United States Department of State

Washington, D.C. 20520

www.state.gov

ATTACHMENT 1 – EXPRESS NDAA CERTIFICATION

Public Law 115-232, also known as the John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year 2019, requires representations regarding Covered Telecommunications Equipment and Services. Contracting staff shall use this representation with vendors to determine compliance with NDAA requirements. To comply with this Public Law the Federal Acquisition Regulation (FAR) in FAR 4.2105 requires two provisions 52.204-24 & 52.204-26 and contract clause 52.204-25 in all procurement actions.

DIRECTIONS FOR THE MERCHANT

1. Read the entire provisions and clause in the FAR at Acquistion.gov.
2. After you have read the provisions, please answer the questions below.
3. Upon completion of Step 2, fill out the representation below. *NOTE: This representation is made by a person with the authority to bind the merchant.*
4. Return completed form to your Contract Specialist.

52.204-24 REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (AUG 2020)

(d) *Representation.* The Offeror represents that—

(1) It ☐ will, ☐ will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Offeror shall provide the additional disclosure information required at paragraph (e)(1) of this section if the Offeror responds “will” in paragraph (d)(1) of this section; and
(2)After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that—

It ☐ does, ☐ does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Offeror shall provide the additional disclosure information required at paragraph (e)(2) of this section if the Offeror responds “does” in paragraph (d)(2) of this section.

Merchant Name_____

Merchant’s Authorized Representative Signature_____
(Typed Name)