

Clean Water Fund Memorandum (2021-001)

Policy for Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment on Clean Water Fund Projects

I. PURPOSE

To provide municipalities guidance on the federal requirements regarding the inclusion of certain telecommunications and video surveillance services or equipment on Clean Water Fund (CWF) projects.

II. GOVERNING AUTHORITIES

Code of Federal Regulations Section 200.216: Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment

III. POLICY

- A. The above referenced prohibition became effective on August 13, 2020.
- B. Prohibited telecommunications equipment or services covered by this requirement includes:
 - Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - Video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - Telecommunications or video surveillance services provided by such entities or using such equipment.
 - Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

- C. CWF projects affected by this prohibition and options for compliance with this requirement.
- The telecommunication prohibition applies to all future CWF construction projects.
 - For projects that are in construction as of the date of this memorandum, the telecommunication prohibition only applies to those CWF projects that have been assigned federal funding. DEEP staff will notify the municipalities that are subject to this requirement and offer the following options for compliance:
 - a. redesign and install acceptable equipment;
 - b. if equipment is already in place, remove and replace it; or
 - c. identify the cost of the installed equipment, leave the equipment in place, and that cost is an ineligible cost for CWF participation.

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Date



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