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## ABSTRACT

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### EXPORT CONTROLS

May 2010

- *While fully recognizing national security needs, CCIA opposes export controls that place an excessive burden on U.S. businesses and their legitimate export operations.*
- *Unilateral export controls on dual-use technologies with foreign availability only result in ceding markets to companies from countries with less stringent controls.*

**Background:** CCIA has long worked to ease or remove excessive export controls on high-tech products. Export controls were created during the Cold War to limit the ability of communist or rogue states to come into possession of state-of-the-art computing or technology that could endanger our national security.

**CCIA's Position:** While CCIA strongly agrees with the need to protect our national security, we believe it is important to guard against measures that would unreasonably limit or burden the legitimate export business of technology companies. CCIA has long taken the position that practical considerations must be weighed in fashioning any of these controls. The ideal export control regime would be narrowly targeted at such exports that truly threaten our national security without impeding legitimate export operations. CCIA opposes broadly drawn export controls that fail to make this distinction and would unnecessarily include many technology products. In addition, many dual use technologies are available from countries other than the U.S. In such cases, the only result of unilateral U.S. export controls would be to cede markets to foreign companies whose countries have less rigorous controls.

**Current Issues:** Last year, the National Research Council of the National Academies published the report "Beyond Fortress America: National Security Controls on Science and Technology in a Globalized World." It stated that the export control system was established to deal with Cold War security challenges, but that world conditions have changed significantly. The report pointed out that, rather than a U.S.-centric system, technological progress is now more likely to occur through collaboration with allies, and the current export control system obstructs the sharing of information. In addition, new technologies are increasingly being developed in the commercial sector, rather than the military sector.

Building on this report, in August 2009, the Obama Administration announced it would undertake a comprehensive review of the export control system to update it "to address the threats we face today and the changing economic and technological landscape." On the Congressional side, House Foreign Affairs Committee Chairman Howard Berman (D-CA) announced that he is undertaking a Congressional review of dual use exports in preparation for introducing a new Export Administration Act.

The Export Control Practitioners Group, of which CCIA is a member, submitted a list of principles and recommendations for export control review to the Administration in January. The guiding principles include:

- Pursue reform with a government/private sector partnership at the center.
- Ensure accountability in the decision-making process.
- Control lists, thresholds, and parameters must keep pace with advances in critical technologies.
- Controls must take into account the globalization of research and development of new technologies.
- Export controls must be multilateral to be effective in denying controlled technology to adversaries.
- A strong technology industrial base is critical to maintaining a strong national defense.

CCIA favors a more targeted and efficient export control regime that sacrifices neither our national security nor innovation and competitiveness. CCIA looks forward to reform that results in regularly updated and justifiable “higher walls around fewer items.”