

**Foreign Participation in Acquisitions in Support of Operations in Afghanistan
DFARS Case 2009-D012
Draft Final Rule - excerpt**

PART 225—FOREIGN ACQUISITION

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SUBPART 225.11—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

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225.1101 Acquisition of supplies.

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(6)(i) Use the clause at 252.225-7021, Trade Agreements, instead of the clause at FAR 52.225-5, Trade Agreements, if the ~~Trade Agreements Act~~ **[World Trade Organization Government Procurement Agreement]** applies.

(ii) Use the clause with its Alternate I in solicitations and contracts that include the clause at 252.225-7024, Requirement for Products or Services from Iraq or Afghanistan, unless the clause at 252.225-7024 has been modified to provide a preference only for the products of Afghanistan.

[(iii) Use the clause with its Alternate II when the acquisition is of end products in support of operations in Afghanistan and Alternate I is not applicable.]

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PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

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252.225-7021 Trade Agreements.

As prescribed in 225.1101(6)**[(i)]**, use the following clause:

TRADE AGREEMENTS (NOV 2009)

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[ALTERNATE II (DATE)]

As prescribed in 225.1101(6)(iii), add the following new definitions to paragraph (a), substitute the following paragraph (c) for paragraph (c) of the basic clause, and add the following paragraph (d):

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(d) If the Contractor is from an SC/CASA state, the Contractor shall inform its government of its participation in this acquisition and that it generally will not have such opportunity in the future unless its government provides reciprocal procurement opportunities to U.S. products and services and suppliers of such products and services.]

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