

Certain clauses from the Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulations Supplement (DFARS) apply to this Order (collectively, the “Flow-Down Clauses”). The Flow-Down Clauses listed below are incorporated into the Order by reference, with the same force and effect as if they were given in full text. The full text of each Flow-Down Clause may be accessed electronically at <https://www.acquisition.gov/content/regulations>.

Unless otherwise stated, the version of each Flow-Down Clause shall be the current version in effect at the time of the Order. In the event of a conflict between the current version of a Flow-Down Clause, and the version appearing in Draper’s Prime Contract version, the Prime Contract version shall control. If any Flow-Down Clause does not apply to this specific Order, such clause shall be deemed self-deleting.

Table 1 lists the Flow-Down Clauses applicable to Orders for Commercial Items purchased under a U.S. Government Prime Contract. If the Order is made under a U.S. Department of Defense Prime Contract, the Flow-Down Clauses in Table 2 shall also apply. In the event of a conflict between the Table 2 clauses, and the Table 1 clauses, the Table 2 clauses shall control.

As used in the Flow-Down Clauses:

- “Commercial Item” has the same meaning as defined in FAR 2.101.
- “Commercially Available Off-the-Shelf (COTS) Item” has the same meaning as defined in FAR 2.101.
- “Contract” means the Order.
- “Contracting Officer” means the U.S. Government Contracting Officer for Draper’s Prime Contract.
- “Contractor” or “Offeror” means Vendor.
- “Prime Contract” means the contract number listed on the face of the Order between Draper and the U.S. Government or between Draper and its higher-tier contractor who has a prime contract with the U.S. Government.
- “Service Contract” has the same meaning as defined in FAR 22.001.
- “Service Contract Labor Standards” means the Service Contract Labor Standards statute at 41 USC Chapter 67, and the regulations of the Secretary of Labor at 29 CFR Part 3. Generally, the Service Contracts Labor Standard applies to Service Contracts over \$2,500 to be performed in the United States through the use of Service Employees. 41 USC §6702 and 48 CFR § 22.1006 provide exceptions.
- “Service Employee” has the same meaning as defined in FAR 22.001.
- “Simplified Acquisition Threshold” has the same meaning as defined in FAR 2.101 (\$250,000 per GSA Class Deviation 2018-01, DARS Class Deviation 2018-00018, CAAC Class Deviation 2018-02)
- “Subcontract” means a contract placed by Vendor to a lower-tier vendor under this Order.
- “Subcontractor” means a lower-tier vendor to whom Vendor issues a Subcontract under this Order.

Unless otherwise specified below, Vendor shall provide any required reports or notices under a Flow-Down Clause to Draper.

**TABLE 1**  
**FLOW-DOWN CLAUSES APPLICABLE TO ALL GOVERNMENT-FUNDED COMMERCIAL ITEM ORDERS**

<b>Flow-Down Clause</b>	<b>Flow-Down Clause Title</b>	<b>Summary of When Applicable to Vendor</b>	<b>Order \$ Threshold</b>	<b>COTS Excluded</b>
52.203-07	Anti-Kickback Procedures	In orders over \$150,000 or the dollar threshold in effect as the date of the prime contract.	\$150,000	No
52.203-12	Limitation on Payments to Influence Certain Federal Transactions	In Orders over \$150,000.	\$150,000	No
52.203-13	Contractor Code of Business Ethics and Conduct	In Orders over \$5,500,000 and the period of performance is more than 120 days. Required disclosures under (b)(3) shall be made directly to the government entity identified in the clause.	\$5,500,000	No
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	All Orders.	N/A	No
52.204-9	Personal Identity Verification of Contractor Personnel	In Orders when Vendor will have physical access to a Federally-controlled facility or access to a Federally-controlled information system.	N/A	No
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	In Orders over \$30,000 if Vendor meets the criteria in (d)(3) and is not exempt under (g)(2). If applicable, Vendor shall report the required executive compensation information at <a href="https://sam.gov/">https://sam.gov/</a> .	\$30,000	No

**DRAPER TERMS OF PURCHASE: ATTACHMENT A**  
**GOVERNMENT COMMERCIAL AND NON-COMMERCIAL FLOW-DOWN CLAUSES**

<b>Flow-Down Clause</b>	<b>Flow-Down Clause Title</b>	<b>Summary of When Applicable to Vendor</b>	<b>Order \$ Threshold</b>	<b>COTS Excluded</b>
52.204-21	Basic Safeguarding of Covered Contractor Information Systems	In Orders, except Orders for COTS Items, if Vendor will have Federal Contract Information in its information system.	N/A	Yes
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	All Orders.	N/A	No
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	All Orders.	N/A	No
52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Items	All Orders.	N/A	No
52.219-8	Utilization of Small Business Concerns	In Orders that offer further subcontracting opportunities.	N/A	No
52.222-17	Nondisplacement of Qualified Workers	In Orders over the Simplified Acquisition Threshold where Vendor will perform a Services Contract as a successor subcontractor for performance of the same or similar work at the same location.	\$250,000	No
52.222-21	Prohibition of Segregated Facilities	In Orders over \$10,000 and performed in U.S. See FAR 22.807(b) for additional exceptions.	\$10,000	No
52.222-26	Equal Opportunity	In Orders over \$10,000 and performed in U.S. See FAR 22.807(b) for additional exceptions.	\$10,000	No
52.222-35	Equal Opportunity for Veterans	In Orders over \$150,000, unless Work is performed outside the United States by employees recruited outside the United States.	\$150,000	No
52.222-36	Equal Opportunity for Workers with Disabilities	In Orders over \$15,000, except when both the performance of the work and the recruitment of workers will occur outside the United States, Puerto Rico, the Northern Mariana Islands, American Samoa, Guam, the U.S. Virgin Islands, and Wake Island.	\$15,000	No
52.222-37	Employment Reports on Veterans	In Orders over \$150,000.	\$150,000	No
52.222-40	Notification of Employee Rights Under the National Labor Relations Act	In Orders over \$10,000 and performed in U.S.	\$10,000	No
52.222-41	Service Contract Labor Standards	In Orders subject to the Service Contract Labor Standards.	N/A	No
52.222-50	Combating Trafficking in Persons	In Orders over \$500,000 and the supplies or services will be acquired or performed outside the U.S.	\$500,000	No
52.222-51	Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment – Requirements	In Orders for certain services exempt from the Service Contract Labor Standard. See FAR 22.1003-4(c) for the list of services covered by this clause, and requirements for exemption.	N/A	No
52.222-53	Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services – Requirements	In Orders for certain services exempt from the Service Contract Labor Standard. See FAR 22.1003-4(d) for the list of services covered by this clause, and requirements for exemption.	N/A	No
52.222-54	Employment Eligibility Verification	In Orders over \$3,500 for services or construction performed in the U.S.	\$3,500	No
52.222-55	Minimum Wages Under Executive Order 13658	In Orders subject to the Service Contract Labor Standards statute, and are to be performed in whole or in part in the United States.	N/A	No
52.222-62	Paid Sick Leave Under Executive Order 13706	In Orders subject to the Service Contract Labor Standards statute, and are to be performed in whole or in part in the United States.	N/A	No
52.223-7	Notice of Radioactive Materials	All Orders.	N/A	No
52-223-99	Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors	In Orders over the Simplified Acquisition Threshold	\$250,000	No

<b>Flow-Down Clause</b>	<b>Flow-Down Clause Title</b>	<b>Summary of When Applicable to Vendor</b>	<b>Order \$ Threshold</b>	<b>COTS Excluded</b>
52.224-3	Privacy Training	In Orders where the Vendor will - (1) Have access to a system of records; (2) Create, collect, use, process, store, maintain, disseminate, disclose, dispose, or otherwise handle personally identifiable information; or (3) Design, develop, maintain, or operate a system of records.	N/A	No
52.225-1	Buy American – Supplies	Not applicable to Orders for commercially available off-the-shelf items (COTS) as defined at FAR 2.101.	N/A	Yes
52.225-13	Restrictions on Certain Foreign Purchases	All Orders.	N/A	No
52.225-26	Contractors Performing Private Security Functions Outside the United States.	All Orders.	N/A	No
52.232-40	Providing Accelerated Payments to Small Business Subcontractors	In Orders with small businesses.	N/A	No
52.244-6	Subcontracts for Commercial Items	All Orders.	N/A	No
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels	All Orders.	N/A	No

**TABLE 2**  
**FLOW-DOWN CLAUSES APPLICABLE TO ALL DOD-FUNDED COMMERCIAL ITEM ORDERS**

<b>Flow-Down Clause</b>	<b>Flow-Down Clause Title</b>	<b>Summary of When Applicable to Vendor</b>	<b>Dollar Threshold</b>	<b>COTS Excluded</b>
252.203-7002	Requirement To Inform Employees of Whistleblower Rights	All DOD-funded Orders.	N/A	No
252.203-7003	Agency Office of the Inspector General	In DOD-funded Orders that exceed \$5,500,000 and the period of performance is more than 120 days. Required disclosures under 52.203-13(b)(3) shall be made directly to the government entity identified in this clause.	\$5,500,000	No
252.203-7004	Antiterrorism Awareness Training for Contractors	In DOD-funded Orders when Vendor performance requires routine physical access to a Federally-controlled facility or military installation.	N/A	No
252.204-7009	Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information	In DOD-funded Orders, except Orders for COTS Items, for services that include support for the Government’s activities related to safeguarding covered defense information and cyber incident reporting.	N/A	Yes
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting (DEVIATION 2016-00001), (INTERIM RULE 12/30/2015), (FINAL RULE 10/21/2016)	In DOD-funded Orders, except Orders for COTS Items, for operationally critical support, or for which performance will involve covered defense information.	N/A	Yes
252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support	All DOD-funded Orders.	N/A	No
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	All Orders.	N/A	No
252.204-7019	Notice of NIST SP800-171 DoD Assessment Requirements	All Orders.	N/A	No
252.204-7020	NIST SP800-171 Assessment Requirements	All Orders.	N/A	No
252.204-7021	Cybersecurity Maturity Model Certification Requirements	All Orders.	N/A	No

**DRAPER TERMS OF PURCHASE: ATTACHMENT A**  
**GOVERNMENT COMMERCIAL AND NON-COMMERCIAL FLOW-DOWN CLAUSES**

<b>Flow-Down Clause</b>	<b>Flow-Down Clause Title</b>	<b>Summary of When Applicable to Vendor</b>	<b>Dollar Threshold</b>	<b>COTS Excluded</b>
252.211-7003	Item Unique Identification and Valuation	In DOD-funded Orders where item unique identification numbers are required.	N/A	No
252.215-7010	Requirements for Certified Cost or Pricing Data and Data Other than Certified Cost or Pricing Data	In DOD-funded Orders that exceed the Simplified Acquisition Threshold.	\$250,000	No
252.223-7008	Prohibition of Hexavalent Chromium	In DOD-funded Orders for supplies, maintenance and repair services, or construction materials.	N/A	No
252.223-7999	Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (Deviation 2021-00009)	In Orders over the Simplified Acquisition Threshold	\$250,000	No
252.225-7007	Prohibition on Acquisition of Certain Items from Communist Chinese Military Companies	In DOD-funded Orders for items covered by the United States Munitions List or the 600 series of the Commerce Control List.	N/A	No
252.225-7008	Restriction on Acquisition of Specialty Metals	In DOD-funded Orders that require delivery of “specialty metal” as defined in 252.225-7008(a)	N/A	No
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals	In DOD-funded Orders for items containing specialty metals. 252.225-7009(a) defines specialty metals. 252.225-7009(c) provides certain exceptions.	N/A	No
252.225-7048	Export-Controlled Items	In all DOD-funded Orders.	N/A	No
252.225-7052	Restriction on the Acquisition of Certain Magnets and Tungsten	In Orders exceeding \$250,000	\$250,000	No
252.226-7001	Utilization of Indian organizations, Indian-owned economic enterprises, and native Hawaiian small business concerns	In DOD-funded Orders that exceed \$500,000.	\$500,000	No
252.227-7015	Technical Data – Commercial Items	In DOD-funded Orders that require delivery of technical data pertaining to any portion of a commercial item that was developed exclusively at private expense.	N/A	No
252.227-7037	Validation of Restrictive Markings on Technical Data	In DOD-funded Orders that require delivery of technical data.	N/A	No
252.239-7010	Cloud Computing Services	In DOD-funded Orders that involving cloud services.	N/A	No
252.239-7018	Supply Chain Risk	In all Orders involving the development or delivery of any information technology, as defined in the clause, as a service or a supply.	N/A	No
252.244-7000	Subcontracts for Commercial Items	In all DOD-funded Orders.	N/A	No
252.246-7003	Notification of Potential Safety Issues	In DOD-funded Orders for - (i) Parts identified as critical safety items; (ii) Systems and subsystems, assemblies, and subassemblies integral to a system; or (iii) Repair, maintenance, logistics support, or overhaul services for systems and subsystems, assemblies, subassemblies, and parts integral to a system.	N/A	No
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System	In DOD-funded Orders for electronic parts or assemblies containing electronic parts.	N/A	No
252.246-7008	Sources of Electronic Parts	In DOD-funded Orders for electronic parts or assemblies containing electronic parts, unless Vendor is the original manufacturer.	N/A	No
252.247-7023	Transportation by Sea	All Orders.	N/A	No
252.249-7002	Notification of Anticipated Contract Termination or Reduction	In DOD-funded Orders that exceed \$700,000, are funded under a major defense system program, and when Vendor has received notice that contract funding will be terminated or substantially reduced.	\$700,000	No

Certain clauses from the Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulations Supplement (DFARS) apply to this Order (collectively, the “Flow-Down Clauses”). In addition, depending upon the funding source for the Prime Contract, FAR supplements from other government agencies may apply, such as the Navy Marine Corps Acquisition Regulation Supplement (NMCARS) or the National Aeronautics and Space Administration FAR Supplement (NFS). The additional DFARS, NMCARS or NFS clauses augment and supplement the FAR clauses, taking precedence over the FAR in the event there are conflicts between the two. The Flow-Down Clauses listed below are incorporated into the Order by reference, with the same force and effect as if they were given in full text. The full text of each Flow-Down Clause may be accessed electronically at <https://www.acquisition.gov/content/regulations>.

Unless otherwise stated, the version of each Flow-Down Clause shall be the current version in effect at the time of the Order. In the event of a conflict between the current version of a Flow-Down Clause, and the version appearing in Draper’s Prime Contract version, the Prime Contract version shall control. If any Flow-Down Clause does not apply to this specific Order, such clause shall be deemed self-deleting.

**TABLE 3**  
**FLOW-DOWN CLAUSES APPLICABLE TO ALL GOVERNMENT-FUNDED NON-COMMERCIAL ORDERS**

	<b>Flow-Down Clause</b>	<b>Provision/Clause Title</b>	<b>Requirement: MAN=Mandatory REC=Recommended</b>
1.	52.202-1	Definitions	MAN
2.	52.203-3	Gratuities	REC
3.	52.203-5	Covenant Against Contingent Fees	REC
4.	52.203-6	Restrictions on Subcontractor Sales to the Government	
5.	52.203-7	Anti-Kickback Procedures	
6.	52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity	
7.	52.203-10	Price or Fee Adjustment for Illegal or Improper Activity	REC
8.	52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions	
9.	52.203-12	Limitation on Payments to Influence Certain Federal Transactions	
10.	52.203-13	Contractor Code of Business Ethics and Conduct	
11.	52.203-14	Display of Hotline Poster(s)	
12.	52.203-15	Whistleblower Protections Under The American Recovery and Reinvestment Act of 2009	MAN
13.	52.203-16	Preventing Personal Conflicts of Interest	
14.	52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights	
15.	52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	
16.	52.204-2	Security Requirements	MAN
17.	52.204-9	Personal Identity Verification of Contractor Personnel	MAN
18.	52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	
19.	52.204-13	System for Award Management Maintenance	REC
20.	52.204-18	Commercial and Government Entity Code Maintenance	REC
21.	52.204-19	Incorporation by Reference of Representations and Certifications	REC
22.	52.204-21	Basic Safeguarding of Covered Contractor Information Systems	
23.	52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	
24.	52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment	MAN

25.	52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	MAN
26.	52.208-8	Required Sources for Helium and Helium Usage Data	
27.	52.209-5	Certification Regarding Responsibility Matters	
28.	52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment	REC
29.	52.209-9	Updates of Publicly Available Information Regarding Responsibility Matters	REC
30.	52.209-10	Prohibition on Contracting with Inverted Domestic Corporations	REC
31.	52.211-5	Material Requirements	REC
32.	52.211-10	Commencement, Prosecution, and Completion of Work - Alternate I	REC
33.	52.211-15	Defense Priority and Allocation Requirement	REC
34.	52.211-16	Variation in Quantity	
35.	52.211-17	Delivery of Excess Quantities	
36.	52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items	
37.	52.215-2	Audit and Records—Negotiation	
38.	52.215-09	Changes or Additions to Make-or-Buy Program	
39.	52.215-10	Price Reduction for Defective Cost or Pricing Data	
40.	52.215-11	Price Reduction for Defective Cost or Pricing Data – Modifications	
41.	52.215-12	Subcontractor Cost or Pricing Data - CLASS DEVIATION 2018-O0015	
42.	52.215-13	Subcontractor Cost or Pricing Data—Modifications (Oct 2010) CLASS DEVIATION 2018-O0015	
43.	52.215-14	Integrity of Unit Prices	
44.	52.215-15	Pension Adjustments and Asset Reversions	REC
45.	52.215-16	Facilities Capital Cost of Money	
46.	52.215-17	Waiver of Facilities Capital Cost of Money	
47.	52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions	
48.	52.215-19	Notification of Ownership Changes	
49.	52.215-20	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data	
50.	52.215-21	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data - Modifications	REC
51.	52.215-23	Limitations on Pass-Through Charges	REC
52.	52.216-7	Allowable Cost and Payment	REC
53.	52.216-8	Fixed Fee	REC
54.	52.216-10	Incentive Fee	
55.	52.216-16	Incentive Price Revision Firm Target	
56.	52.216-18	Ordering	
57.	52.219-4	Notice of Price Evaluation Preference for HUBZone Small Business Concerns	
58.	52.219-8	Utilization of Small Business Concerns	MAN
59.	52.219-9	Small Business Subcontracting Plan	
60.	52.219-16	Liquidated Damages - Subcontracting Plan	MAN

61.	52.219-28	Post-Award Small Business Program Representations	
62.	52.222-1	Notice to the Government of Labor Disputes	
63.	52.222-3	Convict Labor	
64.	52.222-4	Contract Work Hours and Safety Standards Act—Overtime Compensation	MAN
65.	52.222-20	Contracts for Materials, Supplies, Articles and Equipment Exceeding \$15,000	MAN
66.	52.222-21	Prohibition of Segregated Facilities	MAN
67.	52.222-22	Previous Contracts and Compliance Reports	MAN
68.	52.222-25	Affirmative Action Compliance	MAN
69.	52.222-26	Equal Opportunity	
70.	52.222-29	Notification of Visa Denial	
71.	52.222-35	Equal Opportunity for Veterans	
72.	52.222-36	Equal Opportunity for Workers with Disabilities	
73.	52.222-37	Employment Reports Veterans	
74.	52.222-40	Notification of Employee rights Under the National Labor Relations Act	
75.	52.222-41	Service Contract Labor Standards	MAN
76.	52.222-42	Statement of Equivalent Rates for Federal Hires	MAN
77.	52.222-43	Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (Multiple Year and Option Contracts)	MAN
78.	52.222-44	Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment	
79.	52.222-50	Combating Trafficking in Persons	MAN
80.	52.222-54	Employment Eligibility Verification	
81.	52.222-55	Minimum Wages Under Executive Order 13658	MAN
82.	52.222-62	Paid Sick Leave Under Executive Order 13706	MAN
83.	52.223-2	Affirmative Procurement of Biobased Products Under Service and Construction Contracts	MAN
84.	52.223-3	Hazardous Material Identification and Material Safety Data	
85.	52.223-5	Pollution Prevention and Right-to-Know Information	MAN
86.	52.223-6	Drug-Free Workplace	MAN
87.	52.223-7	Notice of Radioactive Materials	MAN
88.	52.223-10	Waste Reduction Program	MAN
89.	52.223-11	Ozone Depleting Substances	MAN
90.	52.223-13	Acquisition of EPAET-Registered Imaging Equipment	MAN
91.	52.223-14	Acquisition of EPAET-Registered Televisions	MAN
92.	52.223-15	Energy Efficiency in Energy-Consuming Products	MAN
93.	52.223-16	Acquisition of EPAET-Registered Personal Computer Products	

94.	52.223-17	Affirmative Procurement of EPA-designated Items in Service and Construction Contracts	MAN
95.	52.223-18	Encourage Contractor Policy to Ban Text Messaging While Driving	MAN
96.	52.223-19	Compliance With Environmental Management Systems	MAN
97.	52-223-99	Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors	MAN
98.	52.224-1	Privacy Act Notification	MAN
99.	52.224-2	Privacy Act	REC
100.	52.224-3	Privacy Training	
101.	52.225-1	Buy American Act - Supplies	
102.	52.225-2	Buy American Certificate	
103.	52.225-3	Buy American-Free Trade Agreements Israeli Trade Act	REC
104.	52.225-4	Buy American-Free Trade Agreements Israeli Trade Act Certificate	MAN
105.	52.225-5	Trade Agreements	MAN
106.	52.225-8	Duty Free Entry	MAN
107.	52.225-13	Restrictions on Certain Foreign Purchases	
108.	52.225-26	Contractors Performing Private Security Functions Outside the United States	
109.	52.227-1	Authorization and Consent	MAN
110.	52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	MAN
111.	52.227-3	Patent Indemnity	MAN
112.	52.227-9	Refund of Royalties	MAN
113.	52.227-10	Filing of Patent Applications—Classified Subject Matter	REC
114.	52.227-11	Patent Rights Ownership by the contractor	REC
115.	52.227-13	Patent Rights Ownership by the Government	MAN
116.	52.227-14	Rights in Data - General	
117.	52.228-3	Workers' Compensation Insurance (Defense Base Act)	
118.	52.228-5	Insurance—Work on a Government Installation	MAN
119.	52.229-3	Federal, State, and Local Taxes	
120.	52.229-4	Federal, State, and Local Taxes (State and Local Adjustments)	
121.	52.229-6	Taxes—Foreign Fixed-Price Contracts	MAN
122.	52.229-7	Taxes - Fixed Price Contracts with Foreign Governments	
123.	52.229-8	Taxes – Foreign Cost-Reimbursement Contracts	
124.	52.230-1	Cost Accounting Standards Notices and Certification (Deviation 2018-O0015)	
125.	52.230-2	Cost Accounting Standards. (Deviation 2018-O0015)	
126.	52.230-3	Disclosure and Consistency of Cost Accounting Practices - CLASS DEVIATION 2018-O0015	
127.	52.230-4	Disclosure and Consistency of Cost Accounting Practices—Foreign Concerns - CLASS DEVIATION 2018-O0015	
128.	52.230-5	Cost Accounting Standards - Educational Institution	MAN
129.	52.230-6	Administration of Cost Accounting Standards	MAN
130.	52.232-07	Payments Under Time and Materials and Labor Hour Contracts	MAN
131.	52.232-09	Limitation on Withholding of Payments	
132.	52.232-11	Extras	
133.	52.232-16	Progress Payments	MAN



134.	52.232-17	Interest	MAN
135.	52.232-18	Availability of Funds	MAN
136.	52.232-20	Limitation of Cost	
137.	52.232-22	Limitation of Funds	
138.	52.232-23	Assignment of Claims	MAN
139.	52.232-32	Performance Based Payments	MAN
140.	52.232-39	Unenforceability of Unauthorized Obligations	MAN
141.	52.232-40	Providing Accelerated Payments to Small Business Subcontractors	REC
142.	52.233-1	Disputes	MAN
143.	52.233-3	Protest After Award	MAN
144.	52.233-4	Applicable Law for Breach of Contract Claim	MAN
145.	52.234-01	Industrial Resources Developed Under Defense Production Act Title III	REC
146.	52.236-13	Accident Prevention	MAN
147.	52.237-2	Protection of Government Buildings, Equipment, and Vegetation	MAN
148.	52.239-1	Privacy or Security Safeguards	MAN
149.	52.242-1	Notice Of Intent to Disallow Costs	
150.	52.242-4	Certification of Final Indirect Costs	MAN
151.	52.242-13	Bankruptcy	MAN
152.	52.242-15	Stop-Work Order	REC
153.	52.242-17	Government Delay of Work	REC
154.	52.243-1	Changes - Fixed Price	REC
155.	52.243-2	Changes – Cost Reimbursement	REC
156.	52.243-3	Changes - Time and Materials or Labor Hours	REC
157.	52.243-4	Changes	MAN
158.	52.243-5	Changes and Changed Conditions	MAN
159.	52.243-6	Change Order Accounting	
160.	52.244-2	Subcontracts	MAN
161.	52.244-5	Competition in Subcontracting	MAN
162.	52.244-6	Subcontracts for Commercial Items	MAN
163.	52.245-1	Government Property	
164.	52.245-9	Use and Charges	
165.	52.246-1	Contractor Inspection Requirements	MAN
166.	52.246-2	Inspection of Supplies - Fixed Price	
167.	52.246-3	Inspection of Supplies – Cost Reimbursement	MAN
168.	52.246-4	Inspection of Services - Fixed Price	REC
169.	52.246-5	Inspection of Services - Cost Reimbursement	
170.	52.246-6	Inspection - Time and Material and Labor-Hour	MAN
171.	52.246-7	Inspection of Research and Development - Fixed Price	MAN
172.	52.246-8	Inspection of Research and Development – Cost Reimbursement	MAN

173.	52.246-9	Inspection of Research and Development (Short Form)	MAN
174.	52.246-11	Higher-Level Contract Quality Requirement	
175.	52.246-15	Certificate of Conformance	MAN
176.	52.246.16	Responsibility for Supplies	MAN
177.	52.247-29	F.O.B. Origin	MAN
178.	52.247-63	Preference for U.S.-Flag Air Carriers	MAN
179.	52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels	MAN
180.	52.247-67	Submission of Transportation Documents for Audit	
181.	52.247-68	Report of Shipment (REPSHIP)	
182.	52.248-1	Value Engineering	
183.	52.248-3	Value Engineering—Construction	
184.	52.249-1	Termination for the Convenience of the Government: Fixed Price (Short Form)	MAN
185.	52.249-2	Termination for the Convenience of the Government: Fixed Price	MAN
186.	52.249-5	Termination for the Convenience of the Government: Educational and Other Non-Profit Institutions	
187.	52.249-6	Termination (Cost-Reimbursement)	
188.	52.249-8	Default (Fixed-Price Supply and Service)	
189.	52.249-9	Default (Fixed-Price Research & Development)	REC
190.	52.249-14	Excusable Delays	
191.	52.250-1	Indemnification Under Public Law 85-804	
192.	52.251-1	Government Supply Sources	
193.	52.253-1	Computer Generated Forms	
194.	52.252-2	Clauses Incorporated by Reference	

**TABLE 4**  
**FLOW-DOWN CLAUSES APPLICABLE TO ALL GOVERNMENT-FUNDED NON-COMMERCIAL ORDERS**

	<b>Flow-Down Clause</b>	<b>Provision/Clause Title</b>	<b>Requirement: MAN=Mandatory REC=Recommended</b>
195.	252.203-7000	Requirements Relating to Compensation of Former DoD Officials	MAN
196.	252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies	
197.	252.203-7002	Requirement to Inform Employees of Whistleblower Rights	MAN
198.	252.203-7003	Agency Office of the Inspector General	MAN
199.	252.203-7004	Display of Hotline Posters. Applies to subcontracts greater than \$5,500,000 except when the subcontract is for the acquisition of a commercial item	
200.	252.204-7000	Disclosure of Information	MAN
201.	252.204-7008	Compliance with Safeguarding Covered Defense Information Controls	MAN
202.	252.204-7009	Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information	MAN
203.	252.204-7010	Requirement for Contractor to Notify DoD if the Contractors Activities are Subject to Reporting Under the U.S. International Atomic Energy Agency Additional Protocol. Applies to subcontracts that are subject to the U.S.-IAEA AP.	MAN
204.	252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting Safeguarding Covered Defense Information and Cyber Incident Reporting (DEVIATION 2016-O0001), (INTERIM RULE 12/30/2015), (FINAL RULE 10/21/2016)	MAN
205.	252.204-7014	Limitations on the Use or Disclosure of Information by Litigation Support Contractors	MAN
206.	252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support	MAN

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207.	252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	
208.	252.204-7019	Notice of NIST SP800-171 DoD Assessment Requirements	MAN
209.	252.204-7020	NIST SP800-171 Assessment Requirements	MAN
210.	252.204-7021	Cybersecurity Maturity Model Certification Requirements	MAN
211.	252.208-7000	Intent to furnish precious metals as Government-Furnished Material	
212.	252.209-7004	Subcontracting with Firms that Are Owned or Controlled by the Government of a Country that is a State Sponsor of Terrorism	
213.	252.209-7005	Reserve Officer Training Corps and Military Recruiting on Campus	REC
214.	252.209-7009	Organizational Conflict of Interest – Major Defense Acquisition Program. Applies to contracts for the performance of systems engineering and technical assistance for a major defense acquisition program or pre-major defense acquisition programs.	MAN
215.	252.209-7999	Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction under any Federal Law. See Class Deviation 2012-O0004	
216.	252.211-7003	Item Identification and Valuation (Mar 2016). In the blank in paragraph (c)(ii), insert: NONE. In the blank in paragraph (c)(iii), insert: NONE. SSP guidance concerning this clause is in SSP Notice 4110.	MAN
217.	252.211-7007	Reporting of Government-Furnished Property	REC
218.	252.211-7008	Use of Government-Assigned Serial Numbers	REC
219.	252.215-7002	Cost Estimating System Requirements	
220.	252.215-7004	Requirement for Submission of Data Other Than Certified Cost or Pricing Data-Modification-Canadian Commercial Corporation	
221.	252.216-7004	Award Fee Reduction or Denial for Jeopardizing the Health of Safety of Government Personnel	REC
222.	252.217-7026	Identification of Sources of Supply	MAN
223.	252.219-7003	Small Business Subcontracting Plan (DoD Contracts)	MAN
224.	252.219-7004	Small Business Subcontracting Plan (Test Program)	
225.	252.222-7000	Restrictions on Employment of Personnel	
226.	252.222-7002	Compliance with Local Labor Laws (Overseas)	MAN
227.	252.222-7006	Restrictions on the Use of Mandatory Arbitration Agreements	MAN
228.	252.223-7001	Hazard Warning Labels	REC
229.	252.223-7002	Safety Precautions for Ammunition and Explosives. Applies subcontracts that involves ammunition or explosives.	MAN
230.	252.223-7003	Change in Place of Performance - Ammunition and Explosives	REC
231.	252.223-7004	Drug Free Workforce	
232.	252.223-7006	Prohibition Storage and Disposal of Toxic and Hazardous Materials	MAN
233.	252.223-7007	Safeguarding Sensitive Conventional Arms, Ammunitions, and Explosives	MAN
234.	252.223-7008	Prohibition of Hexavalent Chromium.	MAN
235.	252.223-7999	Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (Deviation 2021-O0009)	MAN
236.	252.225-7000	Buy American - Balance of Payments Program Certificate	
237.	252.225-7001	Buy American and Balance of Payments Program	REC
238.	252.225-7002	Qualifying Country Sources as Subcontractors - Prescribing-225.1101(3)	MAN
239.	252.225-7003	Report of Intended Performance Outside the United States and Canada—Submission with Offer	
240.	252.225-7004	Report of Intended Performance Outside the United States and Canada – Submission after Award	MAN
241.	252.225-7007	Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies	MAN
242.	252.225-7008	Restriction on Acquisition of Specialty Metals. Applies to subcontracts that require the delivery of specialty metals as an end item.	REC
243.	252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals	

244.	252.225-7012	Preference for Certain Domestic Commodities	
245.	252.225-7013	Duty-Free Entry	MAN
246.	252.225-7015	Restrictions on Acquisition of Hand or Measuring Tools	
247.	252.225-7016	Restriction on Acquisition of Ball and Roller Bearings. Applies to all subcontracts for items that contain ball or roller bearings except commercial items.	MAN
248.	252.225-7017	Photovoltaic Devices	
249.	252.225-7018	Photovoltaic Devices—Certificate	
250.	252.225-7021	Trade Agreements (Dec 2016) and Alternate II	REC
251.	252.225-7025	Restriction on Acquisition of Forgings	
252.	252.225-7028	Exclusionary Policies and Practices of Foreign Governments	REC
253.	252.225-7030	Restriction on Acquisition of Carbon, Alloy, and Armor Steel Plate	REC
254.	252.225-7033	Waiver of United Kingdom Levies. Applies to all subcontracts for supplies were a lower-tier subcontract greater than \$1 million with a U.K. firm is anticipated.	MAN
255.	252.225-7036	Buy American Act – Free Trade Agreements-Balance of Payments Program-Basic. Applies to subcontracts for supplies. Does not apply to the extent this contract is an acquisition identified in FAR 25.401 or is otherwise not subject to NAFTA and the Israeli Trade Act. Applies only to the extent this contract is for the items listed in DFARS 225.401-70 and only to the extent indicated in DFARS 225.1101.	REC
256.	252.225-7039	Defense Contractors Performing Private Security Functions Outside of the United States	
257.	252.225-7040	Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States	
258.	252.225-7041	Correspondence in English - Prescribing-225.1103(2)	MAN
259.	252.225-7043	Antiterrorism/Force Protection Policy for Defense Contractors Outside the United States. Applies except if the subcontractor is (1) a foreign government; (2) a representative of a foreign government; or (3) a foreign operation wholly owned by a foreign government.	MAN
260.	252.225-7048	Export-Controlled Items	MAN
261.	252.225-7052	Restriction on the Acquisition of Certain Magnets and Tungsten In Orders exceeding \$250,000	
262.	252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns. Applies to all subcontracts exceeding \$500,000.	
263.	252.227-7013	Rights in Technical Data - Noncommercial Items	MAN
264.	252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	MAN
265.	252.227-7015	Technical Data - Commercial Items	MAN
266.	252.227-7016	Rights in Bid or Proposal Information	MAN
267.	252.227-7017	Identification and Assertion of Use, Release, or Disclosure Restrictions	MAN
268.	252.227-7018	Rights in Noncommercial Technical Data and Computer Software-Small Business Innovation Research (SBIR) Program	MAN
269.	252.227-7019	Validation of Asserted Restrictions-Computer Software. Applies to all subcontracts which contemplate furnishing computer software to the Government in the performance of this contract.	MAN
270.	252.227-7025	Limitations on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends	MAN
271.	252.227-7026	Deferred Delivery of Technical Data or Computer Software	REC
272.	252.227-7027	Deferred Ordering of Technical Data or Computer Software	REC
273.	252.227-7028	Technical Data or Computer Software Previously Delivered to the Government	MAN
274.	252.227-7030	Technical Data – Withholding of Payment	REC
275.	252.227-7037	Validation of Restrictive Markings on Technical Data	MAN
276.	252.227-7038	Patent Rights—Ownership by the Contractor (Large Business). Applies to all subcontracts for experimental, developmental, or research work to be performed by a small business concern or nonprofit organization; and (ii) all other subcontracts for experimental, developmental, or research work, unless a different patent rights clause is required by FAR 27.303.	MAN
277.	252.228-7001	Ground and Flight Risk (Jun 2010). Applies to all subcontracts that contemplate the use of aircraft.	

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278.	252.228-7005	Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles	MAN
279.	252.229-7006	Value Added Tax Exclusion (United Kingdom)	REC
280.	252.229-7011	Reporting of Foreign Taxes - U.S. Assistance Programs	
281.	252.231-7000	Supplemental Cost Principles	MAN
282.	252.233-7001	Choice of Law (Overseas) Prescribing-233.215-70	MAN
283.	252.234-7002	Earned Value Management System. Applies only to the extent the total value of the contract line items that are not firm-fixed price equals or exceeds \$20 million, unless otherwise specified in the contract. Insert the following in the blank in paragraph (k)(1): "Each subcontractor that has a subcontract valued at \$50 million or more." Insert the following in the blank in paragraph (k)(2): "Each subcontractor that has a subcontract valued at more than \$20 million but less than \$50 million."	MAN
284.	252.234-7004	Cost and Software Data Reporting System - Basic	
285.	252.235-7003	Frequency Authorization. Applies to subcontracts requiring the development, production, construction, testing, or operation of a device for which a radio frequency authorization is required.	MAN
286.	252.236-7013	Requirement for Competition Opportunity for American Steel Producers, Fabricators, And Manufacturers	MAN
287.	252.237-7010	Prohibition on Interrogation of Detainees by Contractor Personnel	MAN
288.	252.239-7000	Protection Against Compromising Emanations. Applies to subcontracts for computer equipment or systems that are to be used to process classified information.	REC
289.	252.239-7001	Information Assurance Contractor Training and Certification	MAN
290.	252.239-7010	Cloud Computing Services	
291.	252.239-7016	Telecommunications Security Equipment, Devices, Techniques, and Services. Applies if performance of the subcontract requires secure telecommunications. In the blank in paragraph (b) insert "the location designated in this contract or designated by the contracting officer." In the two blanks in paragraph (c) insert "the location designated in this contract or designated by the contracting officer" and "the equipment, devices, techniques, and/or services designated in this contract or designated by the contracting officer", respectively.	MAN
292.	252.239-7018	Supply chain risk	MAN
293.	252.242-7004	Material Management and Accounting System	
294.	252.242-7005	Contractor Business Systems	MAN
295.	252.242-7006	Accounting System Administration	MAN
296.	252.243-7001	Pricing of Contract Modifications	REC
297.	252.244-7000	Subcontracts for Commercial Items. Applies to all subcontract, at all tiers for commercial items or commercial components.	MAN
298.	252.244-7001	Contractor Purchasing System Administration	MAN
299.	252.245-7001	Tagging, Labeling, and Marking of Government-Furnished Property. Applies if government-furnished property is to be used in furtherance of the subcontract.	MAN
300.	252.245-7002	Reporting Loss of Government Property	MAN
301.	252.245-7003	Contractor Property Management System Administration	MAN
302.	252.245-7004	Reporting, Reutilization, and Disposal	MAN
303.	252.246-7001	Warranty of Data	REC
304.	252.246-7003	Notification of Potential Safety Issues. Applies to subcontracts for (i) Parts identified as critical safety items; (ii) Systems and subsystems, assemblies, and subassemblies integral to a system; or (iii) Repair, maintenance, logistics support, or overhaul services for systems and subsystems, assemblies, subassemblies, and parts integral to a system.	MAN
305.	252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System	MAN
306.	252.246-7008	Sources of Electronic Parts	MAN
307.	252.247-7003	Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer	MAN
308.	252.247-7023	Transportation of Supplies by Sea	MAN
309.	252.247-7028	Application for U.S. Government Shipping Documentation/Instructions	MAN

310.	252.249-7002	Notification of Anticipated Contract Termination or Reduction. Applies to all contracts under a major defense program.	MAN
311.	252.251-7000	Ordering From Government Supply Sources	MAN