

April 6, 2020

The Honorable Wilbur L. Ross, Jr.
Secretary, U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Ross:

We write to request that any changes to U.S. export controls applied to semiconductor manufacturers, semiconductor manufacturing equipment, or related technologies be made through a proposed rule allowing for public comment before becoming effective. This type of transparency and opportunity for public comment is critical to ensure that any rule is appropriately designed to achieve the U.S. government's national security objectives without imposing unintended adverse consequences on U.S. industry.

Abrupt changes to the export controls regulations for semiconductors will create uncertainty for the entire technology industry. Semiconductors are the foundation of modern electronics, information technology, cloud services, critical infrastructure and the defense industrial base. In addition to playing a critical role in sectors throughout the economy, semiconductors play an essential role addressing the COVID-19 public health emergency. Semiconductors drive the functionality in advanced medical equipment used by health professionals to treat the public, and they enable the products and services that allow telework, remote learning, telemedicine, and other aspects of our economy and daily life. Semiconductors will also play a pivotal role in driving the industries of the future and the economic recovery once the public health emergency is defeated.

Changes to the export control regulations under consideration have the potential to result in significant impacts to the semiconductor industry, its global supply chain, and the broader technology sector that relies on predictable access to semiconductors. Given the importance of this industry – and in light of the unprecedented public health crisis and economic disruption – it is imperative that any regulatory changes be narrowly tailored and minimize damage to industry. Subjecting such regulatory changes to public comment would help ensure that Commerce benefits from the industry's views and avoids unintentionally exacerbating an already difficult economic situation.

Thank you for your attention to ensuring a transparent, deliberative process for export control changes impacting a critical U.S. industry.

BSA | The Software Alliance
Computing Technology Industry Association (CompTIA)
Information Technology Industry Council (ITI)
IPC
National Foreign Trade Council (NFTC)
SEMI
Semiconductor Industry Association (SIA)
Software & Information Industry Association (SIIA)
U.S. Council for International Business (USCIB)

cc: Russ Vought, Acting Director, Office of Management and Budget