

52.203-6 Restrictions on Subcontractor Sales to the Government.

As prescribed in [3.503-2](#) , insert the following clause:

Restrictions on Subcontractor Sales to the Government (Jun 2020)

(a) Except as provided in (b) of this clause, the Contractor *shall* not enter into any agreement with an actual or prospective subcontractor, nor otherwise act in any manner, which has or *may* have the effect of restricting sales by such subcontractors directly to the Government of any item or process (including *computer software*) made or furnished by the subcontractor under this contract or under any follow-on production contract.

(b) The prohibition in (a) of this clause does not preclude the Contractor from asserting rights that are otherwise authorized by law or regulation.

(c) 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.

(End of clause)

Alternate I (Nov 2021). As prescribed in [3.503-2](#) , substitute the following paragraph in place of paragraph (b) of the basic clause:

(b) The prohibition in paragraph (a) of this clause does not preclude the Contractor from asserting rights that are otherwise authorized by law or regulation. For *acquisitions* of *commercial products* or *commercial services*). the prohibition in paragraph (a) applies only to the extent that any agreement restricting sales by subcontractors results in the Federal Government being treated differently from any other prospective purchaser for the sale of the *commercial product(s)* and *commercial service(s)*.

Parent topic: [52.203 \[Reserved\]](#)