

American Rheinmetall
Flow Down FAR/DFARS Clauses for all Subcontractors



Clause #	Description	Description/Comments
252.203-7000	Requirements Relating to Compensation of Former DoD Officials	
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense - Contract-Related Felonies	Required for all first-tier subcontracts exceeding the Simplified Acquisition, except those for commercial products, commercial services, or commercial components.
252.203-7002	Requirement to Inform Employees of Whistleblower Rights	Include in all subcontracts.
252.203-7004	Display of Hotline Posters	Mandatory if subcontract exceeds \$6M.
252.204-7000	Disclosure of Information	
252.204-7004	Antiterrorism Awareness Training for Contractors	Mandatory subcontractor performance requires routine access to a Federally controlled facility or military installation.
252.204-7009	Limitation on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information	The Contractor shall include this clause, including this paragraph (c), in subcontracts, or similar contractual instruments, for services that include support for the Government's activities related to safeguarding covered defense information and cyber incident reporting, including subcontracts for commercial items, without alteration, except to identify the parties.
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting	Mandatory for operationally critical support, or for which subcontract performance will involve covered defense information, including subcontracts for commercial products or commercial services, without alteration, except to identify the parties. The Contractor shall determine if the information required for subcontractor performance retains its identity as covered defense information and will require protection under this clause.
252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support	Include the substance of this clause, including this paragraph (c), in all subcontracts, including subcontracts for commercial products or commercial services
252.204-7018	Prohibition on the acquisition of covered defense telecommunications equipment or services	The Contractor shall insert the substance of this clause, including this paragraph (e), in all subcontracts and other contractual instruments, including subcontracts for the acquisition of commercial products or commercial services.
252.204-7020	NIST SP 800-171 DOD Assessment Requirements	The Contractor shall insert the substance of this clause, including this paragraph (g), in all subcontracts and other contractual instruments, including subcontracts for the acquisition of commercial products or commercial services (excluding commercially available off-the-shelf).
252.209-7004	Subcontracting With Firms That Are Owned or Controlled by the Government of a Terrorist Country	Use this clause in solicitations and contracts with a value of \$150,000 or more.
252.211-7003	Item Unique Identification and Valuation	If the Contractor acquires by subcontract any item(s) for which item unique identification is required in accordance with paragraph (c)(1) of this clause, the Contractor shall include this clause, including this paragraph (g), in the applicable subcontract(s), including subcontracts for commercial products or commercial services.
252.222-7006	Restrictions on the Use of Mandatory Arbitration Agreements	
252.223-7002	Safety Precautions for Ammunition and Explosives	To be flowed down in every subcontract that involves ammunition or explosives.
252.223-7006	Prohibition on storage, treatment, and disposal of toxic and Hazardous Materials - Basic	Mandatory if subcontract requires or may require or permit a subcontractor access to a DoD installation at any tier.
252.223-7007	Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives	To be flowed down in every subcontract (1) For the development, production, manufacture, or purchase of AA&E; or (2) When AA&E will be provided to the subcontractor as Government-furnished property.
252.223-7008	Prohibition of Hexavalent Chromium	The Contractor shall include the substance of this clause, including this paragraph (d), in all subcontracts, including subcontracts for commercial products or commercial services, that are for supplies, maintenance and repair services, or construction materials.
252.225-7007	Prohibition on Acquisition of Certain Items from Communist Chinese Military Companies (DEC 2018)	In all subcontracts for items covered by the United States Munitions List or the 600 series of the Commerce Control List.
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals	Mandatory for subcontracts that include special metals. The Contractor shall exclude and reserve paragraph (d) and this paragraph (e)(1) when flowing down this clause to subcontracts. The Contractor shall insert paragraphs (a) through (c) and this paragraph (e)(2) of this clause in subcontracts, including subcontracts for commercial products, that are for items containing specialty metals to ensure compliance of the end products that the Contractor will deliver to the Government.

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252.225-7012	Preference for Certain Domestic Commodities	Mandatory for subcontracts with domestic commodities.
252.225-7013	Duty Free Entry (Deviation 2020-00019)	
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings	Mandatory for subcontracts containing ball or roller bearings that are not commercial.
252.225-7033	Waiver of United Kingdom Levies	Mandatory for subcontracts exceeding \$1M with a UK firm is anticipated.
252.225-7048	Export-Controlled Items	The Contractor shall include the substance of this clause, including this paragraph (e), in all subcontracts.
252.225-7052	Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten	Mandatory for subcontracts containing a covered material but for COTS that is less than 50 percent of tungsten by weight. Note - see clause for additional exceptions.
252.225-7056	Prohibition Regarding Business Operation with the Maduro Regime	The Contractor shall insert the substance of this clause, including this paragraph (d), in all subcontracts, including subcontracts for the acquisition of commercial products.
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, And Native Hawaiian Small Business Concerns	The Contractor shall insert the substance of this clause, including this paragraph (g), in all subcontracts exceeding \$500,000.
252.227-7013	Rights in Technical Data --Noncommercial Items	
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	
252.227-7015	Technical Data --Commercial Items	(1) The Contractor shall recognize and protect the rights afforded its subcontractors and suppliers under 10 U.S.C. 3771-3775 and 10 U.S.C. 3781-3786. (2) Whenever any technical data related to commercial products or commercial services developed in any part at private expense will be obtained from a subcontractor or supplier for delivery to the Government under this contract, the Contractor shall use this same clause in the subcontract or other contractual instrument, including subcontracts and other contractual instruments for commercial products or commercial services, and require its subcontractors or suppliers to do so, without alteration, except to identify the parties. This clause will govern the technical data pertaining to any portion of a commercial product or commercial service that was developed exclusively at private expense, and the clause at 252.227-7013 will govern the technical data pertaining to any portion of a commercial product or commercial service that was developed in any part at Government expense.
252.227-7016	Rights in Bid or Proposal Information	The Contractor shall include this clause in all subcontracts or similar contractual instruments and require its subcontractors or suppliers to do so without alteration, except to identify the parties.
252.227-7019	Validation of Asserted Restrictions - Computer Software	Mandatory if computer software is furnished to the USG in performance of the subcontract.
252.227-7026	Deferred Delivery of Technical Data or Computer Software	The obligation to furnish such technical data required to be prepared by a subcontractor and pertaining to an item obtained from him shall expire two (2) years after the date Contractor accepts the last delivery of that item from that subcontractor for use in performing this contract.
252.227-7027	Deferred Ordering of Technical Data or Computer Software	The obligation to deliver the technical data of a subcontractor and pertaining to an item obtained from him shall expire three (3) years after the date the Contractor accepts the last delivery of that item from that subcontractor under this contract. The Government's rights to use said data or computer software shall be pursuant to the "Rights in Technical Data and Computer Software" clause of this contract.
252.227-7037	Validation of Restrictive Markings on Technical Data	Mandatory for commercial products or commercial services, with its subcontractors or suppliers at any tier requiring the delivery of technical data.
252.227-7038	Patent Rights - Ownership by the Contractor (Large Business)	Shall include the substance of the Patent Rights—Ownership by the Contractor clause set forth at 52.227-11 of the FAR, in all subcontracts for experimental, developmental, or research work to be performed by a small business concern or nonprofit organization; and shall include the substance of this clause, including this paragraph (l), in all other subcontracts for experimental, developmental, or research work, unless a different patent rights clause is required by FAR 27.303.

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252.227-7038	Patent Rights - Ownership by the Contractor (Large Business) (JUN 2012) -- DEC/2007 Alternate I (DEC 2007)	Shall include the substance of the Patent Rights—Ownership by the Contractor clause set forth at 52.227-11 of the FAR, in all subcontracts for experimental, developmental, or research work to be performed by a small business concern or nonprofit organization; and shall include the substance of this clause, including this paragraph (l), in all other subcontracts for experimental, developmental, or research work, unless a different patent rights clause is required by FAR 27.303.
252.234-7004	Cost and Software Data Reporting System (Nov 2014) -- Alternate	The Contractor shall require CSDR reporting from subcontractors at any tier with a subcontract that exceeds \$50 million. If, for subcontracts that exceed \$50 million, the Contractor changes subcontractors or makes new subcontract awards, the Contractor shall notify the Government.
252.242-7005	Contractor Business Systems	
252.244-7000	Subcontracts for Commercial Items	The Contractor shall include the terms of this clause, including this paragraph (c), in subcontracts awarded under this contract, including subcontracts for the acquisition of commercial products or commercial services.
252.246-7001	Warranty of Data (Mar 2014) - Alternate II (Mar 2014)	
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System	Does not apply unless the Contractor is subject to the Cost Accounting Standards under 41 U.S.C. chapter 15, as implemented in regulations found at 48 CFR 9903.201-1. Applicable in purchases for electronic parts or assemblies containing electronic items. When applicable, this clause, in its entirety, is hereby flowed down.
252.246-7008	Sources of Electronic Parts	The Contractor shall include the substance of this clause, including this paragraph (e), in subcontracts, including subcontracts for commercial products, that are for electronic parts or assemblies containing electronic parts, unless the subcontractor is the original manufacturer.
252.247-7023	Transportation of Supplies by Sea -- Basic	Mandatory for subcontracts exceeding \$250k; if under \$250k, include paragraphs (a) through (e) and (i). If this contract exceeds the simplified acquisition threshold, the Contractor shall provide with its final invoice under this contract a representation.
252.249-7002	Notification of Anticipated Contract Termination or Reduction	Only applicable areas, including: (2) Require that each such subcontractor— (i) Provide notice to each of its subcontractors with a subcontract that equals or exceeds the threshold specified in DFARS 249.7003(c)(2)(i) at the time of the notice; and (ii) Impose a similar notice and flow down requirement to subcontractors with subcontracts that equal or exceed the threshold specified in DFARS 249.7003(c)(2)(ii) at the time of the notice.
52.203-6	Restrictions on Subcontractor Sales to the Government	The Contractor agrees to incorporate the substance of this clause, including this paragraph (c), in all subcontracts under this contract which exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award. (\$250k)
52.203-7	Anti-Kickback Procedures	The Contractor agrees to incorporate the substance of this clause, including this paragraph (c)(5) but excepting paragraph (c)(1) of this clause, in all subcontracts under this contract that exceed the threshold specified in Federal Acquisition Regulation 3.502-2(i) on the date of subcontract award. (\$150k)
52.203-12	Limitation on Payments to Influence Certain Federal Transactions	The Contractor shall include the substance of this clause, including this paragraph (g), in any subcontract that exceeds the threshold specified in FAR 3.808 on the date of subcontract award. (\$150k)
52.203-13	Contractor Code of Business Ethics and Conduct	The Contractor shall include the substance of this clause, including this paragraph (g), in any subcontract that exceeds the threshold specified in FAR 3.808 on the date of subcontract award. (\$150k)
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	The Contractor shall include the substance of this clause, including this paragraph (f), in subcontracts under such contracts.
52.204-2	Security Requirements	The Contractor agrees to insert terms that conform substantially to the language of this clause, including this paragraph (d) but excluding any reference to the Changes clause of this contract, in all subcontracts under this contract that involve access to classified information.

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52.204-9	Personal Identity Verification of Contractor Personnel	The Contractor shall insert the substance of this clause, including this paragraph (d), in all subcontracts when the subcontractor's employees are required to have routine physical access to a Federally controlled facility and/or routine access to a Federally controlled information system. It shall be the responsibility of the prime Contractor to return such identification to the issuing agency in accordance with the terms set forth in paragraph (b) of this section, unless otherwise approved in writing by the Contracting Officer.
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	The Contractor is required to report information on a first-tier subcontract covered by paragraph (d) when the subcontract is awarded. Continued reporting on the same subcontract is not required unless one of the reported data elements changes during the performance of the subcontract. The Contractor is not required to make further reports after the first-tier subcontract expires.
52.204-21	Basic Safeguarding of Covered Contractor Information Systems	The Contractor shall include the substance of this clause, including this paragraph (c), in subcontracts under this contract (including subcontracts for the acquisition of commercial products or commercial services, other than commercially available off the shelf items), in which the subcontractor may have Federal contract information residing in or transiting through its information system.
52.204-23	Prohibition on Contracting for Hardware Software and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	The Contractor shall insert the substance of this clause, including this paragraph (d), in all subcontracts including subcontracts for the acquisition of commercial products or commercial services.
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	The Contractor shall insert the substance of this clause, including this paragraph (e) and excluding paragraph (b)(2), in all subcontracts and other contractual instruments, including subcontracts for the acquisition of commercial products or commercial services.
52.204-27	Prohibition on a ByteDance Covered Application (2023)	This clause was added per Contract Modification P00001. The Contractor shall insert the substance of this clause, including this paragraph (c), in all subcontracts, including subcontracts for the acquisition of commercial products or commercial services.
52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred Suspended or Proposed for Debarment	
52.211-15	Defense Priority and Allocation Requirements	
52.215-2	Audit and Records - Negotiations	If over the simplified acquisition threshold (\$250k) this is a cost-reimbursement, incentive, time-and-materials, labor-hour, or price predetermined contract, or any combination of these, the Contractor shall maintain and the Contracting Officer, or an authorized representative of the Contracting Officer, shall have the right to examine and audit all records and other evidence sufficient to reflect properly all costs claimed to have been incurred or anticipated to be incurred directly or indirectly in performance of this contract.
52.215-14	Integrity of Unit Prices	Mandatory if above \$250k.
52.215-15	Pension Adjustments and Asset Reversions	The Contractor shall include the substance of this clause in all subcontracts under this contract that meet the applicability requirement of FAR 15.408(g). For Solicitations and contracts for which it is anticipated that certified cost or pricing data will be required or for which any pre-award or post-award cost determinations will be subject to part 31. Required for modifications only.
52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions	The Contractor shall include the substance of this clause in all subcontracts under this contract that meet the applicability requirement of FAR 15.408(g). For Solicitations and contracts for which it is anticipated that certified cost or pricing data will be required or for which any pre-award or post-award cost determinations will be subject to part 31. Required for modifications only.
52.219-4	Notice of Price Evaluation Preference for HUBZone Small Business Concerns	
52.219-9	Small Business Subcontracting Plan	Not required for small businesses (but must be registered in SAM as such). Subcontracting plans are not required from subcontractors when the prime contract contains the clause at FAR 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Products and Commercial Services, or when the subcontractor provides a commercial product or commercial service subject to the clause at FAR 52.244-6, Subcontracts for Commercial Products and Commercial Services, under a prime contract.

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52.222-21	Prohibition of Segregated Facilities	Mandatory if the subcontract is subject to the Equal Opportunity clause. The Secretary of Labor may, by rule or regulation, exempt certain classes of contracts, subcontracts, or purchase orders (1) whenever work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (2) for standard commercial supplies or raw materials; (3) involving less than specified amounts of money or specified numbers of workers; or (4) to the extent that they involve subcontracts below a specified tier. Businesses doing \$10k or more with the USG. U.S. contractors only - however foreign suppliers would have to flow to their U.S. suppliers, therefore, suggestion is to flow to all suppliers.
52.222-26	Equal Opportunity	Mandatory in every subcontract or purchase order that is not exempted by the rules, regulations, or orders of the Secretary of Labor issued under Executive Order 11246, as amended, so that these terms and conditions will be binding upon each subcontractor or vendor. Businesses doing \$10k or more with the USG. U.S. contractors only - however foreign suppliers would have to flow to their U.S. suppliers, therefore, suggestion is to flow to all suppliers.
52.222-35	Equal Opportunity for Veterans	Mandatory if subcontract is above \$150k unless exempted by the rules, regulations or orders of the Secretary of Labor.
52.222-36	Equal Opportunity for Workers with Disabilities	Mandatory if subcontract is above \$150k unless exempted by the rules, regulations or orders of the Secretary of Labor.
52.222-37	Employment Reports on Veterans	Mandatory if subcontracts above \$150k unless exempt by the rules, regulations or orders of the Secretary of Labor.
52.222-40	Notification of Employee Rights Under the National Labor Relations Act	Mandatory if subcontracts exceed \$10k and will be performed wholly or partially in the US, unless exempt by the Secretary of Labor.
52.222-50	Combating Trafficking in Persons	The Contractor shall include the substance of this clause, including this paragraph (i), in all subcontracts and in all contracts with agents. The requirements in paragraph (h) of this clause apply only to any portion of the subcontract that- (i) Is for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States; and (ii) Has an estimated value that exceeds \$550,000.
52.222-54	Employment Eligibility Verification	The Contractor shall include the requirements of this clause, including this paragraph (e) (appropriately modified for identification of the parties), in each subcontract that- Is for— (i) Services (except for commercial services that are part of the purchase of a COTS item (or an item that would be a COTS item, but for minor modifications), performed by the COTS provider, and are normally provided for that COTS item); or (ii) Construction; (2) Has a value of more than \$3,500; and (3) Includes work performed in the United States.
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving	The Contractor shall insert the substance of this clause, including this paragraph (d), in all subcontracts that exceed the micro-purchase threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award. (\$10K)
52.225-13	Restrictions on Certain Foreign Purchases	The Contractor shall insert this clause, including this paragraph (c), in all subcontracts.
52.227-1	Authorization and Consent	The Contractor shall include the substance of this clause, including this paragraph (b), in all subcontracts that are expected to exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation (FAR) 2.101 on the date of subcontract award. However, omission of this clause from any subcontract, including those at or below the simplified acquisition threshold, as defined in FAR 2.101 on the date of subcontract award, does not affect this authorization and consent. (\$250K)
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	The Contractor shall include the substance of this clause, including this paragraph (c), in all subcontracts that are expected to exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation (FAR) 2.101 on the date of subcontract award. (\$250K)
52.227-10	Filing of Patent Applications-Classified Subject Matter.	Mandatory for subcontracts that cover or are likely to cover classified subject matter.
52.227-11	Patent Rights - Ownership by the Contractor Alternate	The Contractor shall include the substance of this clause, including this paragraph (k), in all subcontracts for experimental, developmental, or research work to be performed by a small business concern or nonprofit organization.
52.228-5	Insurance -- Work on a Government Installation	The Contractor shall insert the substance of this clause, including this paragraph (c), in subcontracts under this contract that require work on a Government installation

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52.232-40	Providing Accelerated Payments to Small Business Subcontractors	Include the substance of this clause, including this paragraph (c), in all subcontracts with small business concerns, including subcontracts with small business concerns for the acquisition of commercial products or commercial services.
52.234-1	Industrial Resources Developed Under Title III Defense Production Act	The Contractor agrees to insert the substance of this clause, including paragraph (e), in every subcontract issued in performance of this contract.
52.244-6	Subcontracts for Commercial Items	The Contractor shall include the terms of this clause, including this paragraph (d), in subcontracts awarded under this contract.
52.245-1	Government Property	The Contractor shall include the requirements of this clause in all subcontracts under which Government property is acquired or furnished for subcontract performance.
52.247-63	Preference for U.S.-Flag Air Carriers	In the award of subcontracts, for the types of supplies described in paragraph (b)(2) of this clause, including subcontracts for commercial products, the Contractor shall flow down the requirements of this clause as follows: (1) The Contractor shall insert the substance of this clause, including this paragraph (i), in subcontracts that exceed the simplified acquisition threshold in part 2 of the Federal Acquisition Regulation. (2) The Contractor shall insert the substance of paragraphs (a) through (e) of this clause, and this paragraph (i), in subcontracts that are at or below the simplified acquisition threshold in part 2 of the Federal Acquisition Regulation.
52.247-68	Report of Shipment (Reship)	Only required for subcontractors who are doing drop shipments.