

QUICK START GUIDE: SECTION 889 COMPLIANCE

What is Section 889 Compliance?

FAR Provisions Background

A suppliers Section 889 Compliance is based FAR provision 52.204-26, Covered Telecommunications Equipment or Services (October 2020) and provided by SAM.gov with a combination of responses for the two subparagraphs of 52.204-26(c). Non-compliant items may be prohibited for Government purchase.

Federal Acquisition Regulation (FAR) provision 52.204-26, Covered Telecommunications Equipment or Services (October 2020) includes representations in paragraph (c) that collect data from prospective offerors used by the government to implement Section 889(a)(1)(A) and (a)(1)(B) of the National Defense Authorization Act (NDAA). Per FAR subpart 4.1202(a), this provision is included in the System for Award Management (SAM) as part of a vendor’s annual representations and certifications. FAR subpart 4.2103 provides government users procedures when making contract awards based on the vendor’s representations in this provision.

For more information, please visit: https://www.acquisition.gov/FAR-Case-2019-009/889_Part_B

SAM.gov Vendor Responses

Scenario	Response to Requests	52.204-26(c)(1) Compliant 889(a)(1)(A)?	52.204-26(c)(2) Compliant 889(a)(1)(B)?
<ul style="list-style-type: none"> The CAGE/ UEI number is found Entity is active on SAM.gov FAR provision 52.204-26(c)(1) is answered affirmatively 	“The vendor associated with this CAGE/UEI number has answered ‘Does’ to FAR provision 52.204-26(c)(1) Covered Telecommunications Equipment or Services”	NO	
<ul style="list-style-type: none"> The CAGE/ UEI number is found Entity is active on SAM.gov FAR provision 52.204-26(c)(2) is answered affirmatively 	“The vendor associated with this CAGE/UEI number has answered ‘Does’ to FAR provision 52.204-26(c)(2) Covered Telecommunications Equipment or Services”		NO
<ul style="list-style-type: none"> The CAGE/ UEI number is found Entity is active on SAM.gov FAR provision 52.204-26(c)(1) is answered negatively 	“The vendor associated with this CAGE/UEI number has answered ‘Does not’ to FAR provision 52.204-26(c)(1) Covered Telecommunications Equipment or Services”	YES	
<ul style="list-style-type: none"> The CAGE/ UEI number is found Entity is active on SAM.gov FAR provision 52.204-26(c)(2) is answered negatively 	“The vendor associated with this CAGE/UEI number has answered ‘Does not’ to FAR provision 52.204-26(c)(2) Covered Telecommunications Equipment or Services”		YES