

NASA Certifications, Assurances, and Representations

When accepting NASA grants, cooperative agreements or contracts, the University is required to ensure that each senior/key person employed by the University and listed on the application (a “covered individual”) is aware of requirements under Section 223(a)(1). Section 223(a)(1) provides that “each covered individual listed on the application— (A) disclose the amount, type, and source of all current and pending research support received by, or expected to be received by, the individual as of the time of the disclosure; (B) certify that the disclosure is current, accurate, and complete; and (C) agree to update such disclosure at the request of the agency prior to the award of support and at any subsequent time the agency determines appropriate during the term of the award.”

Please check the box below:

- I have reviewed and agree to abide by these requirements:

Additionally, pursuant to Section 10632 of the CHIPS and Science Act of 2022, the University is required to ensure that each covered individual listed on the application has been made aware of and has complied with their responsibility under that section to certify that they are not a party to a malign foreign talent recruitment program, which are programs organized, managed or funded by a foreign government to recruit science and technology professionals or students in targeted fields.

Please check the box below:

- I have reviewed and certify that covered individuals on this application are not party to a malign foreign talent recruitment program:

Finally, when accepting NASA grants, cooperative agreements, or contracts, the University is required to accept clauses assuring compliance with *The Department of Defense and Full-Year Appropriation Act, Public Law 112-10 Section 1340(a)*; *The Consolidated and Further Continuing Appropriation Act of 2012, and Public Law 112-55, Section 539*. These include language restricting NASA from:

- *Using funds appropriated in the Acts to enter into or fund any grant or cooperative agreement of any kind to participate, collaborate, or coordinate bilaterally with China or any Chinese-owned company, at the prime recipient level and at all subrecipient levels, whether the bilateral involvement is funded or performed under a no-exchange of funds arrangement.*
- *From contracting to participate, collaborate, or coordinate bilaterally in any way with China or a Chinese-owned company using funds appropriated on or after April 25, 2011*

“China or Chinese-owned Company” means the People’s Republic of China, any company owned by the People’s Republic of China, or any company incorporated under the laws of the People’s Republic of China.

Applicability:

- Assistance Awards - By submission of its proposal, the proposer represents that the proposer is not China or a Chinese-owned company, and that the proposer will not participate, collaborate, or coordinate bilaterally with China or any Chinese-owned company, at the prime recipient level or at any subrecipient level, whether the bilateral involvement is funded or performed under a no-exchange of funds arrangement.

- Contracts - The contractor shall not contract with China or Chinese-owned companies for any effort related to this contract except for acquisition of commercial and non-developmental items. If the contractor anticipates making an award to China or Chinese-owned companies, the contractor must contact the contracting officer to determine if funding on this contract can be used for that purpose.
- Commercial Items - The restrictions in the Acts do not apply as the purchase of goods or services does not involve participation, collaboration, or coordination between the parties.

In order to assure compliance, the Principal Investigator is required to provide the certification below.

For the purpose of this certification:

- China is defined as The People's Republic of China (PRC), any company owned by the People's Republic of China or with any company (including a Chinese university) incorporated under the laws of the People's Republic of China (including Hong Kong and Macau, but not Taiwan).
- The Institute is defined as the Georgia Institute of Technology, the Georgia Tech Research Corporation, and the Georgia Tech Applied Research Corporation.

If receiving a **Grant or Cooperative Agreement** from NASA:

- I have reviewed the China Restriction Considerations and have determined and hereby certify that in accordance with the above: Bilateral participation, collaboration, or coordination with China will not take place as part of the NASA scope of work for this award, whether or not such participations, collaborations, or coordinations are funded by the NASA award. Further, I certify that I will not enter or cause the Institute to enter into a bilateral subaward, memorandum of understanding, collaboration agreement, or any other type of written bilateral agreement with the PRC as defined above.

If entering into a **Contract** with NASA:

- In accordance with the above, as Principal Investigator, I certify that I will not enter or cause the Institute to enter into a bilateral contract or subcontract with China to perform the scope of work of the NASA prime contract identified below, whether or not such contracts or subcontracts are funded by the NASA prime contract.

Proposal or Award ID _____ Investigator Signature _____

Investigator Name _____ Date _____

China Restriction Considerations

If receiving, a NASA grant or cooperative agreement you (or a participant) will likely not be able to participate without NASA approval if:

1. Any Participant is employed by the Chinese government or a Chinese owned company or university.
2. Any non-student Participant receives salary support from the Chinese government or a Chinese owned company or university.
3. Any non-student Participant receives any incidental financial compensation, such as housing or transportation, from the Chinese government or a Chinese owned company or university.
4. Any Participant has a written agreement to become (or to return as) an employee of the Chinese government or a Chinese owned company or university.

You will not necessarily be excluded from participation but must consult with your CO if:

1. Any Participant is enrolled at a Chinese university or has a written agreement to become (or to return as) as a student of a Chinese university.
2. A Participant is a student and receives any type of financial support (other than a scholarship) from the Chinese government or a Chinese owned company or university.
3. Any Participant receives research materials or any other type of goods from China or a Chinese owned company or university (not including the purchase of commercial supplies needed to perform the NASA award scope of work).
4. Any Participant is co-authoring a paper with a person from China or a Chinese owned company or university that is the result of activity funded by NASA.