

**Did you know** that there is a Federal prohibition on the use of certain prohibited equipment/services and that Mines could lose federal grants and contracts if we use the prohibited equipment? The prohibition applies whether the equipment was purchased or received as part of a gift or donation.

**What does this mean for Mines employees?** Mines employees may not use “covered telecommunications equipment or services” for Mines related work. “Covered telecommunications equipment or services” is defined by law to encompass —

1. Telecommunications equipment produced by —
  - a. **Huawei Technologies Company,**
  - b. **ZTE Corporation,** or
  - c. any subsidiary or affiliate;
2. Video surveillance and telecommunications equipment produced by —
  - a. **Hytera Communications Corporation,**
  - b. **Hangzhou Hikvision Digital Technology Company,**
  - c. **Dahua Technology Company,**
  - d. or any subsidiary or affiliate; and
3. Telecommunications or video surveillance services provided by such entities or using such equipment.

**What precautions should I take if I need telecommunications equipment to use for my work?** Mines employees must practice due diligence before purchasing or accepting donations/gifts of any telecommunications or video equipment or services, to verify that the specific items are not included in this restriction. When procuring this type of equipment or services please check the manufacturer against the companies listed above. A basic search regarding subsidiary or affiliate relationships is recommended. If there is no match, then you can proceed with the purchase or accept the donation/gift.

You may have noticed an “Organization Restricted” notice when making purchases of this type of equipment through Amazon. Please be aware that this notice was put in place as a reminder of the restrictions, however, the restrictions are not just applicable to purchases made through Amazon. These restrictions are applicable to all purchases of this type of equipment no matter the source.

**Already have personally own equipment produced by the vendors above?** It is recommended you do not use that equipment to connect to Mines network nor to conduct business on behalf of Mines. It is recommended that individuals review their cell phones and home routers to determine if they own such covered equipment.

**What about my Mines equipment that I already have?** Information & Technology Solutions has reviewed equipment under its control to evaluate if it falls into the category of covered equipment and has verified compliance with the regulations. Equipment that is already on campus but that is not under ITS control should be checked against the companies listed above. Mines is currently aware that HP Printers, Series 400 and older have component parts that may

fall under the covered equipment list. If your department has this type of printer or comes across any other “covered telecommunications equipment or services” currently in use on campus or connected to Mines network, please contact Natalie Vega, Executive Director of Compliance, Policy & Risk Management, at [nvega@mines.edu](mailto:nvega@mines.edu) or Scot Allen in Research & Tech Transfer, [exportcontrols@mines.edu](mailto:exportcontrols@mines.edu).

The relevant prohibition appears in the [National Defense Authorization Act for FY 2019](#), Pub. L. No. 115-232 (NDAA). Specifically, Section 889 of the NDAA restricts the use of “covered telecommunications equipment or services.” Such equipment or services must not be used “as a substantial or essential component of any system, or as a critical technology as part of any system.”

**If you have any questions, please contact Natalie Vega or Scot Allen (info above).** Thank you in advance for your attention to this matter.