REMARK F47 20261028

ACQUISITION OF COMMERCIAL ITEMS (FAR PART 12)

THIS IS A PURCHASE UNDER FEDERAL ACQUISITION REGULATION (FAR) PART 12, ACQUISITION OF COMMERCIAL PRODUCTS, COMMERCIAL SERVICES, AND/OR COMMERCIAL OFF-THE-SHELF (COTS) ITEMS. TERMS AND CONDITIONS OF PURCHASE, AS REFERENCED IN THE ORDER, APPLY EXCEPT THE LIST OF FAR AND FAR SUPPLEMENT CLAUSES IN REMARK APP, APPENDIX I OF REMARKS C64 AND I64 IS LIMITED TO THE CLAUSES LISTED BELOW. PLEASE NOTE:

- **COTS ITEMS ARE A SUBSET OF COMMERCIAL ITEMS AND NOT ALL OF THE CLAUSES LISTED BELOW NECESSARILY APPLY. PLEASE CONSULT FAR 12.505.**
- **CLASS DEVIATIONS MAY APPLY. THESE DEVIATIONS CAN BE FOUND AT HTTPS://WWW.ACQ.OSD.MIL/DPAP/DARS/CLASS_DEVIATIONS.HTML AND, IF APPLICABLE, SHALL TAKE PRECEDENCE OVER THE RELEVANT FLOW DOWN.**

52.203-3	GRATUITIES (Applies when the Order exceeds the Simplified Acquisition Threshold ("SAT"))
52.203-12	LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (Applies when the Order exceeds the threshold specified in FAR 3.808 on the date of award)
52.203-13	CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT (Applies when the Order exceeds the threshold in FAR 3.1004(a) and the period of performance exceeds 120 days)
52.203-15	WHISTLEBLOWER PROTECTIONS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
52.203-17	CONTRACTOR EMPLOYEE WHISTLEBLOWER RIGHTS AND REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS
52.203-18	PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS—REPRESENTATION
52.203-19	PROHIBITION ON REQUIRING CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS
52.204-2	SECURITY REQUIREMENTS (Applies when the Order involves access to classified information)
52.204-9	PERSONAL IDENTITY VERIFICATION OF CONTRACTOR PERSONNEL (Applies when Seller's employees are required to have routine physical access to a Federally-controlled facility and/or routine access to a Federally-controlled information system)
52.204-10	REPORTING EXECUTIVE COMPENSATION AND FIRST TIER SUBCONTRACT AWARDS (Note: Seller agrees to timely provide information requested by Purchaser pursuant to this clause, and acknowledges that such information will be made publicly available)
52.204-21	BASIC SAFEGUARDING OF CONTRACTOR INFORMATION SYSTEMS (applies if handling Federal Contract Information (FCI)
52.204-23	PROHIBITION ON CONTRACTING FOR HARDWARE, SOFTWARE, AND SERVICES DEVELOPED OR PROVIDED BY KASPERSKY LAB AND OTHER COVERED ENTITIES
52.204-24	REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT
52.204-25	PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (Seller shall also send to Purchaser all required notifications to the U.S. Government)
52.204-26	COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES-REPRESENTATION
52.204-27	PROHIBITION ON A BYTEDANCE COVERED APPLICATION
52.204-30	FEDERAL ACQUISITION SUPPLY CHAIN SECURITY ACT ORDER – PROHIBITION (flowdown excludes paragraph (c)(1))
52.209-6	PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT (Applies when the Order exceeds the threshold specified in FAR 9.405-2(b) and is not for COTS items)
52.211-15	DEFENSE PRIORITY AND ALLOCATION REQUIREMENTS (Applies when the Order is rated, see Remark 218)
52.212-4	CONTRACT TERMS AND CONDITIONS – COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES (Note: only paragraph (I) applies)
52.212-5	CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE

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	ORDERS—COMMERCIAL ITEMS (DEVIATION 2025-O0003) (Note: only paragraph (e) applies).
52.219-8[2]	UTILIZATION OF SMALL BUSINESS CONCERNS (Applies when the Order exceeds the SAT)
52.222-1	NOTICE TO THE GOVERNMENT OF LABOR DISPUTES
52.222-21[2]	PROHIBITION OF SEGREGATED FACILITIES (Applies when 52.222-26 is applicable)
52.222-26[2]	EQUAL OPPORTUNITY (Applies when the Order exceeds the threshold in FAR 22.807(b) unless an exemption applies)
52.222-35[2]	EQUAL OPPORTUNITY FOR VETERANS (Applies when the Order equals or exceeds the threshold in FAR 22.1303(a) unless an exemption applies)
52.222-36[2]	AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES (Applies when the Order exceeds the threshold in FAR 22.1408(a) unless an exemption applies)
52.222-37[2]	EMPLOYMENT REPORTS ON VETERANS (Applies when the Order exceeds the threshold in FAR 22.1303(a) unless an exemption applies)
52.222-40[2]	NOTIFICATION OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT (Applies when the Order exceeds the threshold in FAR 22.1603(a)(2))
52.222-41[2]	SERVICE CONTRACT LABOR STANDARDS (For each Order subject to the SCLS, Purchaser shall include a remark signifying SCLS applicability. Seller shall submit any required wage classifications to the Purchaser for submission to the Contracting Officer and shall not commence performance until receipt of the final wage determination from Purchaser)
52.222-50	COMBATTING TRAFFICKING IN PERSONS (The Seller shall also report the information required in paragraph (d)(1-2) to Purchaser. Paragraph (h) Compliance Plan, applies to any portion of the contract that: (i) is for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States; and (ii) has an estimated value that exceeds the threshold at 22.1703(c)(3)(i)(B).)
52.222-51[2]	EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR MAINTENANCE, CALIBRATION, OR REPAIR OF CERTAIN EQUIPMENT—REQUIREMENTS (Applies to Orders for exempt services)
52.222-53[2]	EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR CERTAIN SERVICES—REQUIREMENTS (Applies to Orders for exempt services)
52.222-54[2]	EMPLOYMENT ELIGIBILITY VERIFICATION (Applies when the Order is for Services)
52.222-55[2]	MINIMUM WAGES UNDER EXECUTIVE ORDER 13658 (Applies when 52.222-41 is applicable; Seller shall indemnify Purchaser in the event Purchaser is held liable under paragraph (j))
52.222-56	CERTIFICATION REGARDING TRAFFICKING IN PERSONS COMPLIANCE PLAN (Applies if it is possible that at least the amount at FAR 22.1705(b)(1) of the value of the contract may be performed outside the United States and the acquisition is not entirely for commercially available off-the-shelf items)
52.222-62[2]	PAID SICK LEAVE UNDER EXECUTIVE ORDER 13706 (Applies when SCLS or Wage Rate Requirements are applicable, and the Order is to be performed in whole or in part in the United States)
52.222-90[2]	ADDRESSING DEI DISCRIMINATION BY FEDERAL CONTRACTORS (DEVIATION APR 2026)
52.223-3	HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA (Applies when Seller is delivering hazardous materials)
52.223-7	NOTICE OF RADIOACTIVE MATERIALS (Applies when the Order is for radioactive materials)
52.224-3	PRIVACY TRAINING
52.225-1[2]	BUY-AMERICAN ACT-SUPPLIES
52.225-2	BUY AMERICAN ACT CERTIFICATE (Applies when 52.225-1 applies)
52.225-5	TRADE AGREEMENTS
52.225-8	DUTY-FREE ENTRY (Applies when Goods will be imported into the Customs Territory of the United States)
52.225-13	RESTRICTIONS ON CERTAIN FOREIGN PURCHASES
52.226-8[2]	ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING
52.227-1[2]	AUTHORIZATION AND CONSENT (Applies when the Order exceeds the SAT)
52.227-2	NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT (Applies when the Order exceeds the SAT and 52.227-1 is included)
52.232-40	PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS (Applies when Seller subcontracts with small business subcontractors and Seller receives accelerated payments from Purchaser)
52.240-1	PROHIBITION ON UNMANNED AIRCRAFT SYSTEMS MANUFACTURED OR ASSEMBLED BY AMERICAN SECURITY DRONE ACT-COVERED FOREIGN ENTITIES
52.240-91	SECURITY PROHIBITIONS AND EXCLUSIONS (excluding paragraphs (d)(1) and (i)(1))
52.240-92	SECURITY REQUIREMENTS (applies if Seller handles classified information)
52.240-93	BASIC SAFEGUARDING OF COVERED CONTRACTOR INFORMATION SYSTEMS (applies if handling federal contract information (FCI)

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52.244-6	SUBCONTRACTS FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES (DEVIATION 2025-O0003)
52.245-1	GOVERNMENT PROPERTY (Note: Purchaser's Remark E21, included herein, provides terms which implement or supplement the requirements of 52.245-1 in accordance with the requirements of Purchaser's Government Property Management System)
52.245-9	USE AND CHARGES (Note: Seller shall request authorization to use Government Property in support of efforts under a contract number other than the contract number to which it is assigned, by submitting such request in the form prescribed by Purchaser which is available at http://www.geaviation.com/aboutgeae/doingbusinesswith/geae_po_requirements.html)
52.247-64	PREFERENCE FOR PRIVATELY OWNED U.S.-FLAG COMMERCIAL VESSELS (Applies when Goods are to be shipped by ocean vessel unless exempted under paragraph (e)(4))

IF AN ORDER IS PLACED UNDER A DEPARTMENT OF DEFENSE (DOD) CONTRACT, THE FOLLOWING DOD FAR SUPPLEMENT CLAUSES APPLY IN ADDITION TO (OR IN LIEU OF WHERE NOTED) THE FAR CLAUSES ABOVE:

252.203-7002	REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS
252.203-7003	AGENCY OFFICE OF THE INSPECTOR GENERAL (As referenced in FAR 52.203-13)
252.204-7004	ANTITERRORISM AWARENESS TRAINING FOR CONTRACTORS (Applies when subcontractor requires routine physical access to a Federally-controlled facility or military installation)
252.204-7008	COMPLIANCE WITH SAFEGUARDING COVERED DEFENSE INFORMATION CONTROLS (IAW DFARS 204.7304(a))
252.204-7009	LIMITATIONS ON THE USE OR DISCLOSURE OF THIRD-PARTY CONTRACTOR REPORTED CYBER INCIDENT INFORMATION (Applies when the Order involves services that include support for the Government's activities related to safeguarding covered defense information and cyber incident reporting)
252.204-7012	SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING (Applies when the Seller has Covered Defense Information resident on or transiting through Seller's unclassified information systems. Seller shall also send to Purchaser all required notifications to the U.S. Government)
252.204-7012	SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING (DEVIATION 2026-O0025) (Applies when the Seller has covered defense information resident on or transiting through Seller's unclassified information systems. Seller shall also send to Purchaser all required notifications to the U.S. Government)
252.204-7014	LIMITATION ON THE USE OR DISCLOSURE OF INFORMATION BY LITIGATION SUPPORT CONTRACTORS
252.204-7015	NOTICE OF AUTHORIZED DISCLOSURE OF INFORMATION FOR LITIGATION SUPPORT
252.204-7016	COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES—REPRESENTATION
252.204-7017	PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES—REPRESENTATION
252.204-7018	PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICE
252.204-7020	NIST SP800-171 DOD ASSESSMENT REQUIREMENTS (Applies when Seller has information systems that are required to comply with NIST SP 800-171 in accordance with DFARS clause at 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting; not applicable to Orders for COTS items)
252.204-7021	CONTRACTOR COMPLIANCE WITH THE CYBERSECURITY MATURITY MODEL CERTIFICATION LEVEL REQUIREMENT (if the requirement document or statement of work requires a contractor to have a specific CMMC level; not applicable to Orders for COTS items)
252.211-7003	ITEM IDENTIFICATION AND VALUATION (Applies when the Order involves Goods for which unique item identification is required in accordance with paragraph (c)(1))
252.211-7007	REPORTING OF GOVERNMENT-FURNISHED PROPERTY (IAW DFARS 211.274-6(b), DFARS 212.301(f)(iv))
252.215-7008	ONLY ONE OFFER (Applies when the Order exceeds the SAT and the Seller is not the Canadian Commercial Corporation)
252.215-7992	ONLY ONE OFFER (Applies when the Order exceeds the SAT and the Seller is not the Canadian Commercial Corporation) (DEVIATION 2026-O0048)
252.215-7010	REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OR PRICING DATA (Applies in lieu of FAR 52.215-20)
252.215-7994	REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND OTHER THAN CERTIFIED COST OR PRICING DATA (DEVIATION 2026-O0048)

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252.215-7989	REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OF PRICING DATA – MODIFICATIONS – UNDER THE PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES (DEVIATION 2026-O0048)
252.219-7003[2]	SMALL BUSINESS SUBCONTRACTING PLAN (DOD CONTRACTS) (Applies when FAR 52.219-9 applies)
252.219-7996	SMALL BUSINESS SUBCONTRACTING PLAN (DoD CONTRACTS) (DEVIATION 2026-O0037) (Applies when FAR 52.219-9 applies)
252.219-7004[2]	SMALL BUSINESS SUBCONTRACTING PLAN (TEST PROGRAM).
252.219-7997	SMALL BUSINESS SUBCONTRACTING PLAN (TEST PROGRAM) (DEVIATION 2026-O0037)
252.223-7006	PROHIBITION ON STORAGE, TREATMENT, AND DISPOSAL OF TOXIC OR HAZARDOUS MATERIALS
252.223-7008	PROHIBITION OF HEXAVALENT CHROMIUM (Applies when the Order is for supplies, maintenance or repair services)
252.225-7000	BUY AMERICAN – BALANCE OF PAYMENTS PROGRAM CERTIFICATE (Applies in lieu of FAR 52.225-2)
252.225-7001	BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM (Applies in lieu of FAR 52.225-1)
252.225-7007	PROHIBITION ON ACQUISITION OF UNITED STATES MUNITIONS LIST ITEMS FROM COMMUNIST CHINESE MILITARY COMPANIES (Applies when the Order involves Goods covered by the U.S. Munitions List or the 600 series of the Commerce Control List)
252.225-7009	RESTRICTION ON ACQUISITION OF CERTAIN ARTICLES CONTAINING SPECIALTY METALS (Applies when the Goods contain specialty metals; Note: Use of exceptions not permitted without advance Seller notification and prior Purchaser approval. Paragraph (d) of this clause is excluded)
252.225-7012	PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES
252.225-7013	DUTY-FREE ENTRY (Applies in lieu of 52.225-8)
252.225-7016	RESTRICTION ON ACQUISITION OF BALL AND ROLLER BEARINGS (Applies when the Order requires Seller to provide a ball and roller bearing that that is not incorporated into a higher level assembly)
252.225-7020	TRADE AGREEMENTS CERTIFICATE (Applies when DFARS 252.225-7021 applies)
252.225-7021	TRADE AGREEMENTS (Applies in lieu of FAR 52.225-5)
252.225-7028	EXCLUSIONARY POLICIES AND PRACTICES OF FOREIGN GOVERNMENTS
252.225-7048	EXPORT-CONTROLLED ITEMS
252.225-7961	RESTRICTION ON ACQUISITION OF CERTAIN MAGNETS, TANTALUM, AND TUNGSTEN (DEVIATION 2026-O0041)
252.225-7056	PROHIBITION REGARDING BUSINESS OPERATIONS WITH THE MADURO REGIME
252.225-7060	PROHIBITION ON CERTAIN PROCUREMENTS FROM THE XINJIANG UYGHUR AUTONOMOUS REGION
252.225-7967	PROHIBITION REGARDING RUSSIAN FOSSIL FUEL BUSINESS OPERATIONS (Deviation 2024-O0006)
252.225-7964	RESTRICTION ON ACQUISITION OF FUEL FOR OVERSEAS CONTINGENCY OPERATIONS (DEVIATION 2026-O0025) (applies only if supplying fuel)
252.226-7001	UTILIZATION OF INDIAN ORGANIZATIONS, INDIAN-OWNED ECONOMIC ENTERPRISES, AND NATIVE HAWAIIAN SMALL BUSINESS CONCERNS (Applies if the Order exceeds in paragraph (g).)
252.227-7013	RIGHTS IN TECHNICAL DATA – OTHER THAN COMMERCIAL PRODUCTS OR SERVICES (Applies when technical data is specified to be delivered under the Order)
252.227-7014	RIGHTS IN OTHER THAN COMMERCIAL COMPUTER SOFTWARE AND OTHER THAN COMMERCIAL COMPUTER SOFTWARE DOCUMENTATION (IAW DFARS 227.7203-6(a)(1))
252.227-7015	TECHNICAL DATA – COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES
252.227-7991	RIGHTS IN BID OR PROPOSAL INFORMATION (DEVIATION 2026-O0036)
252.227-7016	RIGHTS IN BID OR PROPOSAL INFORMATION
252.227-7992	IDENTIFICATION AND ASSERTION OF USE, RELEASE, OR DISCLOSURE RESTRICTIONS (DEVIATION 2026-O0036)
252.227-7017	IDENTIFICATION AND ASSERTION OF USE, RELEASE, OR DISCLOSURE RESTRICTIONS (IAW DFARS 227.7103-3(b), DFARS 227.7104(e)(2), DFARS 227.7203-3(a))
252.227-7019	VALIDATION OF ASSERTED RESTRICTIONS – COMPUTER SOFTWARE
252227-7997	VALIDATION OF ASSERTED RESTRICTIONS (DEVIATION 2026-O0036)
252.227-7026	DEFERRED DELIVERY OF TECHNICAL DATA OR COMPUTER SOFTWARE
252.227-7027	DEFERRED ORDERING OF TECHNICAL DATA OR COMPUTER SOFTWARE
252.2227-7995	DEFERRED ORDERING OF TECHNICAL DATA OR COMPUTER SOFTWARE (DEVIATION 2026-O0036)

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252.227-7030	TECHNICAL DATA-WITHHOLDING OF PAYMENT (IAW DFARS 227.7103-6(e)(2), DFARS 227.7104(e)(4))
252.227-7996	TECHNICAL DATA-WITHHOLDING OF PAYMENT (DEVIATION 2026-O0036) (applies where technical data is specified to be delivered under the Order)
252.227-7037	VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA (Applies when technical data is specified to be delivered under the Agreement)
252.235-7003	FREQUENCY AUTHORIZATION (Applies if the Order requires the development, production, construction, testing, or operation of a device for which a radio frequency authorization is required)
252.239-7010	CLOUD COMPUTING SERVICES
252.239-7018	SUPPLY CHAIN RISK
252.240-7007	PROHIBITIONS RELATED TO CHINESE MILITARY COMPANIES (DEVIATION 2026-O0025)
252.240-7999	PROHIBITION ON THE PROCUREMENT OF COVERED SEMICONDUCTOR PRODUCTS AND SERVICES FROM COMPANIES PROVIDING COVERED SEMICONDUCTOR PRODUCTS AND SERVICES TO HUAWEI (DEVIATION 2025-O0007)
252.243-7002	REQUESTS FOR EQUITABLE ADJUSTMENT
252.244-7000	SUBCONTRACTS FOR COMMERCIAL PRODUCTSOR COMMERCIAL SERVICES
252.244-7999	SUBCONTRACTS FOR COMMERCIAL PRODUCTS OR COMMERICAL SERVICES (DEVIATION 2026-O0015)
252.245-7003	CONTRACTOR PROPERTY MANAGEMENT SYSTEM ADMINISTRATION (IAW DFARS 245.107(4))
252.246-7001	WARRANTY OF DATA (Applies when technical data is specified to be delivered under the Order)
252.246-7003	NOTIFICATION OF POTENTIAL SAFETY ISSUES
252.246-7007	CONTRACTOR COUNTERFEIT ELECTRONIC PART DETECTION AND AVOIDANCE SYSTEM
252.246-7008	SOURCES OF ELECTRONIC PARTS
252.246-7998	WARRANTY OF DATA (DEVIATION 2026-O0035)
252.247-7003	PASS THROUGH OF MOTOR CARRIER FUEL SURCHARGE ADJUSTMENT TO COST BEARER
252.247-7023	TRANSPORTATION OF SUPPLIES BY SEA
252.249-7002	NOTIFICATION OF ANTICIPATED CONTRACT TERMINATION OR REDUCTION

IF AN ORDER IS PLACED UNDER A NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) PRIME CONTRACT, THE FOLLOWING NASA FAR SUPPLEMENT CLAUSES APPLY IN ADDITION TO THE FAR CLAUSES:

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
1852.223-72	SAFETY AND HEALTH (SHORT FORM)
1852.245-73	FINANCIAL REPORTING OF NASA PROPERTY IN THE CUSTODY OF CONTRACTORS
1852.246-74	CONTRACTOR COUNTERFEIT ELECTRONIC PART DETECTION AND AVOIDANCE

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