

# Subpart 4.20 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab

**Parent topic:** [Part 4 - Administrative and Information Matters](#)

## 4.2001 Definitions.

As used in this subpart—

*Kaspersky Lab covered article* means any hardware, software, or service that-

- (1) Is developed or provided by a *Kaspersky Lab covered entity*
- (2) Includes any hardware, software, or service developed or provided in whole or in part by a *Kaspersky Lab covered entity*; or
- (3) Contains *components* using any hardware or software developed in whole or in part by a *Kaspersky Lab covered entity*.

*Kaspersky Lab covered entity* means-

- (1) Kaspersky Lab;
- (2) Any successor entity to Kaspersky Lab, including any change in name, e.g., “Kaspersky”;
- (3) Any entity that controls, is controlled by, or is under common control with Kaspersky Lab; or
- (4) Any entity of which Kaspersky Lab has a majority ownership.

## 4.2002 Prohibition.

Section 1634 of Division A of the *National Defense Authorization Act for Fiscal Year 2018* (Pub. L. 115-91) prohibits Government use on or after October 1, 2018, of any hardware, software, or services developed or provided, in whole or in part, by a covered entity. Contractors are prohibited from—

- (a) Providing any *Kaspersky Lab covered article* that the Government will use on or after October 1, 2018; and
- (b) Using any *Kaspersky Lab covered article* on or after October 1, 2018, in the development of data or deliverables first produced in the performance of the contract.

## **4.2003 Notification.**

When a contractor provides notification pursuant to [52.204-23](#), follow agency procedures.

## **4.2004 Contract clause.**

The *contracting officer shall* insert the clause at [52.204-23](#), Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by *Kaspersky Lab Covered Entities*, in all *solicitations* and contracts.