25.802-71 End use certificates.

(S-90) *Exports from the U.S. Requiring an End Use Certificate.* The contracting officer shall use and process Department of State Form DSP-83, United States of America Nontransfer and End Use Certificate, and not the foreign country government end use certificate when exporting items from the United States. Only DLA Disposition shall use DLA Form 1822, End-Use Certificate (Statement Regarding Disposition and Use of Property) for selling or property disposal.

(S-91) *Approval and execution of foreign government end use certifications.* Submission of a foreign-government required end use certificate requires coordination with the MSC Office of Counsel. Provide the request for a Category I and II EUC, or the waiver for a Category III EUC, for DLA-managed items to the DLA Acquisition Operations Division, which will coordinate the request with the Office of General Counsel and the DLA Political Advisor (POLAD). Prior to anticipated award, allow at least 10 business days for processing of Category I EUC requests, 30 business days for Category II EUC requests, and 45 business days for Category III EUC waivers. For Military Service-managed items procured by Depot Level Repairable (DLR) and Supply Storage and Distribution (SS&D) sites, the Secretary of the Military Department is responsible for approval and execution of the EUC. Governing policy is in DoD Directive 2040.3, End Use Certificates (https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/204003p.pdf).

(S-92) By memorandum dated March 19, 2018, the DLA Director delegated to the DLA Acquisition Director the authority to sign individual Category I and II EUCs once the DLA Director has authorized the execution of the EUC; this authority may be delegated to the responsible Commander or Deputy Commander of the applicable Major Subordinate Command on a case-by-case basis.

Parent topic: SUBPART 25.8 – OTHER INTERNATIONAL AGREEMENTS AND COORDINATION