



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

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November 17, 2020

The Honorable James Inhofe
Chairman
Senate Committee on Armed Services
205 Russell Senate Office Building
Washington, D.C. 20 510

The Honorable Jack Reed (D-RI)
Ranking Member
Senate Committee on Armed Services
728 Hart Senate Office Building
Washington, D.C. 20 510

The Honorable Adam Smith
Chairman
House Committee on Armed Services
2264 Rayburn House Office Building
Washington, D.C. 20 515

The Honorable Mac Thornberry
Ranking Member
House Committee on Armed Services
2208 Rayburn House Office Building
Washington, D.C. 20 515

Dear Chairman Inhofe, Ranking Member Reed, Chairman Smith, Ranking Member Thornberry:

As Congress works to reconcile differences between the House and Senate-passed 2021 *National Defense Authorization Act* (NDAA) before the remainder of this congressional term, TechNet would like to renew our commitment to advancing this critical legislation in a manner that furthers the tech industry's longstanding partnership with the military in strengthening our national security objectives. TechNet sent two separate letters earlier this year which outlined several ways to bolster our national defense capabilities and protect global supply chains by investing in emerging technologies and strengthening cyber capabilities. As you advance this legislation, we look forward to working with you.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. Our diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over three million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

As you complete the reconciliation process, TechNet offers the following recommendations for your consideration:

- **Refrain from imposing restrictions on the Department of Defense's (DoD) acquisition of military, commercial, and commercial off-the-shelf (COTS) products that use printed circuit boards (PCBs).** While TechNet supports efforts to ensure that our military is not sourcing PCBs from our adversaries, we urge Congress to refrain from instituting generalized restrictions on this important and ubiquitous technology, including country-wide manufacturing bans, especially from our allies. Such restrictions could have adverse effects on American companies' ability to compete and retain global innovation leadership while doing little to deter our adversaries. Instead, Congress should consider directing DoD to conduct a study as to how PCBs can be reliably sourced globally for defense applications. Further, restricting overseas production of PCBs during the COVID-19 pandemic would introduce significant burdens on companies that manufacture PCBs for both commercial and defense applications.
- **Incorporate the full text of S. 3189, the *Utilizing Strategic Allied (USA) Telecommunications Act*, to support wireless supply chain innovation and multilateral security.** TechNet supports the inclusion of this bipartisan measure, introduced by Senator Mark Warner (D-VA) and

Senator Richard Burr (R-NC), to further strengthen and modernize our national wireless and telecommunications systems by promoting the use of open standards technologies, including Open Radio Access Network. Our nation's telecommunications companies and internet service providers are developing the world's next generation of communication technology. This measure would help accelerate the development and deployment of open interface standards-based compatible, interoperable equipment that will enhance our competitiveness with respect to fifth generation (5G) wireless technology and related next-generation networks. The Public Wireless Innovation Fund established by this legislation would advance U.S. leadership in this critical sector across the country and abroad.

- **Establish a White House Office of the National Cyber Director.** TechNet urges Congress to establish a White House Office of the National Cyber Director, which was included in the House version of the NDAA and was a key recommendation of the Cyberspace Solarium Commission. This position is critical to coordinating cybersecurity efforts across the entire federal government and to sharing cyberthreat information with the private sector in a timely and actionable manner. This Director should oversee the efforts of the federal government to track and publish its own performance metrics, which would be an asset to U.S. businesses.
- **Extend resources toward national artificial intelligence (AI) research and development efforts.** TechNet urges Congress to include Division E of the House-passed NDAA, or the *National Artificial Intelligence Research Initiative Act* (H.R. 6216), which would provide for a national AI research strategy across the federal government, among institutions of higher education, and throughout the private sector. This provision would provide for long-term investments in AI research so that the U.S. can set the global standards for this emerging technology. Additionally, Congress should direct the National Institute of Standards and Technology (NIST) to develop a risk management framework for AI, in partnership with industry, to establish a groundwork for developing trustworthy AI. Investing in AI research and setting high-quality standards and best practices for AI will propel U.S. innovation in emerging technologies and enhance national security.
- **Invest in the workforce and innovators of tomorrow by retaining talented international students.** TechNet urges Congress to include Section 1763 of the House-passed NDAA, which would allow immigrant students to participate in online courses during the COVID-19 national emergency, and Section 281 of the House-passed NDAA, which would provide immigrants working or conducting critical research related to the National Security Innovation Base with special immigrant status for the purpose of carrying out this work. The U.S. must continue to engage in the global competition for talent in areas such as artificial intelligence, quantum information science, and robotics as a national defense strategy. Retaining the best minds in the world and integrating them into the National Security Innovation Base is essential.
- **Underscore the military's commitment to diversity, equity, and inclusion training.** Congress should use the NDAA as an opportunity to express its sense that diversity, equity, and inclusion training are essential exercises for creating a more fair, just, and equal society, which includes the armed forces. Further, Congress should encourage the DoD to continue providing diversity, equity, and inclusion training, and TechNet does not believe that such instruction is controversial or violates any executive orders.
- **Promote information sharing between private industry and the government, rather than imposing nonvoluntary cyber incident reporting requirements.** TechNet encourages the shared work of the government and private sector to detect, respond to, and deter cyber threats. However, proposals that impose strict reporting requirements on the private sector will prevent productive information sharing between both parties and they should be omitted from the final NDAA.
- **Establish a working group to allow for nationwide cohesion in the development and deployment of 5G communications technology across the Department of Defense.**

TechNet supports the inclusion of Section 212 of S. 4049, which establishes a cross-functional team at DoD to coordinate the efforts of various DoD agencies to develop and utilize 5G communications technologies. While research and development funds have been dedicated to 5G, the focus has been spread throughout the department and individual services. We believe this team will be important in reducing duplication, diversifying and expanding the 5G ecosystem, and accelerating deployment of 5G technology on/at DoD installations, ultimately helping the warfighter with advanced technological capabilities.

As the House and Senate completes it work on the 2021 NDAA, we encourage you to continue working with TechNet and our member companies to ensure the tech industry can remain a valuable partner in providing cutting-edge technologies to our men and women in uniform and bolstering our national security. Thank you for considering our perspective as you advance this important legislation. We welcome the opportunity to serve as a resource on this important legislation and other issues in the future.

Sincerely,

A handwritten signature in blue ink that reads "Linda Moore". The signature is fluid and cursive, with the first name "Linda" and last name "Moore" clearly distinguishable.

Linda Moore
TechNet President and CEO