

July 15, 2020

The Honorable Michael R. Pompeo
Secretary of State
Washington, D.C. 20520

The Honorable Chad Wolf
Acting Secretary of Homeland Security
Washington, D.C. 20528

The Honorable Eugene Scalia
Secretary of Labor
Washington, D.C. 20210

Dear Secretaries Pompeo and Scalia and Acting Secretary Wolf:

On behalf of the Semiconductor Industry Association (SIA), I am writing regarding the president's "Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak" (Proclamation 10052, June 22, 2020). SIA is the voice of the U.S. semiconductor industry, one of America's top export industries and a key driver of America's economic strength, national security, and global competitiveness. Because of the critical role of the U.S. semiconductor industry in advancing our national security, supporting our health system, and enabling our economic recovery, SIA requests you provide a national interest exemption under this proclamation for workers in the semiconductor industry.

Section 3(b)(iv) of the proclamation exempts "any alien whose entry would be in the national interest as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees." Section 4(a)(i) directs the Secretaries of State, Homeland Security, and Labor to "establish standards to define categories of aliens" under the proclamation whose entry would be in the national interest. The proclamation highlights non-immigrant workers who are "critical to the defense . . . or national security" or are involved with "the provision of medical care . . . [and] medical research" or "are necessary to facilitate the immediate and continued economic recovery of the United States."

Semiconductors are the key enabling technology of modern electronics and drive innovation in virtually all sectors of the economy – including information technology, communications, healthcare, manufacturing, transportation, energy, agriculture, education, and others – and the entry to the U.S. of non-immigrant workers in the semiconductor industry is in the national interest.

- *National security* – Semiconductors are also pivotal to the military and intelligence systems that provide for our national defense. From advanced satellites and radar systems to communications networks and jets, semiconductors provide advanced capabilities critical to our national security.
- *Healthcare, medical research and the pandemic* – Semiconductors are integral components of medical technologies essential to treating COVID-19 patients and others, including ventilators, X-ray equipment, vital sign monitors, and drug delivery devices. Semiconductors are also vital to the ICT systems needed to deliver remote healthcare and patient monitoring during the pandemic, and semiconductors enable the information technologies that will allow researchers to discover vaccines for COVID-19 and cures for other diseases.
- *U.S. economic recovery* – Advancements in semiconductor technology enable the products and services allowing tens of millions of Americans to telework and engage in

remote learning during the COVID-19 pandemic. Semiconductors will help drive the technologies of the future – including artificial intelligence, quantum computing, 5G telecommunications, and others – and drive our economic recovery and economic leadership for decades to come.

For many of these same reasons, the Department of Homeland Security earlier this year designated semiconductor workers and key suppliers as essential critical infrastructure workers.¹ As recognized in this guidance, semiconductor workers help drive much of our critical infrastructure, including data centers, that power our national economy. The guidance further recognizes semiconductor manufacturing produces critical components that support continued operations for essential services and increase the remote workforce.

Given the vital role the U.S. semiconductor industry plays in our, national security healthcare system, and economy, it is imperative the industry retains access to the high-skilled talent needed to compete globally. The industry has for decades led the world and powered innovation throughout the economy with the contribution of the best scientists and engineers from around the world. Unfortunately, as applied to our industry, the proclamation risks limiting our access to high-skilled talent and thereby risks diluting the growth and global competitiveness of our industry.

SIA recognizes the need for bold actions to address the COVID-19 pandemic. But the imposition of limits on high-skilled nonimmigrant workers in the U.S. semiconductor industry offers little in terms of employment opportunities for Americans, while at the same time threatening the vibrancy of this important industry. Foreign born graduates in engineering, computer science and mathematics, and physical sciences – particularly with advanced degrees – represent a large and growing percentage of overall graduates,² and semiconductor companies in the U.S. rely on these highly educated individuals. Semiconductor companies also rely on temporary workers from around the world to perform specialized tasks, ranging from chip design to the installation and maintenance of equipment and manufacturing facilities. These specialized assignments may also include temporary workers coming to train American workers in skills they can learn nowhere else. Impeding access to this pool of foreign talent will be highly detrimental to the industry in the U.S., and as a result harm our country's national security, healthcare system, and economy.

For these reasons, we respectfully request your Departments establish an exemption in the national interest for nonimmigrant semiconductor workers.

Sincerely,



President & CEO

¹ “Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response Version 3.1 (May 19, 2020).”

² National Science Board, “The State of U.S. Science and Engineering: 2020 Science and Engineering Indicators” (available at <https://nces.gov/pubs/nsb20201>).