

NDA Section 889 Compliance

Section 889(a)(1)(B) of the 2019 National Defense Authorization Act (NDA) prohibits recipients of federal funding awards from using or procuring certain covered telecommunications equipment or services. Section 889 regulations apply to grants, contracts and cooperative agreements, including outgoing subcontracts and sub-awards.

Covered Technologies

Covered telecommunications and/or video surveillance equipment and service providers include:

- Huawei Technologies Company
- ZTE Corporation
- Hytera Communications Corporation
- Hangzhou Hikvision Digital Technology Company
- Dahua Technology Company
- Any subsidiary or affiliate of the entities listed above

View the full list of [prohibited suppliers and technologies](#).

All Purchases and Use

As part of the university's compliance with Section 889, Principal Investigators on sponsored projects and individuals making purchases on behalf of USD on OneCard should be aware of Section 889's prohibitions and comply with them.

Section 889's restrictions apply across the board to all USD's purchases of any dollar value and any proposed use, including small one card purchases and other purchases, and regardless of whether or not the use relates to a federal grant, contract, or other agreement. **Do not procure or use covered telecommunications equipment or services for any USD purpose.**

Reporting Requirement

Additionally, USD must report to the federal government agency when it discovers that the university or any of its subcontractors utilize such covered telecommunications equipment or services. These reports must be made to the federal government within one business day.

If you identify covered telecommunications equipment or services purchased or currently being used at USD, or if you have additional questions as to what qualifies as “covered telecommunications equipment or services” under Section 889, please contact the procurement department at procurement@sandiego.edu

Further Reading and Resources

[Section 889 flyer from the US Government](#)

[Interim Rule Issued by DoD, GSA, and NASA](#)