



2009 US TECHNOLOGY POLICY AGENDA

The US economy thrives on innovation and information. Software and computers are indispensable tools of everyday life. Information technology (IT) promotes growth and progress in many ways from increasing productivity to reducing costs and enhancing the quality of goods and services. IT also offers solutions to almost every economic and social challenge, from knitting together our diverse population to saving energy, improving the environment, enabling life-long learning, enhancing health care, ensuring public safety, and driving the overall strength and vitality of all economic sectors. IT products and services also constitute key US exports to markets around the world.

The United States currently leads the world in providing a healthy environment for the digital economy. But America's leadership cannot be taken for granted, especially at a time when it is so crucial to build upon America's strengths in reviving the economy.

For all these reasons, the member companies of the Business Software Alliance (BSA) endorse the following public policy priorities to ensure continued innovation, growth and progress in the years to come.

INTELLECTUAL PROPERTY, CREATIVITY, AND INNOVATION

BSA advocates policies that inspire creativity and innovation through modern, comprehensive, and enforceable intellectual property policies, including copyright, patent and trademark laws. The software industry has relied throughout history on strong IP protections as the basis for creating sustainable and innovative business models. In fact, all innovative industries, including consumer electronics, automobile, medical, pharmaceutical and biotechnology, rely on these critical IP protections to succeed.

SPECIFIC POLICY ACTIONS NEEDED:

- **Patent reform:** Reform outdated patent law by improving the quality of patents and restoring balance within the patent system.
- **Enforcement:** Step up the vigorous enforcement of existing copyright and trademark laws, both domestically and internationally, with additional oversight and funding.
- **Training:** Enhance funding for key federal and state efforts to combat IP theft with better training of enforcement officials and the creation of specialized IP units that can react quickly and knowledgeably to incidents of IP crime.
- **Technology neutrality:** Preserve technology-neutral principles in procurement and policy initiatives, and oppose legislated or regulated technology mandates that dictate one business model, system, or architecture over another.
- **Public awareness:** Educate the public about the critical incentives that intellectual property protection provides for innovation, and wage and job growth.

CYBER SECURITY, ONLINE CONFIDENCE AND TRUST

BSA calls for policies that foster a vibrant online marketplace where citizens and businesses can use information tools with confidence and trust, by making certain that laws effectively prohibit and punish fraud, theft and other crime over the Internet. Government must also be a partner in the fight against software piracy, which cuts into innovation and job creation, lowers government tax revenues, and compromises the security of information technology systems worldwide, putting businesses, governments and consumers at risk.

SPECIFIC POLICY ACTIONS NEEDED:

- **Consumer privacy:** Promote and safeguard privacy by educating consumers about how to make informed choices regarding how their personal data is collected, used and stored, while adopting a workable policy framework that doesn't unduly restrict the flow of information and commerce.
- **Data breach:** Establish a national standard requiring that consumers be notified when the security of their personal data has been compromised. Currently, 44 states have enacted breach notification laws, creating significant compliance difficulties for businesses and confusion for consumers.
- **Federal agencies' cyber security:** Further efforts are needed to ensure that officials in charge of agencies' computer networks are both empowered and accountable, and that vulnerabilities are identified and addressed.
- **Software assurance:** Government and industry must work together to ensure that government procures secure software and hardware, taking into consideration the ever-evolving nature of IT development processes and focusing on how technology is developed, not where.
- **Critical infrastructure:** Reform and strengthen the public-private partnership that protects the nation's critical cyber infrastructure, with enhanced detection and response capabilities, a common understanding of the private sector's responsibilities, and greater transparency and trust.
- **Cyber crime:** Fight against the growth of cyber crime by increasing law enforcement's domestic resources and capabilities, while forging stronger international partnerships.

COMPETITIVE WORKFORCE

BSA works for policies to produce and retain the best and brightest workers by strengthening enrollment in advanced science, technology, engineering and math (STEM) programs; by providing incentives to train more math and science teachers; and by advancing common sense reforms that allow high-skilled immigrants to meet technology workforce needs in the US and have a path to obtain permanent residency status.

SPECIFIC POLICY ACTIONS NEEDED:

- ✓ **Education:** Fully fund efforts aimed at improving STEM education in elementary and secondary education.
- **Immigration reform:** Secure meaningful reforms to the H1-B Visa and Employment Based Green Card systems that will allow more highly trained and educated professionals to come to the United States and contribute to the invention, design, production and innovation of advanced technology.

- **“Deemed export” rules:** Modernize US “deemed export” rules to ensure they do not unnecessarily impede the assistance talented foreign workers can provide to technology innovation in the United States.

GLOBAL TRADE AND COMMERCE

BSA supports policies that improve export opportunities for American companies by eliminating trade barriers and discouraging the adoption of discriminatory public procurement practices, with a special focus on rapidly growing emerging economies. As much as two-thirds of the business of US technology companies arises outside the United States.

SPECIFIC POLICY ACTIONS NEEDED:

- **Fair and free trade:** Open foreign and online markets to American goods and services by expanding free trade that benefits American producers and consumers.
- **Government procurement:** Support transparent, technology-neutral and open government acquisition policies that do not discriminate against American goods and services.
- **Anti-Piracy:** Redouble efforts through trade policy to ensure our trade partners vigorously enforce laws against software piracy.
- **Export controls:** Clarify and modernize export control laws to ensure they do not create impediments to US trade.

INNOVATION AND SOLUTIONS ACROSS THE ECONOMY

BSA calls for policies to promote investment in next-generation technologies to spur economic growth and innovation. Innovation has been responsible for about 80% of the growth in the US economy since World War II, which means that strong technology policy is important not only for the technology industry, but for the entire economy and society.

SPECIFIC POLICY ACTIONS NEEDED:

- ✓ **Economic stimulus:** Ensure that economic stimulus measures promote innovation and investment in advanced technologies throughout the economy.
- **Tax reform:** Ensure that US tax laws provide predictable and real incentives for the private sector to invest in research and development, including strengthening and making permanent the Research and Development Tax Credit. Ensure US tax laws promote investment in new technologies, provide a level playing field to American companies at home and abroad, and address elements of the tax laws that promote investment of earnings from overseas sales.
- ✓ **Research:** Support enhanced funding for more basic and applied research at US universities and government institutions.

- ✓ **Health IT:** Implement policies that support and improve health care quality and reduce costs by promoting the increased adoption of health IT, providing faster and more reliable care in both populated and remote locations, while ensuring patient rights to privacy and avoiding prescriptive standards or hard preferences for particular systems, technologies or Internet-based platforms
- ✓ **Connectivity:** Implement measures to promote broadband deployment and increase access by all Americans to broadband technologies.
- **E-Government:** The new Federal CTO should establish e-government programs which promote access by citizens to government and its services; develop a comprehensive government IT plan that is flexible, technology-neutral, and protective of citizens' privacy and security; and help the government anticipate and make the most of technology trends to address such future issues as the aging population, health care, environmental protection, education, income inequality, connectivity, and public safety.
- **Green IT:** BSA supports policies that protect the environment by encouraging the use of information technology to improve energy and resource efficiency and integrate sustainable design practices throughout the economy.

ABOUT BSA

The Business Software Alliance (www.bsa.org) is the foremost organization dedicated to promoting a safe and legal digital world. BSA is the voice of the world's commercial software industry and its hardware partners before governments and in the international marketplace. Its members represent one of the fastest growing industries in the world. BSA programs foster technology innovation through education and policy initiatives that promote copyright protection, cyber security, trade and e-commerce.

BSA members include:

Adobe	Dell	Quark
Apple	Embarcadero	Quest Software
Autodesk	HP	Rosetta Stone
Bentley Systems	IBM	SAP
CA	Intel	Siemens
Cisco Systems	Intuit	Sybase
CNC Software/Mastercam	McAfee	Symantec
Corel	Microsoft	Synopsys
CyberLink	Minitab	The MathWorks
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