



FEDERAL ACQUISITION REGULATION (FAR) AND DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT (DFARS) FLOWDOWN CLAUSES FOR SUBCONTRACTS/PURCHASE ORDERS ("AGREEMENTS") FOR COMMERCIAL ITEMS UNDER A UNITED STATES DEPARTMENT OF DEFENSE CONTRACT

FAR and DFARS Clauses:

DFARS clause 252.224-7000 is incorporated into this Agreement. In accordance with that clause, the **FAR** and **DFARS** clauses captured within the descriptions below as of the date of execution of this Agreement between CAM and Supplier that are applicable to the transaction shall also be incorporated into this Agreement:

- 1) Any **DFARS** (or **FAR**) clauses in Buyer's prime or customer-facing contract that specify they are to be flowed down in the particular clause (Supplier will be notified of these in subcontract or PO)
- 2) **FAR** Clauses listed at FAR 12.301(d);
- 3) **FAR** Clauses listed in FAR Clause 52.212-5(e)(1); and
- 4) **FAR** Clauses listed in FAR Clause 52.244-6

By way of *example* only, below are the lists of **FAR** Clauses within each item described above as of the date of this document. NOTE, however, the clauses actually incorporated into this Agreement are all the **FAR** and **DFARS** clauses captured within the descriptions above as of the date of execution of this Agreement between CAM and Supplier that are applicable to the transaction. Any clause not applicable to the scope of work being performed shall be considered self-deleting.

1) DFARS (or FAR) clauses in Buyer's prime or customer-facing contract: Supplier will be notified of these in the subcontract or PO

2) Example FAR Clause list in current FAR 12.301:

52.212-4, Contract Terms and Conditions-Commercial Products and Commercial Services

52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Products and Commercial Services

52.204-13, System for Award Management Maintenance

52.204-18, Commercial and Government Entity Code Maintenance

52.204-21, Basic Safeguarding of Covered Contractor Information Systems, in solicitations and contracts (except for acquisitions of COTS items),

52.225-19, Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission outside the United States

52.229-13, Taxes—Foreign Contracts in Afghanistan

52.229-14, Taxes—Foreign Contracts in Afghanistan (North Atlantic Treaty Organization Status of Forces Agreement)

3) Example FAR Clause list in current 52.212-5(e)(1):

52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021)

52.203-17, Contractor Employee Whistleblower Rights (Nov 2023)



52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017)

52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities (DEC 2023)

52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021)

52.204-27, Prohibition on a ByteDance Covered Application (JUN 2023)

52.204-30, [A] Federal Acquisition Supply Chain Security Act Orders—Prohibition. (DEC 2023).

(B) Alternate I (DEC 2023) of 52.204-30.

52.219-8, Utilization of Small Business Concerns (FEB 2024) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 19.702(a) on the date of subcontract award, the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

52.222-35, Equal Opportunity for Veterans (JUN 2020)

52.222-36, Equal Opportunity for Workers with Disabilities (JUN 2020)

52.222-37, Employment Reports on Veterans (JUN 2020)

52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.

52.222-41, Service Contract Labor Standards (AUG 2018)

52.222-50, [A] Combating Trafficking in Persons (Nov 2021) (B) Alternate I (MAR 2015) of 52.222-50

52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014)

52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014)

52.222-54, Employment Eligibility Verification (MAY 2022)

52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).

52.222-62, Paid Sick Leave Under Executive Order 13706 (JAN 2022)

52.224-3, [A] Privacy Training (Jan 2017). (B) Alternate I (JAN 2017) of 52.224-3.

52.225-26, Contractors Performing Private Security Functions Outside the United States (OCT 2016)

52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

52.232-40, Providing Accelerated Payments to Small Business Subcontractors (Mar 2023). Flow down required in accordance with paragraph (c) of 52.232-40.

52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

4. Under 52.244-6: Any **FAR** clauses that may be in addition to those captured under **FAR** 52.212-5(e).

52.203-15, Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (JUN 2010)

52.204-21, Basic Safeguarding of Covered Contractor Information Systems (Nov 2021) , other than subcontracts for commercially available off-the-shelf items, if flow down is required in accordance with paragraph (c) of FAR clause 52.204-21.



52.204-30, Federal Acquisition Supply Chain Security Act Orders—Prohibition. (DEC 2023).
(B) Alternate I (DEC 2023) of 52.204-30.

Additional FAR and DFARS Clauses:

Separately, the following **FAR** and **DFARS** clauses are incorporated into this Agreement:

52.211-15, Defense Priority and Allocation Requirements

252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting.

252.204-7019, Notice of NISTSP 800-171 DoD Assessment Requirements.

252.204-7020, NIST SP 800-171DoD Assessment Requirements.

252.225-7048, Export-Controlled Items

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