

Texas Instruments Incorporated U.S. Government Contracts Support

Texas Instruments Incorporated (TI) is pleased to support our customers' needs for semiconductor devices in aerospace and defense end applications. TI has over 60 years of experience supporting aerospace and defense customers, many of whom use our products in support of U.S. Government contracts. As a result, TI has many years of experience with U.S. Government procurement rules and regulations, including the Federal Acquisition Regulation (FAR) and the Defense Federal Acquisition Regulations Supplement (DFARS). TI is a broad market, commercial semiconductor supplier, and we comply with many FAR and DFARS requirements, including the applicable subcontractor flow-down provisions in FAR 52.244-6 (March 2023). In addition to the information provided in this document, TI maintains an active registration on www.sam.gov.

TI serves a broad, international customer base, and we are a responsible and reliable business partner throughout the world. For more information about our practices and policies that form the foundation for our approach to business, please see our general commercial guidelines at <https://www.ti.com/lit/sszo081>.

We welcome the opportunity to answer any questions you may have about our aerospace and defense business.

General Business Information

- (1) Company Name/Address/Phone/Contact e-mails
Texas Instruments Incorporated
12500 TI Boulevard
Dallas, Texas 75243
United States
+1 833 410 1084
Contact e-mails (for U.S. Government contract-related inquiries only)
j-gueller@ti.com or abigail@ti.com
- (2) State of Incorporation: Delaware, USA
- (3) DUNS Number: 00-732-1904
- (4) UIE: PKREKFQF7W69
- (5) NAICS Code: 334413
- (6) CAGE Code: 01295
- (7) Taxpayer Identification Number (TIN): 750289970
- (8) Entity Type: For Profit, Large Business, Corporate Entity (non-tax exempt); Non-Traditional Defense Contractor
- (9) Number of Employees: ~33,000
- (10) GIDEP Participation: Yes
- (11) ITAR Registrant Code: M-3893 (U.S. Department of State Directorate of Defense Trade Controls)
- (12) SAM Registration: Yes

FAR/DFARS Information

(1) *FAR 52.244-6, Subcontracts for Commercial Products and Commercial Services (Mar 2023)*

To the extent that the individual FAR provisions referenced in FAR 52.244-6 apply to the types of products/services provided by TI, TI complies with such applicable provisions.

(2) *FAR 52.203-2, Certificate of Independent Price Determination (April 1985)*

To the best of TI's knowledge and belief, TI certifies that:

- (a) The prices in the applicable TI offer have been arrived at independently, without, for the purposes of restricting competition, any consultation, communication or agreement with any other offeror or competitor related to those prices, the intention to submit an offer, or the methods or factors used to calculate the prices offered.
- (b) The prices in the applicable TI offer have not been and will not be knowingly disclosed by TI, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law.
- (c) No attempt has been made or will be made by TI to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

(3) *FAR 52.203-11, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Sep 2007)*

TI certifies that if it is awarded a contract of \$150,000 or more from buyer related to that buyer's purchase of TI products under a U.S. government contract, to the best of TI's knowledge and belief, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on its behalf in connection with the awarding of the applicable contract.

If any registrants under the Lobbying Disclosure Act of 1995 have made a lobbying contact on behalf of Texas Instruments Incorporated with respect to the applicable contract, Texas Instruments Incorporated shall complete and submit, OMB Standard Form LLL, Disclosure of Lobbying Activities, to provide the name of the registrants.

(4) *FAR 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jun 2020)*

The public has access to information regarding the compensation of TI's executives through TI's periodic public reports filed under the relevant provisions of the Securities Exchange Act of 1934. For information regarding TI's executive compensation, please see TI's most recent Annual Report available at www.ti.com.

(5) *FAR 52.204-26, Covered Telecommunications Equipment or Services – Representation (Oct 2020)*

TI represents that it does not provide covered telecommunications equipment or services as a part of its offered products or services to buyers in the performance of any U.S. Government contract, subcontract, or other contractual instrument.

(6) *FAR 52.209-5, Certification Regarding Responsibility Matters (Aug 2020)*

TI certifies, to the best of its knowledge and belief, that:

(a) TI and/or any of its Principals –

- (i) Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;
- (ii) Have not within a three-year period preceding the applicable offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property;
- (iii) Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (ii) above;
- (iv) Have not, within a three-year period preceding the applicable offer, been notified of any delinquent Federal taxes in an amount that exceeds the threshold in FAR 9.104-5(a)(2) for which the liability remains unsatisfied.

(b) TI has not, within a three-year period preceding the applicable offer, had one or more contracts terminated for default by any Federal agency.

(7) *FAR 52.219-1, Small Business Program Representations (Mar 2023)*

TI represents that it is not a Small Business Concern.

(8) *FAR 52.219-8, Utilization of Small Business Concerns (Oct 2022)*

TI has a general minority-owned and women-owned business initiative for our vendors and subcontractors. This initiative does not address all of the small business categories identified in FAR 52.219-8. As a commercial company operating in a highly technical and skill-specific industry, and with only a small percentage of our revenue related to U.S. Government contract business, it is not practical for TI to develop special infrastructure to fully align with all program characteristics described in FAR 52.219-8. FAR 52.219-8 obligates companies to implement such a program to the extent consistent with 'efficient contract performance.' Applying such standard, TI believes that its minority-owned and women-owned initiative meets the spirit and intent of FAR 52.219-8.

(9) *FAR 52.222-22 Previous Contracts And Compliance Reports (Feb 1999)*

TI represents that is has participated in previous contracts or subcontracts subject to FAR 52.222-26 and has filed all required compliance reports.

(10) *FAR 52.222-25 Affirmative Action Compliance (Apr 1984)*

TI represents that is has developed and has on file affirmative action programs required by the rules and regulations of the Secretary of Labor (41 C.R.R. 60-1 and 60-2).

(11) *FAR 52.222-56 Certification Regarding Trafficking in Persons Compliance Plan (Oct 2020)*

- (a) To the best of TI's knowledge and belief, neither TI nor any of its agents, subcontractors, or their agents is engaged in any prohibited activities identified in FAR 52.222-50(b) (Nov 2021).
- (b) If abuses relating to any of the prohibited activities identified in FAR 52.222-50(b) (Nov 2021) are found, TI will take appropriate remedial actions.

(12) *DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (Jan 2023)*

TI complies with DFARS 252.204-7012 and we have a SSP and POAM in place to close any gaps to the applicable NIST requirements.

(13) *DFARS 252.204-7016, Covered Defense Telecommunications Equipment or Services – Representation (Dec 2019)*

TI represents that it does not provide covered defense telecommunications equipment or services as a part of its offered products or services to buyers in the performance of any U.S. Government contractor, subcontract, or other contractual instrument.

(14) *2023 NDAA Section 5949 (Prohibition of Certain Semiconductor Products and Services)*

TI is aware of the requirements in the 2023 National Defense Authorization Act (NDAA) related to semiconductor products from SMIC, CXMT and YMTC. Per the NDAA, these requirements will not be effective until December 2027 at the earliest, and implementing regulations are not required to be issued by the U.S. Government until late 2025. TI is monitoring the development of these requirements and will have more information for our customers closer to the time when the regulations become effective.

(15) *DFARS 252.246-7007, Contractor Counterfeit Electronic Part Detection and Avoidance System Jan (2023)*

TI maintains a counterfeit electronic part detection and avoidance system which meets the requirements of DFARS 252.246-7007.

(16) *15 C.F.R. § 700, Defense Priorities and Allocations System (DPAS)*

TI complies with the 15 C.F.R. §700 DPAS requirements. TI requires buyers submitting a purported DPAS “rated order” to provide all elements required by 15 C.F.R. § 700.12.

(17) *Rights in Technical Data and Computer Software*

TI technical data and computer software are generally developed at TI’s private expense and not in performance of a U.S. Government contract. TI asserts and should be understood by buyers and the U.S. Government as retaining proprietary rights in all technical data and computer software provided to buyers under a U.S. Government contract. Unless separately and expressly agreed in writing by an authorized TI representative, neither the U.S. Government nor any higher-tier contractor under a U.S. Government contract will obtain any rights in TI technical data and computer software beyond the rights provided to TI’s commercial customers for such technical data and computer software.

I hereby confirm the accuracy of the statements made above as an authorized representative of Texas Instruments Incorporated for the purpose of these statements.

Date: 3/30/2023

Jeffrey J Gueller

Jeffrey J. Gueller
Sales Manager, Aerospace & Defense
Texas Instruments Incorporated