

**Ask RCRA about....**

**NDAA 2019 Sec 889**

**2-15-2024**



# National Defense Authorization Act 2019

## Section 889

Prohibits the **federal government**, government contractors, and grant recipients from procuring or using certain telecommunications equipment or services produced by specified companies or their subsidiaries or affiliates



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- Huawei Technologies Company
- ZTE Corporation
- Hytera Communications Corporation
- Hangzhou Hikvision Digital Technology Company
- Dahua Technology Company
- Or their subsidiaries or affiliates



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## Section 889

**Part A:** Effective Aug 13, 2019

Prohibits the federal government from **obtaining** (through a contract or other instrument) certain telecommunications equipment (including video surveillance equipment) or services



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## Section 889

**Part B:** Effective Aug 13, 2020

Prohibits the government from contracting with any entity that **uses** certain telecommunications equipment or services produced by the five entities and affiliates

- Prohibition applies **regardless of whether that usage is in performance of work under a federal contract**



# Application to Emory

- Annual representation on SAM.gov
  - Required representation whether Emory provides or uses covered equipment or services
- Because of the broad representation Emory must make as a government contractor, Emory is essentially prohibited from purchasing or using covered equipment and services **even if the use of such covered equipment and services is not in performance of a US Government contract.**



# Compliance Response

- OIT scans network for prohibited devices that are discoverable on the network.
- Prohibited equipment has been replaced or will be replaced as discovered.
- Procurement added special reviews to ensure technology is not purchased with Emory or Federal funds
- Annual representation on SAM.gov



# Individual Responsibility

- **Do not purchase or contract** for, equipment/services from any of the listed companies for Emory related work or activities.
- **Do not use** any equipment, system, or service that uses telecommunications equipment or services from the listed companies for Emory University work or activities.
- **Do not connect a personally owned prohibited device** to an Emory network for any purpose.
- **Notify OSP** if faculty, researchers, or staff discover prohibited equipment/services during the course of federal contract or grant performance.
- **Notify OIT or local IT** if prohibited equipment is discovered.



# Questions?

Additional information on Section 889  
of the 2019 National Defense  
Authorization Act

<https://rcra.emory.edu/export-control/ndaa889.html>