

November 25, 2020

Prohibition on Expending NIH Grant Funds for Covered Telecommunications Equipment or Services (NOT-OD-21-030)

The Office of Management and Budget revised 2 Code of Federal Regulations 200, effective August 13, 2020. This new section, 2 CFR 200.216 Prohibition on certain telecommunication and video surveillance services or equipment, prohibits Federal award recipients from using government funds to enter contracts (or extend or renew contracts) with entities that use covered telecommunications equipment or services.

The following term of award is therefore applicable to all NIH grants and cooperative agreements issued on or after August 13, 2020. As such, this notice modifies the terms and conditions of award for grants issued on or after that date. The NIH Grants Policy Statement will be updated at the time of its next publication to incorporate this term and condition into [Section 4](#) – Public Policy Requirements, Objectives and Other Appropriation Mandates.

In accordance with the newly revised 2 CFR 200.216 and 200.471, a recipient and subrecipient are prohibited from

- a. **Procuring** or obtaining any covered telecommunications equipment, system, or services.
- b. Entering contracts (or extending or renewing contracts) with entities that **use** covered telecommunications equipment or services.

Note, this prohibition shall apply even if the contract is not intended to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services.

Please read [NOT-OD-21-030](#) for more information regarding the following:

- Covered Telecommunications Equipment or Services
- Covered Foreign Country, which means the People's Republic of China.



For more information, please visit the ORA website at www.ora.miami.edu.