



Section F Attachment 1: **Specialty Metals Clause**

Revised: **November 16, 2023**

Re: Reminder Regarding Restrictions on Acquisition of Certain Articles Containing Specialty Metals

Dear Supplier:

We wish to take this opportunity to remind you, as a valued supplier to Oshkosh Defense, of your obligation under Oshkosh supply agreements and purchase orders to provide items containing only domestically produced specialty metals¹.

Oshkosh's Supplier Standards Guide, which is incorporated into all Oshkosh supply agreements and purchase orders, contains a clause entitled "Restrictions on Acquisition of Certain Articles Containing Specialty Metals (DFAR 252.225-7009)", which requires that, to the extent any part you deliver to Oshkosh contains a specialty metal, the specialty metal must have been melted or produced in the United States or a qualifying country² or explicitly fall under an exception contained in that clause. The Specialty Metals clause in Oshkosh's Supplier Standards Guide is a flow-down from similar provisions in Oshkosh's prime contracts, implementing what is generally referred to as the "Berry Amendment" (10 U.S.C. 2533a). See DFARS 225.7000.

This clause requires you, with limited exceptions³, to use only specialty metals melted or produced in the United States (or a qualifying country) as part of the end items you deliver to Oshkosh. If you have provided or intend to provide Oshkosh with items containing specialty metals melted or produced elsewhere, please notify Oshkosh immediately.

Thank you for your support of Oshkosh on this important matter. Oshkosh takes its obligations to its customers seriously and greatly values your support in achieving its goal of 100 percent compliance with the Specialty Metals clause. If you have any questions, please contact your Oshkosh buyer or category manager.

Sincerely,

Travis J. Schmuhl
Vice President and General Manager, Global Operations
Oshkosh Defense, LLC

¹ Specialty metals include – (i) steel, with a maximum alloy content exceeding one or more of the following limits: 1.65% manganese, 0.60% silicon, 0.60% copper; or containing more than 0.25% of any of the following elements: aluminum, chromium, cobalt, molybdenum, nickel, niobium (columbium), titanium, tungsten, or vanadium; (ii) metal alloys consisting of nickel or iron-nickel alloys that contain a total of alloying metals other than nickel and iron in excess of 10%, or cobalt alloys that contain a total of alloying metals other than cobalt in excess of 10%; (iii) titanium and titanium alloys; or (iv) zirconium and zirconium alloys.

² Qualifying countries are: Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Slovenia, Spain, Sweden, Switzerland, Turkey, and the United Kingdom of Great Britain and Northern Ireland.

³ Exceptions to this clause include specialty metals in electronic components, specialty metals in certain commercially available off-the-shelf (COTS) items, some fasteners (if certain conditions are met), and items manufactured in a qualifying country. Inform Oshkosh if you believe your product falls under an exception.