

**USCGC SEQUOIA – LAKE UNION DRYDOCK  
SUBCONTRACT FLOW DOWN CLAUSES**

(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause-

- (i) 5 2.203-13, Contractor Code of Business Ethics and Conduct (Jun 2020) (4 1 U.S.C. 3509).
- (ii) 5 2.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).
- (iii) 5 2.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (JUL 2018) (Section 1634 of Pub. L. 115-91).
- (iv) 5 2.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Aug 2020) (Section 889(a)(1)(A) of Pub. L. 115-232).
- (v) 5 2.219-8, Utilization of Small Business Concerns (OCT 2018) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 1 9.702(a) on the date of subcontract award, the subcontractor must include 5 2.219-8 in lower tier subcontracts that offer subcontracting opportunities.
- (vi) 5 2.222-21, Prohibition of Segregated Facilities (Apr 2015)
- (vii) 5 2.222-26, Equal Opportunity (Sept 2015) (E.O. 11246).
- (viii) 5 2.222-35, Equal Opportunity for Veterans (Jun 2020) (3 8 U.S.C. 4212).
- (ix) 5 2.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (2 9 U.S.C. 793).
- (x) 5 2.222-37, Employment Reports on Veterans (Jun 2020) (3 8 U.S.C. 4212)
- (xi) 5 2.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 5 2.222-40.
- (xii) 5 2.222-41, Service Contract Labor Standards (Aug 2018) (4 1 U.S.C. chapter 67).
- (xiii) (A) 5 2.222-50, Combating Trafficking in Persons (Jan 2019) (2 2 U.S.C. chapter 78 and E.O. 13627).  
(B) Alternate I (Mar 2015) of 5 2.222-50 (2 2 U.S.C. chapter 78 and E.O. 13627).
- (xiv) 5 2.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).
- (xv) 5 2.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (4 1 U.S.C. chapter 67).
- (xvi) 5 2.222-54, Employment Eligibility Verification (Oct 2015) (E.O. 12989).
- (xvii) 5 2.222-55, Minimum Wages Under Executive Order 13658 (Dec 2020).
- (xviii) 5 2.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2017) (E.O. 13706).
- (xix) (A) 5 2.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a).

3052.217-92 Inspection and Manner of Doing Work. (USCG)

3052.217-96 Title. (USCG)

3052.217-97 Discharge of Liens. (USCG)

3052.217-100 Guarantee. (USCG)

(B) Alternate I (Jan 2017) of 5 2.224-3.

(xx) 5 2.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 1 0 U.S.C. 2302 Note).

(xxi) 5 2.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) (4 2

U .S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 5 2.226-6.

(xxii) 5 2.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006)

(46 U.S.C. Appx. 1241(b) and 1 0 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 5 2.247-64.

(2) While not required, the Contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.