

U.S. GOVERNMENT CONTRACTS

If an order issued under this Agreement for commercial items (as defined in FAR 52.202-1) references a U.S. Government contract which requires incorporation of portions of the Federal Acquisition Regulation (FAR), the limited list of clauses shown below, current as of the date of the order unless otherwise noted, shall apply to that order in accordance with the Government's subcontracting policy prescribed by FAR Subpart 44.4. The following definitions apply to these clauses: "Contracting Officer" means "Buyer"; "Contractor" means "Seller"; "Contract" or "Schedule" means "this order"; the term "subcontract" includes any procurement made hereunder; and the term "subcontractor" includes a supplier or vendor.

TITLE	FAR/DFARS PARAGRAPH
Definitions	52.202-1
Contractor Code of Business Ethics & Conduct (Applicable to Orders over \$5M and 120 days)	52.203-13
Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009, if the subcontract/Order is funded under the Recovery Act	52.203-15
Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	52.203-19
Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Section 1634 of Pub. L. 115-91)	52.204-23
Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (Section 889(a)(1)(A) of Pub. L. 115-232)	52.204-25
Prohibition on a ByteDance Covered Application	52.204-27
Defense Priority and Allocation Requirements	52.211-15
Contract Terms and Conditions—Commercial Items	52.212-4
Utilization of Small Business Concerns (Applicable to Orders over \$750,000)	52.219-8
Small Business Subcontracting Plan, if FAR 52.219-8 is applicable	52.219-9
Prohibition of Segregated Facilities	52.222-21
Equal Opportunity	52.222-26
Equal Opportunity for Veterans	52.222-35
Equal Opportunity for Workers with Disabilities	52.222-36
Employment Reports on Veterans	52.222-37
Notification of Employee Rights Under the National Labor Relations Act, if flow down is required in accordance with paragraph (f) of FAR clause	52.222-40
Service Contract Labor Standards	52.222-41
Combating Trafficking in Persons, including Alternate 1	52.222-50
Exemption From Application of the Service Contract Act to Contracts for Maintenance, Calibration or Repair of Certain Equipment – Requirements	52.222-51
Exemption From Application of Service Contract Act to Contracts for Certain Services - Requirements	52.222-53
Employment Eligibility Verification (E.O. 12989)	52.222-54
Minimum Wages for Contractor Workers under Executive Order 14026, if flow down is required in accordance with paragraph (k)	52.222-55
Paid Sick Leave Under Executive Order 13706 (E.O. 13706), if flow down is required in accordance with paragraph (m)	52.222-62
Privacy Training (5 U.S.C. 552a) if flow down is required in accordance with 52.224-3(f).	52.224-3
Contractors Performing Private Security Functions Outside the United States	52.225-26
Promoting Excess Food Donation to Non-Profit Organizations	52.226-6
Authorization and Consent	52.227-1
Providing Accelerated Payments to Small Business Subcontractors	52.232-40

U.S. GOVERNMENT CONTRACTS

Preference for Privately Owned U.S.-Flag Commercial Vessels, if flow down is required in accordance with paragraph (d) of FAR clause	52.247-64
Subcontracts for Commercial Items	252.244-7000
Requirement to Inform Employees of Whistleblower Rights	252.203-7002
Disclosure of Information	252.204-7000
Antiterrorism Awareness Training for Contractors	252.204-7004
Compliance with Safeguarding Covered Defense Information Controls	252.204-7008
Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information	252.204-7009
Safeguarding of Unclassified Controlled Technical Information	252.204-7012
Limitations on the Use or Disclosure of Information by Litigation Support Contractors	252.204-7014
Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services - Representation	252.204-7017
Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	252.204-7018
NIST SP 800-171 DoD Assessment Requirements	252.204-7020
Cybersecurity Maturity Model Certification Requirements	252.204-7021
Reporting Requirements for Contracted Services, Alternate I	252.204-7023
Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials	252.223-7006
Prohibition of Hexavalent Chromium	252.223-7008
Rights in Bid or Proposal Information	252.227-7016
Accelerating Payments to Small Business Subcontractors—Prohibition on Fees and Consideration	252.232-7017
Subcontracts for Commercial Items and Commercial Components (DoD Contracts)	252.244-7000
Contractor Purchasing System Administration - Alternate I	252.244-7001
Contractor Counterfeit Electronic Part Detection and Avoidance System.	252.246-7007

The equal employment opportunity and affirmative action requirements set forth in 41 C.F.R. Part 60—1.4 (a), 41 C.F.R. Part 60-250.5(a), 41 C.F.R Part 60-300.5(a), and 41 C.F.R. Part 60-741.5(a), and the employee notice requirements set forth in 29 C.F.R. Part 471, Appendix A to Subpart A. These regulations prohibit discrimination against qualified individuals on the basis of their race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status or disability, and require affirmative action by covered prime contractors and subcontractors to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status or disability FAR 52.203-13, Contractor Code of Business Ethics and Conduct (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).

Buy American Act and Trade Agreement Act. Supplier must comply with the Buy American Act or Trade Agreements Act (Federal Acquisition Regulation (FAR) 25,000 et seq.) for any Order for any Product that Agilent will use to fulfill a purchase made by any United States government entity. This provision does not apply to Orders where the Supplier provides Agilent with Products that will be incorporated into an Agilent Product, thereby substantially transforming the Product into a new and different article of commerce, as the substantial transformation rule is defined in the FAR.

NOTES: 1. In accordance with FAR 52.212-5(e) and FAR 52.244-6, and DFARS 252.244-7000, these are the minimum number of clauses which must be flowed down to subcontractors or vendors by the prime contractor to the extent required by the clause.