



United States
Department of
Agriculture

Office of the
Assistant Secretary
for Administration

Office of
Contracting and
Procurement

1400 Independence
Avenue Southwest
Mailstop 9308
Room 124-W
Whitten Building

Washington, DC
20250-9308

TO: Mission Area Senior Contracting Officials (MASCO)

FROM: Tiffany J. Taylor
Senior Procurement Executive

SUBJECT: Micropurchase Guidance for the Implementation of the Section 889 Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment, of the 2019 National Defense Authorization Act

This memorandum pertains to Section 889, the Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment, of the 2019 National Defense Authorization Act. This authority prohibits the Federal Government from obtaining or extending a contract to obtain “any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.”

For micropurchases, if a proposed contractor/vendor does not have a Section 889 representation in Beta.SAM.gov or has a representation which states that: (i) the vendor “does” provide covered telecommunications equipment/services as part of its offered products/services, or (ii) the vendor “does” use covered telecommunications equipment services or any equipment system or service that uses covered telecommunications equipment or service; then cardholders must comply with the following:

- A. Information Technology (IT) Purchases. Cardholders must refer all information technology purchases to their cognizant servicing acquisition office for purchase by contract.
- B. Purchases Other than Information Technology. By placing an order with the proposed vendor the cardholder represents that market research was conducted and other vendors considered.

This guidance is effective as of the effective date of Section 889 of the 2019 National Defense Authorization Act. Please direct any questions regarding this guidance to procurement.policy@usda.gov.