Ask RCRA about....

NDAA 2019 Sec 889

2-15-2024
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.
Section 889

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