expiration date of the subcontract for foreign supplies;
- 8) list of items purchased; and
- 9) certification by the purchaser of foreign supplies:

I certify that all such supplies for which duty-free entry is to be claimed are intended to be delivered to the Government or incorporated in the end items to be delivered under this contract, and that duty shall be paid by the Contractor to the extent that such supplies, or any portion thereof (if not scrap or salvage), are diverted to nongovernmental use other than as a result of a competitive sale made, directed or authorized by the Contracting Officer;

- 10) the qualifying country; and
- 11) the scheduled delivery date(s).

J This clause shall not apply to purchases of qualifying country supplies in connection with this contract if

- 1) such qualifying country supplies are identical in nature with supplies purchased by the Contractor or any subcontractor hereunder in connection with its commercial business; and
- 2) it is not economical or feasible to account for such supplies so as to assure that the amount for such supplies for which duty-free entry is claimed pursuant to this clause does not exceed the amount thereof purchased in connection with this contract.

K The Contractor agrees to insert the substance of this clause, including this paragraph K in all subcontracts for supplies hereunder. Each such subcontract shall require the subcontractor to identify this contract by its contract number on any shipping documents submitted to Customs covering supplies for which duty-free entry is to be claimed pursuant to this clause. The Contractor also agrees to ensure that the name and address of the Contracting Officer administering the prime contract (name and address of the CAO cognizant of the prime contract), and its Activity Address Number (Appendix N of the DoD FAR Supplement), and the information required by I 1), 2) and 3) above, is included in applicable subcontracts.