



Additional Terms and Conditions for the Acquisition of Commercial Items Funded Under U.S. Government National Aeronautics and Space Administration Contracts

In addition to the terms and conditions of GA 1603, “Terms and Conditions for Commercial Orders (Supplies and Services),” the following clauses in Part 52 of the Federal Acquisition Regulation (FAR), and Part 1852 of the National Aeronautics and Space Administration (NASA) Federal Acquisition Regulation Supplement (NFS), set forth below, and in effect on the date of the Order, are incorporated by this reference and made a part of the Order when the condition(s) for applicability is/are met. In all such clauses, the term “Contractor” shall mean “Seller;” the term “Contract” shall mean “Order,” and the term “Government Contracting Officer” (or equivalent phrases) shall mean “Buyer,” except that in those clauses conferring patent and data rights to the Government, the term “Government” or “Contracting Officer” retains its literal meaning and is not to be construed as “Buyer.”

The FAR and NFS clauses referenced below shall apply to Seller and its lower-tier subcontractors in such a manner necessary to reflect the position of Seller as a subcontractor to Buyer to ensure Seller’s obligations to Buyer and to the U.S. Government, and to enable Buyer to meet its obligations under its contracts funded by the U.S. Government. Clauses incorporated by reference have the same force and effect as if they were given in full text. The full text of a clause may be accessed electronically at the following address: www.acquisition.gov.

The following FAR Clauses apply regardless of the dollar value of the Order:

- 52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
- 52.204-21 Basic Safeguarding of Covered Contractor Information Systems
- 52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
- 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
- 52.204-27 Prohibition on a ByteDance Covered Application
- 52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Products and Commercial Services
- 52.219-8 Utilization of Small Business Concerns (*applies to Orders that offer further subcontracting opportunities*)
- 52.222-50 Combating Trafficking in Persons (*except that section (h) only applies to Orders exceeding \$550,000 for supplies acquired, or services performed, outside the U.S.*)
- 52.222-62 Paid Sick Leave Under Executive Order 13706
- 52.225-13 Restriction on Certain Foreign Purchases
- 52.232-40 Providing Accelerated Payments to Small Business Subcontractors
- 52.244-6 Subcontracts for Commercial Products and Commercial Services
- 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels

The following FAR clause applies if the value of the Order exceeds \$3,500:

- 52.222-54 Employment Eligibility Verification

The following FAR clauses applies if the value of the Order exceeds \$10,000:

- 52.222-19 Child Labor – Cooperation with Authorities and Remedies
- 52.222-21 Prohibition of Segregated Facilities
- 52.222-26 Equal Opportunity
- 52.222-40 Notification of Employee Rights Under the National Labor Relations Act



The following FAR clause applies if the value of the Order exceeds \$15,000:

52.222-36 Equal Opportunity for Workers with Disabilities

The following FAR clause applies if the value of the Order is \$30,000 or more:

52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards

The following FAR clause applies if the value of the Order exceeds \$35,000:

52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment

The following FAR clauses apply, as indicated below, if the value of the Order exceeds \$150,000:

52.203-11 Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions

52.203-12 Limitation on Payments to Influence Certain Federal Transactions

52.222-35 Equal Opportunity for Veterans

52.222-37 Employment Reports on Veterans

The following FAR clauses apply, as indicated below, if the value of the Order exceeds \$250,000:

52.203-3 Gratuities

52.203-6 Restrictions on Subcontractor Sales to the Government – Alt 1

The following FAR clauses apply if the value of the Order exceeds \$750,000:

52.219-9 Small Business Subcontracting Plan

52.219-16 Liquidated Damages – Subcontracting Plan

The following FAR clause applies if the value of the Order exceeds \$6,000,000:

52.203-13 Contractor Code of Business Ethics and Conduct

The following NFS clauses apply regardless of the dollar value of the Order:

1852.203-71 Requirement to Inform Employees of Whistleblower Rights

1852.204-76 Security Requirements for Unclassified Information Technology Resources

1852.208-81 Restrictions on Printing and Duplicating

1852.211-70 Packaging, Handling, and Transportation

1852.223-71 Authorization for Radio Frequency Use

1852.225-70 Export Licenses

1852.227-14 Rights in Data – General

1852.227-19 Commercial Computer Software – Restricted Rights

1852.227-85 Invention Reporting and Rights – Foreign

1852.227-86 Commercial Computer Software - License

1852.227-88 Government-Furnished Computer Software and Related Technical Data

1852.237-72 Access to Sensitive Information

1852.237-73 Release of Sensitive Information

1852.245-74 Identification and Marking of Government Equipment

1852.246-73 Human Space Flight Item

1852.247-71 Protection of the Florida Manatee

The following NFS clause applies if the value of the Order exceeds \$100,000:

1852.244-70 Geographic Participation in the Aerospace Program



The following NFS clauses applies if the value of the Order exceeds \$250,000:

1852.223-70 Safety and Health Measures and Mishap Reporting

1852.223-72 Safety and Health (Short Form)

1852.228-76 Cross-Waiver of Liability for International Space Station Activities

1852.228-78 Cross-Waiver of Liability for Science or Space Exploration Activities Unrelated to the International Space Station

The following NFS clause applies if the value of the Order exceeds \$750,000:

1852.219-73 Small Business Subcontracting Plan