

Congress of the United States
House of Representatives
Washington, DC 20515-3507

January 31, 2023

Eileen Albanese, Director
Office of National Security and Technology Transfer Controls
Bureau of Industry and Security
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Re: Interim Final Rule – Implementation of Additional Export Controls: Certain Advanced Computing and Semiconductor Manufacturing Items; Supercomputer and Semiconductor End Use; Entity List Modification (October 7, 2022) (RIN 0694-AI94)

Dear Ms. Albanese:

I write today to express my concerns regarding the proposed interim final rule from the Bureau of Industry and Security (BIS), titled “Implementation of Additional Export Controls: Certain Advanced Computing and Semiconductor Manufacturing Items; Supercomputer and Semiconductor End Use; Entity List Modification.” I was recently contacted by a constituent business from my district, Momentive Technologies, regarding their deep concerns about the breadth of the rule and its impact on American industry.

As it has been told to me, the proposed interim final rule is overly broad in its current form and will damage and disrupt both American industry and global semiconductor supply chains by excluding basic U.S. products that are not subject to specific export controls. I have also been assured that the resulting vacuum will be filled by foreign-produced products, including those made in China.

I share your stated goal of protecting “critical U.S. national security and foreign policy interests.” However, I believe that we must ensure these regulations are targeted and do not extend beyond their intended national security objectives, as it seems the proposed interim final rule would do.

Thank you for your consideration of this request.

Sincerely,



MAX L. MILLER
Member of Congress