

G&A-INST-109

U.S. Import Instruction for Suppliers

Sierra Space Command Media

DOCUMENT INFORMATION

Owning Org:	ITCO	Governing Doc:	G&A-PRCD-120, International Trade Compliance
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EXTERNAL REGULATIONS/STANDARDS

Regulation/Standard	Location
19 CFR: Customs Duties	https://www.ecfr.gov/cgi-bin/text-idx?SID=37fa2485c7dd242898754b52220627bf&mc=true&tpl=/ecfrbrowse/Title19/19tab_02.tpl
INCOTERMS 2020	https://iccwbo.org/resources-for-business/incoterms-rules/incoterms-2020/

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1 PURPOSE

The purpose of this document is to provide instructions to Sierra Space Corporation (Sierra Space) international suppliers. These instructions are intended to ensure efficient and timely delivery of cargo from international suppliers to Sierra Space. These instructions are the default requirement but may be superseded or altered in part by individual contracts negotiated between Sierra Space and a supplier.

These instructions help ensure that Sierra Space remains compliant with U.S. import regulations, as well as Sierra Space's internal requirements. Failure to follow these requirements may result in unexpected delays, unnecessary cost increases, U.S. Government inspections, or fines / penalties for regulatory non-compliance.

*For assistance with any import into the U.S., please contact the Sierra Space International Trade Compliance Operations (ITCO) team at ITCO@SierraSpace.com

2 SCOPE

This procedure's information will assist Sierra Space suppliers shipping from outside of the U.S. to Sierra Space locations within the U.S. These instructions are not a substitute for compliance with applicable governmental regulations. If a supplier is designated as the Importer of Record, it is their legal responsibility to understand and comply with import laws and regulations of the appropriate countries. Sierra Space is not responsible for the supplier's failure to follow applicable export/import requirements when they are the exporter/importer of record.

3 DOCUMENT PREPARATION

All documents must be prepared accurately in English and be clearly legible. Sierra Space requirements on preparing documents for U.S. Import are detailed below. Documents should be provided to Sierra Space and, when applicable, Sierra Space's Customs Broker 24 hours prior to shipment.

3.1 Air Waybill (AWB)

- Must be prepared in English.
- Supplier shall prepare the AWB for courier shipments. The supplier shall provide the forwarder/carrier with the information necessary to prepare the AWB for air freight and ground shipments.
- AWB must include the following:
 - Forwarder/carrier name and address
 - Foreign supplier complete name and address
 - Seller complete name and address
 - Sierra Space purchase order number
 - Ship-to consignee/delivery destination complete name and address
 - Notify party
 - Gross and net weight

3.2 Commercial Invoice

The Commercial Invoice (CI) must be complete in accordance with U.S. law, 19 CFR § 141.86. The specific requirements include:

- The foreign supplier must prepare each CI

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- All items in a shipment must be declared on a CI
- The CI must be in English
- The CI must include the following:
 - Seller’s (i.e., exporter’s) complete company name and address, including contact name, telephone, and email address
 - Buyer’s (i.e., importer’s) complete name and address
 - Consignee’s (i.e., ship-to-party’s) complete company name and address, including contact name, telephone number, and email address
 - Shipper’s (i.e., “ship from”) complete company name and address, if different from seller
 - Terms of sale/freight payment terms as defined on the agreement between buyer/seller
 - Sierra Space purchase order number
 - Currency must be in USD
 - Assists (tools, dies, molds, engineering, etc. – see **Section 4.0**)
 - Line Items:
 - **Detailed** description of products, including name by which each part is known, model number(s), material and part numbers
 - Country of origin
 - Quantities
 - Purchase price
 - “No charge” product(s) must declare actual value for U.S. Customs clearance
 - Commodity HS number

3.3 Certificate of Origin, Free Trade Agreement Certificate of Origin and Other Tariff Terms

In order for Sierra Space to take advantage of reduced-duty benefits under Free Trade Agreements such as United States-Mexico-Canada Agreement (USMCA), the seller/supplier must create a properly executed Certificate of Origin (COO). The products sold to Sierra Space must qualify as “originating” under those agreements. The seller/supplier must maintain documentation supporting the COO for 5 years from the date of export.

If products do not qualify for a special program, the seller/supplier shall provide the correct country of origin or where the last “substantial transformation” occurred.

Suppliers/sellers are responsible for identification of hazardous materials and compliance with all applicable hazardous material transportation regulations, including, but not limited to:

- Code of Federal Regulations (CFR)
- International Civil Aviation Organization (ICAO)
- Agreement concerning the international carriage of Dangerous Goods by Road (ADR)
- International Air Transport Association

Suppliers/Sellers are also required to supply the Safety Data Sheets (SDS) for all applicable hazardous and non-hazardous materials.

3.4 Incoterms® 2020

In the absence of Incoterms® elsewhere found on Sierra Space’s purchase orders, agreements, or contracts, the preferred Incoterms® shall be: (1) Free Carrier – FCA (Port Location) or (2) DAP (Port Location).

3.5 Documentation Distribution

The supplier/seller is required to provide copies of all shipping documents to Sierra Space’s designated courier/freight forwarder at the time of pick-up or delivery. Required documents and information include the CI and AWB. If applicable, COO, SDS, and/or Declarations of Dangerous Goods must be provided.

3.6 Preferred Customs Broker

Sierra Space’s Customs Brokers are listed below.

When shipping via FedEx, and Sierra Space is responsible for U.S. customs formalities, please make sure Sierra Space is listed as the Importer of Record.

For shipments via all other carriers where Sierra Space is responsible for U.S. customs formalities, please indicate “Broker Select” and provide the details for Crane Worldwide Logistics as listed below to your carrier.

Contact the Sierra Space ITCO team at ITCO@SierraSpace.com with questions regarding customs brokers.

Shipments via FedEx	Shipments via all other Carriers
FedEx	Crane Worldwide Logistics Telephone: 281-233-2501 Email: IAHbrokerage@craneww.com 1500 Rankin Road Houston, TX 77073

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4 SIGNIFICANT TERMS

Acronym, Abbreviation or Term	Definition	Term Source (Sierra Space, Military/Government, or Industry)
Assist	<p>(1) “Assist” means any of the following if supplied directly or indirectly, and free of charge or at reduced cost, by the buyer of imported merchandise for use in connection with the production or the sale for export to the United States of the merchandise:</p> <ul style="list-style-type: none"> (i) Materials, components, parts, and similar items incorporated in the imported merchandise. (ii) Tools, dies, molds, and similar items used in the production of the imported merchandise. (iii) Merchandise consumed in the production of the imported merchandise. (iv) Engineering, development, artwork, design work, and plans and sketches that are undertaken elsewhere than in the United States and are necessary for the production of the imported merchandise. <p>(2) No service or work to which paragraph (a)(1)(iv) of this section applies will be treated as an assist if the service or work:</p> <ul style="list-style-type: none"> (i) Is performed by an individual domiciled within the United States; (ii) Is performed by that individual while acting as an employee or agent of the buyer of the imported merchandise; and (iii) Is incidental to other engineering, development, artwork, design work, or plans or sketches that are undertaken within the United States. <p>(3) The following apply in determining the value of assists described in paragraph (a)(1)(iv) of this section:</p> <ul style="list-style-type: none"> (i) The value of an assist that is available in the public domain is the cost of obtaining copies of the assist. (ii) If the production of an assist occurred in the United States and one or more foreign countries, the value of the assist is the value added outside the United States. (iii) If the assist was purchased or leased by the buyer from an unrelated person, the value of the assist is the cost of the purchase or of the lease. 	U.S. Customs and Border Protection (19 CFR 152.102)

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APPENDIX B ACRONYMS

Acronym, Abbreviation or Term	Definition
ADR	Agreement concerning the international carriage of Dangerous Goods by Road
AWB	Air Waybill
CFR	Code of Federal Regulations
CI	Commercial Invoice
COO	Certificate of Origin
DAP	Delivered At Place
FCA	Free Carrier
HS	Harmonized System
ICAO	International Civil Aviation Organization
ITCO	International Trade Compliance Operations
SDS	Safety Data Sheets
USD	U.S. Dollar
USMCA	United States-Mexico-Canada Agreement

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