Subpart 223.72 - SAFEGUARDING SENSITIVE CONVENTIONAL ARMS, AMMUNITION, AND EXPLOSIVES

Parent topic: Part 223 - ENVIRONMENT, SUSTAINABLE ACQUISITION, AND MATERIAL SAFETY

223.7200 Definition.

As used in this subpart—

“Arms, ammunition, and explosives (AA&E),” means those items within the scope) of DoD Manual 5100.76, Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives.

223.7201 Policy.

(a) The requirements of DoD Manual 5100.76, Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives, shall be applied to contracts when—

(1) AA&E will be provided to the contractor or subcontractor as Government-furnished property; or

(2) The principal development, production, manufacture, or purchase of AA&E is for DoD use.

(b) The requirements of DoD Manual 5100.76 need not be applied to contracts when—

(1) The AA&E to be acquired under the contract is a commercial product within the meaning of FAR 2.101; or

(2) The contract will be performed in a Government-owned contractor-operated ammunition production facility. However, if subcontracts issued under such a contract will meet the criteria of paragraph (a) of this section, the requirements of DoD Manual 5100.76 shall apply.

223.7202 Preaward responsibilities.

When an acquisition involves AA&E, technical or requirements personnel shall specify in the purchase request—

(a) That AA&E is involved; and

(b) Which physical security requirements of DoD Manual 5100.76 apply.

223.7203 Contract clause.

Use the clause at 252.223–7007, Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives, in all solicitations and contracts to which DoD Manual 5100.76 applies, in accordance with the policy at 223.7201 Policy. . Complete paragraph (b) of the clause based on information provided by cognizant technical or requirements personnel.