MICRO-PURCHASE
NATIONAL DEFENSE AUTHORIZATION ACT (NDAA) SECTION 889 REPRESENTATION

For additional information see: https://www.acquisition.gov/FAR-Case-2019-009/889_Part_B

1. ☐ Merchant has an active registration in SAM (www.sam.gov) **and** FAR 52.204-26 is dated Oct 2020 (or later)
   ☐ Merchant is not registered in SAM (www.sam.gov) **or** is registered, but FAR 52.204-26 is dated earlier than Oct 2020

2. Company Name / Merchant (Offeror)			3. Date
4. Company Street Address	5. City	6. State	7. Zip Code
8. Owner or Designated Representative Name	9. E-mail		10. Telephone Number
11. Unique Entity ID (*if applicable*)	12. Cage Code Number (*if applicable*)	13. SAM Registration Expiration Date (*if applicable*)	

14. Complete the following FAR 52.204-26 Representation:

COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES-REPRESENTATION (OCT 2020)

(a) *Definitions.* As used in this provision, "covered telecommunications equipment or services" and "reasonable inquiry" have the meaning provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (https://www.sam.gov) for entities excluded from receiving federal awards for "covered telecommunications equipment or services".

(c)(1) *Representation.* The Offeror represents that it ☐ does, ☐ does not provide covered telecommunications equipment or services as a part of its offered products or to the Government in the performance of any contract, subcontract, or other contractual instrument.

(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 any equipment, system, or service that uses covered telecommunications equipment or services

Signature of Owner or Designated Representative identified in Block 8 above. _____

This representation expires on the date in block 13 or one year from the date in block 3, whichever is soonest. Forward any representation modifications/changes to the sender within 30 days.

Additional Disclosure Instructions to Merchant/Offeror (*if applicable*)

(a) If the Offeror represents in (c)(1) above that, "it *does* provide covered telecommunications equipment […]", then the Offeror should go to FAR 52.204-24 -- Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment, paragraph (e)(1) *Disclosures* (https://www.acquisition.gov/far/part-52#FAR_52_204_24) to identify the additional documentation that should accompany this representation when sending it back to the sender.

(b) If the Offeror represents in (c)(2) above that, "it *does* use covered telecommunications equipment […]", then the Offeror should go to FAR 52.204-24 -- Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment, paragraph (e)(2) *Disclosures* (https://www.acquisition.gov/far/part-52#FAR_52_204_24) to identify the additional documentation that should accompany this representation when sending it back to the sender.

PURPOSE

To obtain 889 Representation from a vendor providing supplies and/or services to the US Government who does not have an updated FAR 52.204-26 (Oct 2020) in the System for Award Management (SAM).

An 889 Representation is **not required** for SF-182 training purchases, intra-governmental/ inter-governmental purchases, or purchases against a contract (including BPAs). For these purchases, the 889 annotation is: **889 Payment**. See instructions below.

An 889 Representation is **not required** from any merchant who has an active SAM Registration with an updated FAR 52.204-26 (Oct 2020). Cardholders may verify the SAM Registration by using either the Robotic Process Automation (RPA) or verifying at www.sam.gov directly:

a. To use the RPA, send an email to info@section889request.com with a valid UEI or CAGE Code number in the subject line and no text in the body of the email. The system should send a response within 5 minutes. For further instructions, see *Instructions for Robotic Process Automation Capability for Confirming Section 889 Prospective Offeror Responses in the System for Award Management*.

b. To verify in SAM directly, go to: www.sam.gov. You MUST sign in to use SAM. Locate the merchant using the Search link [CAGE Codes do not contain the letter O; only zero (0)]. Click the Merchant Name. Click the Reps & Certs link on the left side of the screen. Scroll down to FAR 52.204-26. Press the link (FAR 52.204-26) to open the representation. Verify the date of the clause: COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES REPRESENTATION (**Oct 2020**).

INSTRUCTIONS

An 889 annotation is required in Access Online for every purchase. For GFEBS orders, cardholders must manually type the 889 annotation in the *Transaction Management* – *Comments* box. For manual orders created in Access Online, cardholders must manually type the annotation in the *889 Designation* box. See the appropriate US Bank 889 instruction documents for further guidance on the specific locations of these boxes, if needed.

1. Verify the 889 Representation by using one of the two methods listed under paragraphs a or b above. Send the 889 Representation to any merchant providing supplies and/or services to the government who does not have or appear to have an active registration in SAM with the appropriate Oct 2020 clause listed in b above.

2. Refer to the e-mail provided by RPA or the blocks checked under FAR 52.204-26(c)(2) either from the 889 Representation provided by merchant or the merchant information in SAM to determine the appropriate 889 annotation

889 Annotation	***Merchant (Offeror) Representation noted in FAR 52.204-26(c)(2):***
889 Merchant Rep	Merchant provided a "*does not*" response. Cardholder relied upon the merchant representation.
889 Agency	Merchant provided a "*does*" response. Cardholder, in conjunction with written support and approval from the supporting contracting office, determined a FAR 4.2104 approved Executive Agency waiver exception applies. Cardholder relied upon the agency waiver.
889 Exception	Merchant provided a "*does*" response. Cardholder, in conjunction with written support and approval from the supporting contracting office, determined a FAR 52.204-25 (c) exception applies. Cardholder relied upon the exception.

3. Upload the RPA e-mail or 889 Representation along with all other supporting documents into Transaction Management in Access Online for the respective transaction.