

Memo

To: Northrop Grumman Supply Base
From: Vice President, Corporate Supply Chain
Date: May 18, 2020
Subject: Prohibition on Procurement for Certain Telecommunication and Video Surveillance Services or Equipment

In order to combat the national security and intellectual property threats that face the United States, section [889\(a\)\(1\)\(A\) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 \(the NDAA\) \(Pub. L. 115-232\)](#) prohibits the Federal Government from procuring or obtaining from specified sources, or extending or renewing a contract to procure or obtain from specified sources, “any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system”, on or after August 13, 2019. The law has been implemented in both the FAR and DFARS (referenced below).

FAR 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
DFARS 252.204-7018, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services.

These new requirements, apply to all awards at all tiers of the supply chain, and there are no exceptions for Commercial Items. Northrop Grumman (NG) Suppliers should read these new prohibitions and ensure they are only sourcing from eligible qualified sources. For a complete listing of entities excluded from receiving federal awards for “covered telecommunications equipment or services” suppliers should consult System for Award Management (SAM) (<https://www.sam.gov>)

In order to ensure compliance, Northrop Grumman standard Terms and Conditions for awards made in support of United States Government contracts have been updated to include the following representations.

FAR 52.204-24, Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment.
FAR 52.204-26, Covered Telecommunications Equipment or Services—Representation,

DFARS 252.204-7016, Covered Defense Telecommunications Equipment or Services—Representation;
DFARS 252.204-7017, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services - Representation.

These new Clauses shall be incorporated in all solicitations for the provision of telecommunications and video surveillance services or equipment where the end customer is the United States Government (USG). Through acceptance of any award, Suppliers are representing they are in full compliance with each of these requirements and restrictions including the requirement to flow down these same requirements to their suppliers at all tiers of their supply chain.