



National Aeronautics and  
Space Administration  
Washington, DC 20546

## Grant Information Circular

GIC 20-05

07/21/2020

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**PURPOSE:** To Inform Grant and Technical Officers of a new term and condition that implements section 889 of the John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year(FY) 2019 (Pub. L. 115-232).

**BACKGROUND:** The John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year 2019 became law on August 13, 2018 and included a new provision that prohibits the head of an executive agency from obligating or expending loan or grant funds to procure or obtain, or enter into a contract (or extend or renew a contract) to procure or obtain certain telecommunications and video surveillance services or equipment. The NASA General Term and Conditions is hereby revised to implement this new requirement.

**GUIDANCE:** Grant Officers should ensure all new grant awards; cooperative agreements and funding amendments to existing awards include the following Term and Conditions:

***Prohibition on certain telecommunications and video surveillance services or equipment.***

- (a) Grant, and cooperative agreement recipients are prohibited from using government funds to enter into contracts (or extend or renew contracts) with entities that use covered telecommunications equipment or services. This prohibition applies even if the contract is not intended to procure or obtain any equipment, system or service that uses covered telecommunications equipment or services. As described in section 889 of the NDAA of 2019, covered telecommunications equipment or services includes:
- (1) Telecommunications equipment produced by the Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
  - (2) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
  - (3) Telecommunications or video surveillance services provided by such entities or using such equipment.
  - (4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise, connected to the government of a covered foreign country.



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**EFFECTIVE DATE:** August 13, 2020.

**REGULATION OR TERM AND CONDITION CHANGES:** New term and condition will be incorporated in the revised Grants and Cooperative Agreement Manual and all financial assistance instruments awarded after August 13, 2020.

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