Exclusion and Removal Order #2026-02

Federal Acquisition Supply Chain Security Act Exclusion and Removal of Acronis Products and Services from Federal Civilian Executive Branch Information Technology Systems

Original Release Date: July 31, 2026

Applies to: Federal Civilian Executive Branch Agencies except for their national security systems and secure compartmented information systems

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CC: Russell Vought
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The Federal Acquisition Supply Chain Security Act of 2018, 41 U.S.C. §§ 1321-1328, and implementing regulations at 41 C.F.R. part 201-1, authorize the Department of Homeland Security Secretary to issue exclusion and/or removal orders for purposes of safeguarding federal civilian information systems. Recommendations of the Council shall be reviewed by the Secretary of Homeland Security, who may issue exclusion and removal orders based upon such recommendations, to the extent not covered by the Department of Defense or the Intelligence Community. 41 U.S.C. §1323 (c)(5)(A). Section 201–1.304 of the Federal Acquisition Supply Chain Security Act Final Rule states that executive agencies shall comply with exclusion and removal orders issued pursuant to § 201–1.303.

Background:

Information and communications technology and services are essential to the proper functioning of U.S. government information systems. To better coordinate the scale of supply chain risks faced by government agencies, the Federal Acquisition Supply Chain Security Act of 2018 established the Federal Acquisition Security Council, an executive branch interagency council consisting of officials from the Office of Management and Budget, General Services Administration, Department of Homeland Security (DHS), Office of the Director of National Intelligence, Department of Justice, Department of Defense, and Department of Commerce. The Council is responsible for managing supply chain risk at the federal level by recommending the exclusion of products or services from federal procurement opportunities and removal from federal information technology systems that have been determined to pose a significant risk to the federal enterprise.

Per the statute and the implementing regulations, the Secretary of Homeland Security has the authority to issue exclusion or removal orders applicable to Federal civilian executive agency information systems, with the exception of those specifically under the purview of the Department of Defense and the Office of the Director of National Intelligence.

Summary of Risks from Source:

Acronis, AG (hereinafter Acronis), a foreign, privately-owned company with U.S. subsidiaries, provides data protection, data backup, secure file sharing, and disaster recovery solutions (on premises and via the cloud). Acronis's cyber and backup tools have privileged or root access to customer security systems and present significant risk to the U.S. government information systems.

Scope:

This Exclusion and Removal Order directs Federal Civilian Executive Branch agencies[1] to: (1) exclude Acronis AG and all affiliated entities,[2] as well as any covered articles[3] directly or indirectly supplied by them (Acronis covered articles), from agency procurement actions; and (2) remove any Acronis covered articles from agency information systems.[4]

Required Actions:

All Federal Civilian Executive Branch agencies are required to:

1. **Exclude** Acronis covered articles from all ongoing and future procurements effective immediately after issuance of this Order, to include agency-approved products lists, service provider equipment lists, e-commerce markets, and other similar functions that facilitate the procurement of information technology hardware, software, and services.
2. **Remove** Acronis covered articles from all agency information systems within 180 calendar days of the issuance of the Order, or seek an Exception, as described below.

Exceptions:

Executive agencies may submit to the issuing official a request to be excepted from the order's provisions, in accordance with 41 C.F.R. § 201-1.304(b).[5] The requesting agency may ask to be excepted from some or all of the order's requirements. The agency may ask, for example, that

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[1] The Secretary of Homeland Security's authority to issue exclusion and removal orders is applicable to federal civilian executive branch agencies, to the extent not covered by the authority of the Secretary of Defense and Director of National Intelligence, as defined by 41 U.S.C. § 1323(5)(A)(ii) or (iii).
(ii)The Secretary of Defense, for exclusion and removal orders applicable to the Department of Defense and national security systems other than sensitive compartmented information systems.
(iii)The Director of National Intelligence, for exclusion and removal orders applicable to the intelligence community and sensitive compartmented information systems, to the extent not covered by clause (ii).

[2] For purposes of this Order, an individual or business is an "affiliated entity" or "affiliate" of Acronis AG if, directly or indirectly, either one controls or can control the other; or a third party controls or can control both. *See* 48 C.F.R. § 2.101 (definition of "affiliates").

[3] As used in this order, "covered article" has the meaning given in 41 U.S.C. § 4713(k)(2).

[4] Consistent with the Federal Information Security Modernization Act , this order applies to all Federal Information Systems, including information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency. See 41 U.S.C. § 3354(1)(1)(A)(ii).

[5] The Federal Acquisition Regulation uses the term "waiver" instead of "exceptions", but for the purpose of this order, these terms are considered to be the same, See FAR 52.204-30, Federal Acquisition Supply Chain Security Act Orders—Prohibition.

the order not apply to the agency, to specific actions of the agency, or to actions of the agency for a period of time before compliance with the order is practicable.

Executive agency requests for exceptions must be **submitted in writing within 60 days** of the issuance of this order and include all necessary information for the issuing official to review and evaluate it, including:

1. Identification of the applicable exclusion order or removal order;
2. A description of the exception sought, including, if limited to only a portion of the order, a description of the order provisions from which an exception is sought;
3. The name or a description sufficient to identify the covered article or the product or service provided by a source that is subject to the order from which an exception is sought;
4. Compelling justification for why an exception should be granted, such as the impact of the order on the agency's ability to fulfill its mission-critical functions, or considerations related to the national interest, including national security reviews, national security investigations, or national security agreements; and
5. Any alternative mitigations to be undertaken to reduce the risks addressed by the exclusion or removal order.

DHS will review requests for exceptions and provide a written approval or disapproval. Please submit any exception requests to FASCSA.Orders@cisa.dhs.gov.

Interim Cybersecurity Measures:

During the period between the issuance of this order and full removal of covered articles from agency systems, federal agencies are encouraged to take steps to address risk to their systems, such as monitoring the flow of traffic in and out of the agency, implementing enhanced logging and controls on data exfiltration for the relevant systems, and detecting and flagging anomalous activity.

Actions by DHS and its Cybersecurity and Infrastructure Security Agency (CISA):

1. CISA may provide technical assistance to agencies that are without internal capabilities sufficient to comply with this Order.
2. DHS will review requests for exceptions and provide a written approval or disapproval.
3. The Secretary of Homeland Security will review this order as required by the Federal Acquisition Supply Chain Security Act within one year and annually thereafter.

Additional Information:

Contact FASCSA.Orders@cisa.dhs.gov for additional information, assistance, and reporting.