



ICE Mammoth FAR and HSAR Flowdown Clauses January 15, 2025

The referenced clauses are set forth or referred to in the Federal Acquisition Regulation (“FAR”) and the Homeland Security Acquisition Regulation (“HSAR”), are included in ADS’s prime contract with U.S. Immigration and Customs Enforcement (the “Prime Contract), and are incorporated by reference and shall predominate in the event of conflict with any other provision of the purchase order or agreement in which they are referenced (the “Purchase Order”) unless specifically noted. To make these clauses applicable to the Purchase Order unless otherwise specified herein, “Government” shall mean Atlantic Diving Supply, Inc. (“ADS”), “Contractor” shall mean the entity (the “Seller”) from which ADS is purchasing goods (the “Products”) and/or services (the “Services”), “Contract” shall mean the Purchase Order, and “Contracting Officer” shall mean the ADS Purchasing Representative. The terms “Government” and “Contracting Officer” do not change (1) in the phrases “Government Property”, “Government-Owned Property”, “Government Equipment”, “Government-Furnished Property”, and “Government-Owned Equipment”; (2) when a right, act, authorization, or obligation can be granted or performed only by the Government or the prime contract Contracting Officer or the contracting officer’s duly authorized representative; (3) when access to proprietary financial information or other proprietary data is required; (4) when title to property is to be transferred directly to the Government; (5) in patent rights clauses, if any; and (6) where specifically modified as noted below. The full text of FAR clauses can be found at <http://acquisition.gov/comp/far/index.html>. The full text of HSAR clauses can be found at <https://www.acquisition.gov/hsar>.

For the purposes of the provisions below, a “Commercial Items Order” is one in which all of the Products are “commercial products” and all of the Services are “commercial services” as defined in FAR 2.101; i.e., the Purchase Order includes only commercial items and no non-commercial items. “Purchase Order Price” price means the total price for all line items on the Purchase Order.

Some of the clauses listed below include information about the circumstances under which they are applicable. If the conditions for applicability provided in parentheses after any such clauses are not met (considering the nature and amount of the Purchase Order and the status of Seller), that clause does not apply to and is not included in that Purchase Order.

FAR Clauses

- 52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (NOV 2023)
- 52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017)
- 52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (DEC 2023)



- 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (NOV 2021) (excluding paragraph 52.204-25(b)(2))
- 52.222-19 Child Labor-Cooperation with Authorities and Remedies (FEB 2024)
- 52.222-21 Prohibition of Segregated Facilities (APR 2015)
- 52.222-26 Equal Opportunity (SEP 2016)
- 52.222-35 Equal Opportunity for Veterans (JUN 2020).
- 52.222-36 Equal Opportunity for Workers with Disabilities (JUN 2020) (applies if the Purchase Order Price exceeds \$15,000; paragraph (b)(2) is revised to delete "and provided by or through the Contracting Officer" and insert "and provided upon request by the Contracting Officer through the Buyer.")
- 52.222-50 Combating Trafficking in Persons (NOV 2021) (22 U.S.C. chapter 78 and E.O. 13627) (paragraph (h) applies only to the portion of any Purchase Order that is for Products that are not Commercial Products, that are acquired outside of the United States, and have a total price of \$555,000 or more)
- 52.224-3 Privacy Training (JAN 2017)
- 52.225-5 Trade Agreements (NOV 2023)
- 52.232-40 Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (applies if seller is a small business concern)
- 52.242-13 Bankruptcy (JUL 1995)
- 52.242-15 Stop-Work Order (AUG 1989)
- 52.246-2 Inspection of Supplies-Fixed Price (AUG 1996)

HSAR Clauses

- 3052.204-71 Contractor Employee Access. (July 2023).
- 3052.204-72 Safeguarding of Controlled Unclassified Information. (July 2023).