

2011–2012 Technology Policy Agenda

Opening Markets, Driving Growth

Innovation is responsible for roughly 80 percent of the growth in the US economy since World War II, but our ability to continue innovating cannot be taken for granted. To spur innovation, we need public policies that protect intellectual property, open markets, ensure fair competition, and build trust and confidence in technology.

Software is an essential input to US economic strength and future growth. The software industry itself employs more than a million people in jobs that pay nearly twice the national average, and it adds more than \$260 billion in real value annually to America's gross domestic product. Software is indispensable to daily life — at work, at school and for entertainment. The benefits of software innovation reverberate throughout the economy.

Promoting Job Creation by Fostering Creativity and Innovation

Robust intellectual property protections — including copyright, patent and trademark laws — provide the very foundation for creative enterprise to flourish.

Specific policy actions needed:

Strengthening IP Enforcement

- Step up oversight and funding to vigorously enforce copyright and trademark laws domestically and internationally.
- Expand efforts to combat software IP infringement in the world's fastest-growing markets for information technology, such as Brazil, Russia, India and China.
- Improve coordination among government agencies by implementing the IP Enforcement Coordinator's Joint Strategic Plan.
- Increase funding for federal and state efforts to combat IP theft, and provide better training to enforcement officials.
- Create specialized IP units that can respond quickly and effectively to IP crimes.

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Patent reform

- Increase congressional oversight and pass focused legislation to improve the quality of patents being issued and to restore balance to the patent system itself.
- Support legal decisions that limit incentives for opportunistic litigation.

Technology neutrality

- Preserve technology-neutral principles in procurement practices and policy initiatives.
- Oppose legislated or regulated technology mandates that dictate one technology, system architecture or business model over another.

Public awareness

- Educate the public about the roles that intellectual property rights play in fostering innovation and driving wage and job growth.

Spurring the Digital Economy by Inspiring Online Confidence and Trust

BSA calls for policies that foster a vibrant online marketplace in which government, citizens and businesses can use information tools with confidence and trust — regardless of whether the tools are mobile, installed on a desktop or served through a cloud. This is a shared responsibility. The technology industry, governments, businesses and consumers must partner to define and implement the most appropriate data-stewardship technologies, policies and practices to bolster cybersecurity and protect privacy.

Specific policy actions needed:

Data breach

- Streamline compliance for businesses and reduce confusion for consumers by establishing a uniform national standard and requiring that consumers be notified when the security of their personal data has been compromised.

Cross-border data transfers

- Forge bilateral or multilateral agreements that harmonize the increasingly inconsistent web of rules governing the movement of data across borders.

Supply-chain security

- Promote international standards for supply-chain and security assurance.

Critical infrastructure

- Modernize and strengthen the public-private partnership that protects the nation's critical cyber infrastructure.
- Strengthen cybersecurity with a regulatory environment that is risk-based, flexible and non-burdensome, so that US technology companies can innovate faster than threats develop.

Federal agencies' cybersecurity

- Give technologists in federal agencies greater authority and responsibility for identifying and correcting vulnerabilities in government IT systems.

Data stewardship is a shared responsibility. The technology industry, governments, businesses and consumers must partner to define and implement the most appropriate technologies, policies and practices to bolster cybersecurity and protect privacy.

Law enforcement access to communications

- Update the 1986 Electronic Communications Privacy Act (ECPA), which governs law enforcement access to stored electronic communications, to clarify its standards while preserving the tools needed to protect the public.
- Ensure that any expansion of the 1994 Communications Assistance for Law Enforcement Act (CALEA) appropriately balances law enforcement's need to access electronic communications with the need to preserve privacy and security and protect America's innovative capacity and global IT competitiveness.

Consumer privacy

- Expand public trust and confidence by supporting the development of sound data-stewardship practices to protect consumers' privacy, bolstering security to address constantly evolving threats and promoting responsible Internet habits among users.
- Ensure that privacy policies leave ample breathing room for technological innovation and the development of new services such as cloud computing.

Cybercrime

- Increase law enforcement's domestic resources and capabilities.
- Forge stronger international partnerships.

Opening Global Markets and Creating Business Opportunities

BSA supports efforts to create US jobs and boost economic growth by doubling US exports in five years. Already, two-thirds of US technology sales are international. To double exports in five years, it is critical to eliminate trade barriers and discourage discriminatory procurement practices. This is especially important in rapidly growing markets such as Brazil, Russia, India and China.

Specific policy actions needed:

Market-opening trade agreements

- Support trade agreements that open foreign and online markets to American goods and services — including cloud computing services.
- Conclude a strong, market-opening Trans-Pacific Partnership trade agreement.
- Approve pending trade agreements with Korea, Colombia and Panama.

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Anti-piracy

- Redouble efforts to ensure our trading partners adopt and vigorously enforce modern, effective laws against software piracy.

Export controls

- Support efforts to reform export controls to ensure they support trade and protect national security.

Investing in America's Future

BSA calls for policies to promote investment in next-generation technologies. This spurs growth and innovation not just in the technology industry but in the broader economy.

Specific policy actions needed:

Investment in advanced technologies

- Promote investment in advanced technologies throughout the economy.

Tax reform

- Strengthen and make permanent the research and development tax credit.
- Ensure other US tax laws promote investment in new technologies, provide a level playing field for American companies at home and abroad, and promote investment of earnings from overseas sales.

Research

- Boost funding for basic and applied research at US universities and government institutions.

E-government

- Drive federal adoption and use of cloud computing services where appropriate.
- Expand e-government programs that allow citizens to interact with government and access public services.
- Work toward a comprehensive government IT plan that is flexible, technology-neutral and protective of citizens' privacy and security.

Promoting investment in next-generation technologies spurs growth and innovation not just in the technology industry but in the broader economy.