



PUBLIC NOTICE

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OFFICE OF ENGINEERING AND TECHNOLOGY AND PUBLIC SAFETY AND HOMELAND SECURITY BUREAU ANNOUNCE PROHIBITION ON AUTHORIZATION OF EQUIPMENT THAT INCLUDES KASPERSKY CYBERSECURITY OR ANTI-VIRUS SOFTWARE

WC Docket No. 18-89, ET Docket No. 21-232, EA Docket No. 21-233

On July 23, 2024, the cybersecurity and anti-virus software produced or provided by Kaspersky Lab, Inc. (Kaspersky) was added to the list of communications equipment and services (Covered List) that have been determined to pose an unacceptable risk to the national security of the United States or the security and safety of United States persons.¹ With this Public Notice, the Office of Engineering and Technology (OET) and the Public Safety and Homeland Security Bureau (PSHSB) of the Federal Communications Commission (Commission or FCC) confirm that the result of this addition to the Covered List is that any equipment that integrates cybersecurity or anti-virus software produced or provided by Kaspersky, or any of its successors or assignees, is prohibited from obtaining an equipment authorization from the Commission.² The Covered List is reproduced in full in the Appendix to this Public Notice and is also found on the Bureau's website at <https://www.fcc.gov/supplychain/coveredlist>.

On June 24, 2024, the Department of Commerce published a Final Determination finding that "Kaspersky's provision of cybersecurity and anti-virus software to U.S. persons, including through third-party entities that integrate Kaspersky cybersecurity or anti-virus software into commercial hardware or software, poses undue and unacceptable risks to U.S. national security and to the security and safety of U.S. persons."³ Accordingly, the Covered List was updated to add Kaspersky cybersecurity and anti-virus software, pursuant to the Secure and Trusted Communications Networks Act of 2019.⁴ Pursuant to the Department of Commerce determination, equipment (i.e., hardware) with

¹ *Public Safety and Homeland Security Bureau Announces Update to the List of Covered Equipment and Services Pursuant to Section 2 of the Secure Networks Act*, WC Docket No. 18-89, ET Docket No. 21-232, EA Docket No. 21-233, Public Notice, DA 24-712 (PSHSB July 23, 2024).

² See 47 CFR § 2.903.

³ Department of Commerce, Final Determination, Case No. ICTS-2021-002, Kaspersky Lab, Inc., 89 Fed. Reg. 52434 (June 24, 2024) (Final Determination), <https://www.federalregister.gov/documents/2024/06/24/2024-13532/final-determination-case-no-icts-2021-002-kaspersky-lab-inc>. The Final Determination prohibits "Kaspersky, and any of its successors or assignees, ... from engaging in [certain types of] ICTS transactions in the United States or with U.S. persons." *Id.* at 52434. Prohibited information and communication technology and services (ICTS) transactions include those involving "any cybersecurity product or service designed, developed, manufactured, or supplied, in whole or in part, by Kaspersky"; "any anti-virus software designed, developed, manufactured, or supplied, in whole or in part, by Kaspersky"; and "the integration of software designed, developed, manufactured, or supplied, in whole or in part, by Kaspersky into third-party products or services." *Id.* at 52434.

⁴ 47 U.S.C. § 1601; see Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 134 Stat. 158 (2020) (codified as amended at 47 U.S.C. §§ 1601-1609).

integrated Kaspersky cybersecurity or anti-virus software is “covered” equipment and thus prohibited from authorization under the Commission’s current equipment authorization rules.⁵

Concomitant with this Public Notice, PSHSB has updated the Covered List to incorporate the language of the determination and make clear that the addition of Kaspersky software to the Covered List also includes any equipment with integrated Kaspersky cybersecurity or anti-virus software.

By the Chief, Office of Engineering and Technology, and Chief, Public Safety and Homeland Security Bureau.

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⁵ 47 CFR § 2.903.

APPENDIX

COVERED LIST (Updated September 3, 2024)*†

Covered Equipment or Services*	Date of Inclusion on Covered List
Telecommunications equipment produced or provided by Huawei Technologies Company , including telecommunications or video surveillance services produced or provided by such entity or using such equipment.	March 12, 2021
Telecommunications equipment produced or provided by ZTE Corporation , including telecommunications or video surveillance services provided or provided by such entity or using such equipment.	March 12, 2021
Video surveillance and telecommunications equipment produced or provided by Hytera Communications Corporation , to the extent it is used for the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, including telecommunications or video surveillance services produced or provided by such entity or using such equipment.	March 12, 2021
Video surveillance and telecommunications equipment produced or provided by Hangzhou Hikvision Digital Technology Company , to the extent it is used for the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, including telecommunications or video surveillance services produced or provided by such entity or using such equipment.	March 12, 2021
Video surveillance and telecommunications equipment produced or provided by Dahua Technology Company , to the extent it is used for the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, including telecommunications or video surveillance services produced or provided by such entity or using such equipment.	March 12, 2021
Information security products, solutions, and services supplied, directly or indirectly, by AO Kaspersky Lab or any of its predecessors, successors, parents, subsidiaries, or affiliates.	March 25, 2022
International telecommunications services provided by China Mobile International USA Inc. subject to section 214 of the Communications Act of 1934.	March 25, 2022
Telecommunications services provided by China Telecom (Americas) Corp. subject to section 214 of the Communications Act of 1934.	March 25, 2022
International telecommunications services provided by Pacific Networks Corp. and its wholly-owned subsidiary ComNet (USA) LLC subject to section 214 of the Communications Act of 1934.	September 20, 2022
International telecommunications services provided by China Unicom (Americas) Operations Limited subject to section 214 of the Communications Act of 1934.	September 20, 2022
Cybersecurity and anti-virus software produced or provided by Kaspersky Lab, Inc. or any of its successors and assignees, including equipment with integrated Kaspersky Lab, Inc. (or any of its successors and assignees) cybersecurity or anti-virus software.	July 23, 2024

*The inclusion of producers or providers of equipment or services identified on this list should be read to include the subsidiaries and affiliates of such entities.

†Where equipment or services on the list are identified by category, such category should be construed to include only equipment or services capable of the functions outlined in sections 2(b)(2)(A), (B), or (C) of the Secure and Trusted Communications Networks Act of 2019, 47 U.S.C. § 1601(b)(2)(A)-(C).