



PUBLIC NOTICE

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DA 20-689

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**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU ISSUES
FINAL DESIGNATIONS OF HUAWEI TECHNOLOGIES COMPANY AND ZTE
CORPORATION AS COMPANIES POSING A NATIONAL SECURITY THREAT TO
THE INTEGRITY OF COMMUNICATIONS NETWORKS AND THE
COMMUNICATIONS SUPPLY CHAIN PURSUANT TO 47 CFR § 54.9**

PS Docket Nos. 19-351, 19-352

In the November 2019 *Protecting Against National Security Threats Order*, the Commission adopted a rule to prohibit the use of universal service support to purchase or obtain any equipment or services produced or provided by a company posing a national security threat to the integrity of communications networks or the communications supply chain.¹ The Commission also initially designated two companies, Huawei Technologies Company (Huawei) and ZTE Corporation (ZTE), as covered companies for purposes of this rule, codified at 47 CFR § 54.9, and directed the Public Safety and Homeland Security Bureau (Bureau) to determine whether to issue final designations of these companies.² The *Order* further provided that the Bureau shall issue a public notice announcing its final determination and the effective date of any final designation.³ By this Public Notice, the Bureau announces that it has released orders issuing final designations of Huawei and ZTE, as well as their parents, affiliates, and subsidiaries, as companies posing a national security threat to the integrity of communications networks and the communications supply chain pursuant to 47 CFR § 54.9.⁴ The final

¹ 47 CFR § 54.9(a); *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs et al.*, WC Docket No. 18-89 et al., Report and Order, Further Notice of Proposed Rulemaking, and Order, 34 FCC Rcd 11423, 11433, para. 26 (2019) (*Protecting Against National Security Threats Order* or *Order*).

² *Order*, 34 FCC Rcd at 11439-40, 11449, paras. 43, 64-65; *see also Public Safety and Homeland Security Bureau Extends Timeframe for Determining Whether to Finalize Designations Of Huawei and ZTE Pursuant To 47 CFR § 54.9*, PS Docket Nos. 19-351, 19-352, Public Notice, DA 20-471 (PSHSB May 1, 2020) (extending for good cause the 120-day timeframe for the Bureau to determine whether to issue final designations from May 4, 2020 to June 30, 2020).

³ *Order*, 34 FCC Rcd at 11449, para. 65; *see id.* at 11483, para. 170 (“[U]se of USF support to procure or otherwise support equipment or services produced or provided by these two companies has not and will not be disallowed until such time as [the Bureau] issues a public notice announcing its final determination and the effective date of any potential final designation of one or both of these companies.”).

⁴ *See generally Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs – Huawei Designation*, PS Docket No. 19-351, Order, DA 20-690 (PSHSB June 30, 2020) (*Huawei Designation Order*); *Protecting Against National Security Threats to the Communications Supply Chain Through FCC*

(continued...)

designations are effective immediately.⁵ Accordingly, effective immediately, no universal service support may be used to purchase, obtain, maintain, improve, modify, or otherwise support any equipment or services produced or provided by Huawei or ZTE.⁶

To request materials in accessible formats (such as Braille, large print, electronic files, or audio format), send an e-mail to: fcc504@fcc.gov, or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY).

For further information, please contact Saswat Misra, Attorney Advisor, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau at (202) 418-0944 or saswat.misra@fcc.gov, or Janice Gorin, Attorney Advisor, Competition Policy Division, Wireline Competition Bureau at (202) 418-0637 or janice.gorin@fcc.gov.

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Programs – ZTE Designation, PS Docket No. 19-352, Order, DA 20-691 (PSHSB June 30, 2020) (*ZTE Designation Order*).

⁵ *Huawei Designation Order* at para. 63; *ZTE Designation Order* at para. 29; *see also Order*, 34 FCC Rcd at 11455, para. 83 (“For purposes of the Lifeline and High-Cost Support Programs, any prohibition on the use of USF funds will take effect immediately upon publication of the effective date contained in the Final Designation Notice designating an entity as a covered company posing a national security threat.”); *id.* at 11456-57, para. 86 (“To ensure prospective only effect, the rule we adopt will apply to all funding years that start after the designation of a covered company (so we would expect the rule prohibiting purchases from Huawei and ZTE that we initially designate today to apply for Funding Year 2020, starting July 1, 2020).”).

⁶ 47 CFR § 54.9; *Huawei Designation Order* at para. 63; *ZTE Designation Order* at para. 29. Providers may seek a waiver of this prohibition if necessary. *See Huawei Designation Order* at para. 64, n.232; *ZTE Designation Order* at para. 30, n.112; *see also Order*, 34 FCC Rcd at 11452-53, para. 75 (“[W]e remind providers that they remain free to seek a waiver of this prohibition in the exceptional case where they would be unable to operate their networks absent the use of USF funds to maintain or otherwise support equipment or services produced or provided by covered companies.”).