**DFARS Case 2022-D012**

**New Qualifying Country – Lithuania**

**Final Rule**

**PART 225—Foreign Acquisition**

\* \* \* \* \*

**225.003 Definitions.**

**\* \* \* \* \***

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

Australia

Austria

Belgium

Canada

Czech Republic

Denmark

Egypt

Estonia

Finland

France

Germany

Greece

Israel

Italy

Japan

Latvia

**[Lithuania]**

Luxembourg

Netherlands

Norway

Poland

Portugal

Slovenia

Spain

Sweden

Switzerland

Turkey

United Kingdom of Great Britain and Northern Ireland.

\* \* \* \* \*

**SUBPART 225.8–OTHER INTERNATIONAL AGREEMENTS AND COORDINATION**

\* \* \* \* \*

**225.872-1 General.**

(a) As a result of memoranda of understanding and other international agreements, DoD has determined it inconsistent with the public interest to apply restrictions of the Buy American statute or the Balance of Payments Program to the acquisition of qualifying country end products from the following qualifying countries:

Australia

Belgium

Canada

Czech Republic

Denmark

Egypt

Estonia

Federal Republic of Germany

Finland

France

Greece

Israel

Italy

Japan

Latvia

**[Lithuania]**

Luxembourg

Netherlands

Norway

Poland

Portugal

Slovenia

Spain

Sweden

Switzerland

Turkey

United Kingdom of Great Britain and Northern Ireland.

\* \* \* \* \*

**Part 252—Solicitation Provisions and Contract Clauses**

\* \* \* \* \*

**252.225-7001 Buy American and Balance of Payments Program.**

**\* \* \* \* \***

BUY AMERICAN AND BALANCE OF PAYMENTS PROGRAM—BASIC (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

**\* \* \* \* \***

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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\* \* \* \* \*

(End of clause)

*Alternate I.* \* \* \*

BUY AMERICAN AND BALANCE OF PAYMENTS PROGRAM—ALTERNATE I (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

\* \* \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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Poland

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Slovenia

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\* \* \* \* \*

(End of clause)

**252.225-7002 Qualifying [C]~~c~~ountry [S]~~s~~ources as [S]~~s~~ubcontractors.**

\* \* \* \* \*

QUALIFYING COUNTRY SOURCES AS SUBCONTRACTORS (**[MAR 2022]**~~DEC 2017~~)

(a) *Definition.* “Qualifying country,” as used in this clause, means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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Luxembourg

Netherlands

Norway

Poland

Portugal

Slovenia

Spain

Sweden

Switzerland

Turkey

United Kingdom of Great Britain and Northern Ireland

\* \* \* \* \*

(End of clause)

\* \* \* \* \*

**252.225-7012 Preference for [C]~~c~~ertain [D]~~d~~omestic [C]~~c~~ommodities.**

**\* \* \* \* \***

PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES (**[MAR 2022]**~~DEC 2017~~)

(a) *Definitions.* \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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\* \* \* \* \*

(End of clause)

\* \* \* \* \*

**252.225-7017 Photovoltaic Devices.**

PHOTOVOLTAIC DEVICES (**[MAR 2022]**~~JAN 2022~~)

(a) *Definitions*. \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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Netherlands

Norway

Poland

Portugal

Slovenia

Spain

Sweden

Switzerland

Turkey

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\* \* \* \* \*

(End of clause)

\* \* \* \* \*

**252.225-7021 Trade Agreements.**

**\* \* \* \* \***

TRADE AGREEMENTS—BASIC (**[MAR 2022]**~~SEP 2019~~)

(a) *Definitions*. \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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Luxembourg

Netherlands

Norway

Poland

Portugal

Slovenia

Spain

Sweden

Switzerland

Turkey

United Kingdom of Great Britain and Northern Ireland

\* \* \* \* \*

(End of clause)

\* \* \* \* \*

*Alternate II*. \* \* \*

TRADE AGREEMENTS⎯ALTERNATE II (**[MAR 2022]**~~SEP 2019~~)

(a) \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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Poland

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\* \* \* \* \*

(End of clause)

\* \* \* \* \*

**252.225-7036 Buy American—Free Trade Agreements—Balance of Payments Program.**

**\* \* \* \* \***

BUY AMERICAN—FREE TRADE AGREEMENTS—BALANCE OF PAYMENTS PROGRAM—BASIC (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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Norway

Poland

Portugal

Slovenia

Spain

Sweden

Switzerland

Turkey

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\* \* \* \* \*

(End of clause)

*Alternate I*. \* \* \*

BUY AMERICAN—FREE TRADE AGREEMENTS—BALANCE OF PAYMENTS PROGRAM—ALTERNATE I (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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\* \* \* \* \*

(End of clause)

*Alternate II*. \* \* \*

BUY AMERICAN—FREE TRADE AGREEMENTS—BALANCE OF PAYMENTS PROGRAM—ALTERNATE II (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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\* \* \* \* \*

(End of clause)

*Alternate III*. \* \* \*

BUY AMERICAN—FREE TRADE AGREEMENTS—BALANCE OF PAYMENTS PROGRAM—ALTERNATE III (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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\* \* \* \* \*

(End of clause)

*Alternate IV*. \* \* \*

BUY AMERICAN—FREE TRADE AGREEMENTS—BALANCE OF PAYMENTS PROGRAM—ALTERNATE IV (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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\* \* \* \* \*

(End of clause)

*Alternate V*. \* \* \*

BUY AMERICAN—FREE TRADE AGREEMENTS—BALANCE OF PAYMENTS PROGRAM—ALTERNATE V (**[MAR 2022]**~~DEC 2017~~)

(a) \* \* \*

“Qualifying country” means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

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Switzerland

Turkey

United Kingdom of Great Britain and Northern Ireland.

\* \* \* \* \*

(End of clause)