

## Updates to RTX Flowdown of U.S. Government Provisions

November 2020

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The following updates shall be incorporated in, and made an integral part of, the RTX Technologies Corporation Flowdown of U.S. Government Provisions and Clauses Under U.S. Government Contracts.

The following new section 8 is **ADDED**:

### **8. Executive Orders incorporated by reference into U.S. Government Contracts**

- 8.1. Executive Order 13950 “Combatting Race and Sex Stereotyping (Applicable to all Orders under U.S. Government Contracts entered into by Buyer after November 21, 2020):

“During the performance of this contract, the Supplier agrees as follows:

1. The Supplier shall not use any workplace training that inculcates in its employees any form of race or sex stereotyping or any form of race or sex scapegoating, including the concepts that (a) one race or sex is inherently superior to another race or sex; (b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (c) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (e) an individual’s moral character is necessarily determined by his or her race or sex; (f) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (g) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (h) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race. The term “race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex, and the term “race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex.
2. The Supplier will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers’ representative of the Supplier’s commitments under the Executive Order of September 22, 2020, entitled

Combating Race and Sex Stereotyping, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

3. In the event of the Supplier's noncompliance with the requirements of paragraphs (1), (2), and (4), or with any rules, regulations, or orders that may be promulgated in accordance with the Executive Order of September 22, 2020, this contract may be canceled, terminated, or suspended in whole or in part and the Supplier may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246, and such other sanctions may be imposed and remedies invoked as provided by any rules, regulations, or orders the Secretary of Labor has issued or adopted pursuant to Executive Order 11246, including subpart D of that order.
4. The Supplier will include the provisions of paragraphs (1) through (4) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor, so that such provisions will be binding upon each Supplier's subcontractor or vendor. The Supplier will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the Supplier becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Supplier may request the United States to enter into such litigation to protect the interests of the United States."

#### **DoD Commercial Items Acquisitions:**

#### **B. DFARS CLAUSES APPLICABLE TO ORDERS FOR COMMERCIAL ITEMS UNDER DOD CONTRACTS:**

1. As a result of the DFARS Final Rule, the following clause is **ADDED**:
  - **252.232-7017** "Accelerating Payments to Small Business Subcontractors - Prohibition on Fees and Consideration" (Applicable to Purchase Orders with small business concerns when Buyer receives Accelerated Payments under its prime contract.)
2. As a result of the DFARS Final Rule, the following clause is **ADDED**:
  - **252.204.7020** "NIST SP 800-171 DoD Assessment Requirements" (Applicable to all Orders, including those using FAR part 12 procedures for the acquisition of commercial items, except for those that are solely for the acquisition of COTS items.)(Effective beginning November 30, 2020)

**DoD Acquisitions:**

**A. APPLICABLE TO ALL ORDERS WITHOUT REGARD TO DOLLAR VALUE:**

1. As a result of the DFARS Final Rule, the following clause is **ADDED**:
  - **252.232-7017** “Accelerating Payments to Small Business Subcontractors - Prohibition on Fees and Consideration” (Applicable to Purchase Orders with small business concerns when Buyer receives Accelerated Payments under its prime contract.)
  
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  - **252.204.7020** “NIST SP 800-171 DoD Assessment Requirements” (Applicable to all Orders, including those using FAR part 12 procedures for the acquisition of commercial items, except for those that are solely for the acquisition of COTS items.)(Effective beginning November 30, 2020)