

properly insured, USAID has established minimum required coverages as a supplement to the (48 CFR) FAR clause at 52.228-7. This supplemental coverage is specified in (48 CFR) AIDAR 752.228-7, and is to be used in all USAID-direct contracts involving performance overseas.

[53 FR 50630, Dec. 16, 1988, as amended at 79 FR 74988, Dec. 16, 2014]

**728.307-70 Medical Evacuation (MEDEVAC) Services (MAR 1993).**

The contracting officer must insert the clause at 752.228-70 in all contracts which require performance by contractor employees overseas.

[59 FR 33446, June 29, 1994, as amended at 79 FR 74995, Dec. 16, 2014]

**728.309 Contract clause for worker's compensation insurance.**

(a) Because of the volume of projects performed overseas resulting in contracts which require worker's compensation insurance, USAID has contracted with an insurance carrier to provide the required insurance for all USAID contractors. It is therefore necessary to supplement the (48 CFR) FAR clause at 52.228-3 with the additional coverage specified in (48 CFR) AIDAR 752.228-3. The coverage specified in (48 CFR) AIDAR 752.228-3 shall be used in addition to the coverage specified in (48 CFR) FAR 52.228-3 in all USAID-direct contracts involving performance overseas.

[53 FR 50630, Dec. 16, 1988, as amended at 79 FR 74988, Dec. 16, 2014]

**728.313 Contract clauses for insurance of transportation or transportation-related services.**

(a) USAID is required by law to include language in all its direct contracts and subcontracts ensuring that all U.S. marine insurance companies have a fair opportunity to bid for marine insurance when such insurance is necessary or appropriate under the contract. USAID has therefore established a supplementary preface to the clause at (48 CFR) FAR 52.228-9. This supplementary preface is set forth in (48 CFR) AIDAR 752.228-9, and is required for use in any USAID-direct

contract where marine insurance is necessary or appropriate.

[53 FR 50630, Dec. 16, 1988, as amended at 79 FR 74988, Dec. 16, 2014]

**PART 729—TAXES**

AUTHORITY: Sec. 621, Pub. L. 87-195, 75 Stat. 445, (22 U.S.C. 2381) as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; and 3 CFR 1979 Comp., p. 435.

SOURCE: 81 FR 48716, July 26, 2016, unless otherwise noted.

**Subpart 729.4—Contract Clauses****729.402-70 Foreign contracts.**

(a) The annual Department of State, Foreign Operations, and Related Programs Appropriations Act (SFOAA) requires USAID to take certain steps to prevent countries from imposing taxes, including value added tax (VAT) and customs duties, on U.S. foreign assistance, or if imposed, requires the countries to reimburse the assessed taxes or duties. The SFOAA also requires certain reporting to Congress on host country taxation. Because countries imposing such taxes assess them directly on contractors, USAID requires contractors to report annually on whether taxes have been imposed and, if so, whether the foreign government reimbursed the taxes.

(b) The contracting officer must insert the clause at § 752.229-71, Reporting of Foreign Taxes, in solicitations and resulting contracts when:

(1) A contract is fully or partially funded with funds appropriated under titles III through VI of an SFOAA making appropriations for the Department of State, foreign operations, and related programs, and

(2) The contract is to be performed wholly or partly in a foreign country.

[88 FR 39191, June 15, 2023]

**PART 731—CONTRACT COST PRINCIPLES AND PROCEDURES****Subpart 731.1—Applicability**

Sec.

731.109 Advance agreements.