



City of Milwaukee

Prohibited Foreign Products Policy

NIST Reference: SA12 – Supply Chain Protection	Implementation Date : September 2023	Revision Number : Draft
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PURCHASE OF PROHIBITED FOREIGN PRODUCTS

PURPOSE

The purpose of this security policy is to establish guidelines and procedures within the City of Milwaukee regarding the purchase of information and communications technology and services (ICTS) from foreign adversaries, as defined in the Commerce Department ICTS Interim Rule. This policy aims to mitigate potential risks associated with the use of ICTS that may pose threats to information security, national security, or intellectual property.

SCOPE

This policy applies to all City of Milwaukee departments/agencies that purchase goods, products, or equipment on behalf of the City of Milwaukee.

DEFINITIONS

Foreign Adversaries:

For the purpose of this policy, "foreign adversaries" refers to specific foreign countries as defined in the Commerce Department ICTS Interim Rule found at <https://www.govinfo.gov/content/pkg/FR-2021-01-19/pdf/2021-01234.pdf>.

Prohibited Products:

For the purpose of this policy, "prohibited products" refers to any goods, products or equipment that pose an unacceptable risk to the national security of the United States as defined by the FCC "Covered List" found at <https://www.fcc.gov/supplychain/coveredlist> and as defined by NDAA Section 889 found at <https://smartpay.gsa.gov/ndaa-section-889>.

Prohibited Purchases

City of Milwaukee departments/agencies and/or its employees with purchasing authority are forbidden from the purchase of prohibited products, either directly from the manufacturer, through third-parties, or as part of contracted services. Purchasing authorities are discouraged from purchasing or using ICTS provided by entities owned, controlled by, or domiciled in a foreign adversary as much as feasibly possible.

City of Milwaukee agencies seeking to purchase ICTS from foreign adversaries must submit a written request to CIO, signed by the agency/department head or his/her designee providing detailed information about the product, its intended purpose, and any potential alternatives available. The CIO will review the request and evaluate the potential risks associated with the purchase of ICTS from foreign adversaries based on relevant materials from a range of government



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agencies, cybersecurity firms, or experts. Denied requests must be documented, including the rationale for denial or any conditions or restrictions imposed on the purchase.

COMPLIANCE

All City of Milwaukee departments/agencies must comply with this policy and refrain from purchasing foreign products without proper approval. Failure to comply with this policy may result in disciplinary actions, up to and including termination of employment or revocation of purchasing authority. The City may periodically audit and monitor purchases to ensure compliance with this policy.

EXCEPTIONS

Exceptions to this policy may be granted in cases where the purchase of foreign products is deemed necessary for operational purposes, but only with the explicit approval of the CIO. Exceptions must be well-justified, documented, and subject to any additional security measures or safeguards required to mitigate potential risks.

POLICY REVIEW

This security policy will be reviewed annually or as necessary to ensure its relevance and effectiveness. Any updates or changes to this policy will be communicated to all City of Milwaukee departments/agencies in a timely manner.

REVISION HISTORY

Revision	Date	Changes
0.0	07/2023	DRAFT