

**Pre-Hearing Statement of
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**U.S. International Trade Commission
Investigation No. 332-561 – Global Digital Trade I: Market Opportunities
and Key Foreign Trade Restrictions**

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The National Association of Manufacturers (NAM) is the largest manufacturing association in the United States, representing over 14,000 manufacturers small and large in every industrial sector and in all 50 states. Manufacturing employs more than 12 million women and men across the country, contributing more than \$2.17 trillion to the U.S. economy annually. If U.S. manufacturing were a separate country, it would be the ninth-largest economy in the world. The NAM represents that diverse manufacturing economy, including companies that produce and sell digital products, companies that incorporate digital technologies and solutions into their products and companies that trade and compete around the world via digital platforms. The NAM welcomes this opportunity to provide its input to the Commission on market opportunities and key foreign trade restrictions related to global digital trade facing manufacturers in the United States.

A robust and multi-faceted trade policy is a key component of growing manufacturing throughout the United States, particularly in an increasingly competitive global economy. Such a trade policy must tackle market-distorting policies and actions by other countries as a top priority. These policies and actions fuel not only unfair competition in the U.S. market that can harm manufacturers and their workers in the United States, but also limit the ability of manufacturers to reach out to the 95 percent of the world's consumers living outside the United States.

U.S. manufactured goods exports have more than doubled since the 1990s, reaching nearly \$1.3 trillion in 2016, supporting the growth of a variety of U.S. manufacturing sectors from electrical machinery, capital equipment and medical and scientific instruments to food and computer products to cars, trains and trucks. These issues are not just important to large companies, but to the small- and medium-sized companies that make up the vast majority of manufacturing firms. Exports matter for these firms, and contribute directly, and in important ways, to job growth and to the success of local communities from Seattle to Scranton, from Fort Wayne to Fort Worth.

To grow America's manufacturing, the NAM is advocating a trade policy that:

- Opens markets overseas;
- Ensures our manufacturers are cost-competitive globally; and,
- Makes sure all our trading partners play by the rules of the global trading system.

Whether manufacturers sell to customers down the street, across the country or around the world, manufacturers big and small are competing in a highly competitive global economy with supply chains that connect large and small companies and consumers across the world. This

makes it ever more important to ensure a level playing field – and manufacturers’ experience shows that when they *can* get a fair shot in overseas markets, they can compete. Strong trade agreements with clear, enforceable rules play an important role. The United States’ existing network of 20 free trade agreement partners account for less than ten percent of the global economy but purchase nearly half of all U.S. manufacturing exports, supporting millions of jobs across the country.

To be successful in a rapidly evolving economy, however, U.S. policies and strategies must reflect the challenges of a 21st century economy: one that is increasingly digital and technology-based. Two-thirds of the world’s population now uses the Internet, and sales made through e-commerce portals are predicted to make up 27 percent of global manufacturing trade by 2020.¹ ² As the NAM’s *Competing to Win* report clearly lays out, technology, and robust investment in new and innovative technologies, continue to play a critical role in keeping manufacturing in the United States strong.³ Indeed, manufacturers account for more than two-thirds of private-sector research and development in the United States (R&D).⁴ Such a high commitment to innovation reflects the belief of manufacturers of all shapes and sizes that development of new technology is not just important for the nation’s economic and social well-being, but allows them to manufacture more competitive products and reach new customers in overseas markets. Such policies include both domestic policies in key areas such as innovation, tax, and workforce development, but smart trade policies that allow manufacturers in the United States to compete fairly.^{5, 6, 7, 8}

The growth of global trade and the rapid evolution of the digital economy both provide significant opportunity to grow global trade in important ways, allowing goods, information and services to cross boundaries quicker and faster than ever before. Smart policies to develop the digital economy allow new opportunities for businesses to connect, partner, innovate, and compete, but many countries are instead taking the protectionist path to try to capture the gains from the growth of the digital economy.

Manufacturers in the United States are watching the growth of new barriers in the digital economy. These include not only broader issues shared by many industries, such as insufficient protection of intellectual property and attempts to set unique standards that block out U.S. digital products and services identified by the NAM in previous submissions for the 2017 Special 301 report and 2017 National Trade Estimate report, but also particular challenges impacting digital

¹ Keith Breene, “[This is the extent of the demographic digital divide](#),” World Economic Forum, March 22, 2016.

² “[The Global B2B E-commerce Market Will Reach 6.7 Trillion USD by 2020, Finds Frost & Sullivan](#),” Frost & Sullivan, April 9, 2015.

³ National Association of Manufacturers, “[Competing to Win](#),” February 2016.

⁴ Raymond M. Wolfe, “[Businesses Spent \\$341 Billion on R&D Performed in the United States in 2014](#),” National Science Foundation InfoBriefs, August 25, 2016.

⁵ National Association of Manufacturers, “[Competing to Win: Research, Innovation and Technology in Focus](#),” December 2016.

⁶ National Association of Manufacturers, “[Competing to Win: Tax in Focus](#),” December 2016.

⁷ National Association of Manufacturers, “[Competing to Win: Workforce in Focus](#),” December 2016.

⁸ National Association of Manufacturers, “[Competing to Win: Trade in Focus](#),” December 2016.

trade.^{9, 10} Specific issues include restrictions on the movement of data and information across national borders, cybersecurity rules that discriminate against foreign manufacturers, rules that do not manage effectively or efficiently the availability of spectrum, and foreign government localization barriers that seek to require the use of local information technology infrastructure. These restrictions undermine the global competitiveness of manufacturers in the United States and their ability to sustain and grow manufacturing through reaching new customers outside our borders.

The Importance of Digital Trade and Technologies Issues to Manufacturers in the United States

Advances in digital technologies, including next-generation information technology products, digital infrastructure, and cross-border sharing of data and information, are increasingly important to the manufacturing economy.¹¹ While some manufacturers directly produce and manage information and communications technology (ICT) infrastructure, such technologies increasingly are necessary inputs for a broad swath of other manufacturers to compete in the global market place, driving productivity, competitiveness and new economic opportunity across the globe. According to a recent survey of NAM members, manufacturers see a variety of tangible benefits from investing in disruptive technologies, including digital technologies: greater production efficiency (67 percent), product differentiation (61 percent), accelerating time to market (60 percent), and allowing new business models and revenue streams (50 percent). New ICT products and services, such as cloud services, big data analytics, and Internet of Things-enabled platforms, are advancing manufacturers' ability to grow and reach new markets more efficiently.

The importance of ICT products and services is particularly vital to many small and medium-sized businesses. ICT technologies enable small businesses to acquire information, market their products and communicate and serve foreign customers much faster and in a more cost-effective manner than ever before. As a result, small businesses are better able to expand sales overseas, creating new demand that is served by growing manufacturing and jobs domestically.¹²

⁹ National Association of Manufacturers, [Submission to the Office of the U.S. Trade Representative for 2017 Special 301 Review](#), Reference Docket USTR-2016-0026, February 9, 2017.

¹⁰ National Association of Manufacturers, [Submission to the Office of the U.S. Trade Representative for 2017 National Trade Estimate Report](#), Reference Docket USTR-2016-0007, October 27, 2016.

¹¹ Brian Hartmann, William P. King, and Subu Narayanan, ["Digital manufacturing: The revolution will be virtualized."](#) McKinsey & Company, August 2015.

¹² A 2013 Boston Consulting Group report states that information and communications technology has a powerful impact on the growth and success of small and medium sized enterprises (SMEs) from the United States and Germany to China, India and Brazil. The report found that SMEs that were technology leaders created twice as many jobs and increased revenue 15 percent in the past three years than those SMEs that lagged behind in the adoption of new technologies. This report shows that SMEs across these five economies could create \$770 billion in new revenue and add about 6.2 million new jobs with the increased adoption of new technologies. See David C. Michael, Neeraj Aggarwal, Derek Kennedy, John Wenstrup, Michael Rüßmann, Ruba Borno, Julia Chen, and Julio Bezerra, ["Lessons on Technology and Growth from Small-Business Leaders: Ahead of the Curve."](#) Boston Consulting Group, October 5, 2013.

To provide a few examples of why the issues of digital trade and data flows are so important to a broad range of manufacturers:

- Manufacturers throughout America increasingly use digital platforms that depend on the unencumbered flow of data across borders to reach new customers, run manufacturing and internal operations and manage global supply chains.
- Manufacturers are among the many businesses benefitting from the “software as a service” (SAAS) revolution. SAAS allows firms large and small to improve operational efficiency and cut infrastructure costs by shifting computation, software, data access and storage resources securely to cloud-based service providers. Common cloud-based services used by manufacturers range from email and file storage to sophisticated sales, e-commerce and human resources applications.
- Manufacturers are also turning to advanced analytics to extract insights from the vast quantities of data generated by our global fleet of manufactured equipment, including jet engines, gas turbines, locomotives and other industrial technologies. These insights, made possible through cloud computing and cross-border data flows, will serve as a further catalyst for growth and innovation as they improve productivity, efficiency and reliability.
- Manufacturers are also at the forefront of digital and wirelessly connected products (through “Internet of Things” platforms) to transfer data remotely between machines that can manage production line activities, safeguard and monitor plant security, enhance product performance and reliability, satisfy customer needs, track inventory and raw materials, and manage shipping logistics.
- Manufacturers – particularly small and medium-sized manufacturers – are taking advantage of the growth, proliferation, and increasing global reach of e-commerce platforms to find new customers overseas, and electronic payment platforms that allow them to securely sell to those customers.

Perhaps even more importantly, manufacturers are increasingly leveraging emerging digital technologies that may further transform the face of global manufacturing. These technologies include a broad range of areas, including artificial intelligence, drones, augmented reality, nanotechnology, biometrics, additive manufacturing, mobility and advanced robotics. As these technologies develop and spread, they have significant potential to change the ways in which manufacturers in the U.S. design, product and sell their products.

The use of such technologies has enabled manufacturers to compete more successfully in a tough global economy by lowering costs, improving efficiencies and growing exports. To be able to grow America’s share of the \$11 trillion global market in traded manufactured goods, manufacturers must be confident in their ability to use digital platforms and to move data and information securely across borders and to be able to store data as their business requires.

Challenges to the Free Flow of Data and the Use of ICT Technologies

As ICT technologies have advanced, however, many countries are moving to restrict the movement of data and where data can be stored for reasons that have a lot to do with good old-fashioned protectionism. Around the world, more than a dozen countries, both developing and developed, have introduced or are actively contemplating introducing data localization laws. Over the past several years, manufacturers have seen new barriers proposed or considered in many markets, including **Brazil, China, Germany, India, Indonesia, Korea, Malaysia, New Zealand, Nigeria, Russia, Turkey and Vietnam**. In some cases, governments are claiming

national security or privacy concerns, although the measures being proposed and implemented go far beyond the concerns expressed.

Examples of these measures include:

- **Brazil's** national legislature previously debated a local data storage requirement that would have required all data relating to Brazilian operations of both domestic and international companies, as well as Brazilian citizens, to be stored in the country. While the requirement was stripped from the "Civil Internet Framework," there are some reports that such legislation may be reintroduced.
- **China's** Cybersecurity Law, set to take effect in June 2017, requires many foreign companies to store data collected in China on local servers. Other proposed or widely discussed measures, such as possible rules related to Internet-based mapping applications and draft cybersecurity standards released by the National Information Security Standardization Technical Committee (TC 260), appear to build on these requirements. China's Internet controls are also increasingly making it difficult for companies to operate in that country.
- In February 2014, **India's** National Security Council proposed significant new restrictions on cross-border data flows, including requiring that all communications between users in India stay in India and be stored locally on Indian servers.¹³ This was followed by the May 2015 National Telecom Machine-to-Machine (M2M) Roadmap that raised concerns about potential inclusion of restrictions on data flows, though industry hopes that ongoing consultation over implementing guidelines may address issues. More recent intelligence indicates that some ministries are pushing for local server requirements as part of new e-commerce policies.¹⁴
- In 2012, **Indonesia** issued Regulation 82, "Operation of Electronic Systems and Transactions," to the 2008 Law 11 on Electronic Information and Transactions. The regulation requires extensive certification requirements and restrictions on electronic systems providers that provide services for the "public use." This term has not been clearly defined, though it creates challenges for service providers and manufacturers using those services. In 2016, Indonesia also proposed new regulations that included unnecessary and burdensome data localization requirements for e-commerce providers.
- Industry has also raised serious concerns over a series of decrees from **Vietnam's** Ministry of Industry and Commerce, including a 2014 circular (Circular 09/2014/TT-BTTTT) that requires Vietnamese companies operating websites and networks to operate and store information on local servers for mandated periods of time and a draft decree (now shelved) that would have imposed registration and licensing requirements on providers of information technology services and thus restricted cross-border cloud computing and data services.

These and similar types of barriers undermine U.S. commercial opportunities overseas, impede the ability of manufacturers to conduct business and weaken American competitiveness. For

¹³ Thomas K. Thomas, "[National Security Council proposes 3-pronged plan to protect Internet users.](#)" *The Hindu Business Line*, February 13, 2014

¹⁴ Asit Ranjan Mishra, "[Consensus remains elusive on India's e-commerce policy.](#)" *Livemint*, March 7, 2017.

companies that maintain their own servers, the imposition of cross-border data restraints or server localization requirements impedes their ability to implement their own business strategies, raises costs and would potentially force companies to make the choice between housing their data on local servers in order to conduct business in a particular country or giving up export opportunities in key markets to avoid the risk of data being held locally.

In addition, restrictions on cross-border data flows, including local storage requirements, hamper manufacturers' ability to manage information cost-effectively and securely by compelling service providers to locate servers based on government mandates rather than business decisions. Typically, cloud providers offer services to multiple manufacturers simultaneously, storing and transferring data securely across borders in order to take advantage of economies of scale. Additionally, centralized functions for data analytics and data processing can improve product safety and protect against fraud.¹⁵ Cross-border data flows enhance economic and security benefits of innovative data-related services. Those benefits are significantly diluted when countries impose policies that fragment these services into nation-based solutions lacking the economic benefits of scale, high resource utilization rates and demand aggregation, and the legal certainty and consistency necessary to provide a truly global service that benefits all types of customers. The loss of cost-effective and easily manageable cloud technology solutions would be particularly harmful to small businesses that increasingly rely on cloud solutions to market and sell overseas.

Localization Policies and Market Access Barriers that Curtail Digital Trade

Even as the global economy and the potential for digital trade grow in ways that benefit countries, consumers, and workers alike, many countries are choosing a different path. Many U.S. trading partners are erecting new barriers to digital trade. While some such policies may be justified under the aegis of legitimate public policy, many others are explicitly or implicitly designed to protect their companies and workers at the expense of manufacturers here in the United States.

These policies can take a variety of forms, including forced localization requirements, high tariffs or import barriers on foreign digital products, or foreign investment restrictions. Regardless of their form, however, such barriers pose a serious and growing threat to manufacturing and jobs in the United States, blocking trade in strategic and innovation-intensive sectors such as information technology and undermining hard-won technology and productivity gains that have made the United States one of the most competitive producers in the world. Such barriers have emerged in a variety of markets, including:

- **India**, where an array of digital barriers challenge manufacturers in the United States. These include localization barriers, many of which stem from India's 2011 National Manufacturing Policy, which called for local production of everything from information technology and clean energy equipment to medicines and medical devices. Examples of direct localization policies include India's Preferential Market Access (PMA) policy on computers and electronics (which was subsequently limited in scope to government procurement), and local production requirements for telecommunications equipment. India has also used tariff barriers to protect local digital industries, increased tariffs on information technology products multiple times since 2012. These increases have

¹⁵ For example, centralized functions can ensure secure payment processing for e-commerce sales of manufactured products being processed in markets around the world, and provide manufacturers better analytics to monitor, analyze and correct product flaws before problems arise.

included many products that should enjoy duty-free treatment in India in accordance with India's commitments as a signatory to the 1996 WTO Information Technology Agreement. India also maintains local testing requirements for information technology equipment that challenge foreign companies, even though they cannot be properly implemented at the moment due to a lack of certification capacity in the country.

- **China**, where localization policies create harmful trade barriers as manufacturers seek to export and invest in that market. Over the past several years, the Chinese government has issued a series of government policies that mandate the use of "secure and controllable" technology and software, a term that in practice favors domestic companies by requiring foreign products to undergo intrusive local security testing, implement local encryption algorithms, comply with China-specific security standards, disclose source code and other sensitive and proprietary information to the Chinese government and engineer products to restrict the flow of cross-border data. Such policies include not only the Cybersecurity Law referred to earlier, but also the National Security Law, the Counterterrorism Law, August 2016 opinions on strengthening the standardization of national cyber security, and sector-specific provisions in banking and insurance. Other localization policies in China include required local testing and certification requirements for ICT products. More broadly than the ICT industry, China's "Made in China 2025," an ambitious ten-year plan to upgrade China's manufacturing economy, targets information technology and nine other advanced sectors with specific targets for local content and seeks to provide benefits to local players over foreign companies.
- **Brazil**, which has made widespread use of localization policies in order to boost domestic industries. The Plano Maior Brasil, for example, was released in 2011 as a series of industrial plans and targets to promote investment and innovation through a range of tax, tariff and financing incentives to encourage local production. The plan included specific local content requirements for exports to qualify for tax incentives and extended policies that provide higher tax rates for autos that cannot meet certain criteria for local content, required levels of local engineering or R&D, fuel efficiency and emissions standards, or labeling standards. Since the plan was released, Brazil has sought to implement other local content requirements, including tax incentives for localized information technology products.

Such barriers, however, are not unique to these countries, as NAM members involved in the digital economy also note issues ranging from local content requirements in the ICT industry in **Indonesia** and **Nigeria**, bans on remanufactured ICT products in **Argentina**, restrictions on the import and export of mobile phones and parts in **Colombia**, policies to reduce mobile phone imports in **Ecuador**, local retesting of ICT hardware after software updates in **Costa Rica** and continued local telecom testing requirements in **Mexico** (due to the stalled implementation of a mutual recognition agreement).

Challenges to the Growth of E-Commerce Platforms that Help Manufacturers

Internet-enabled commerce provides a relatively low-cost model to enter new markets and reach new customers without entering into distribution arrangements with foreign dealers or investing in a foreign retail or foreign distribution network. The impact of Internet-enabled commerce is already substantial: exporters selling online are more engaged in international sales and more likely to reach multiple markets. While e-commerce platforms provide SMMs with lower-cost opportunities to connect with new customers, these businesses also encounter

challenges and costs that limit their ability to fully realize these expanded opportunities, such as red tape, border delays and other barriers. According to a 2003 Organisation for Economic Cooperation and Development (OECD) paper, firms with fewer than 250 employees face trade transaction costs that are 30-45 percent higher than those incurred by larger firms because they don't have the same "simplified procedures" that large companies implement.¹⁶

Given the increasing high-volume of SMM e-commerce sales of small shipments, one of the most important ways to address these issues would be to increase global *de minimis* standards, the value under which products are not required to undergo customs processing and are not assessed border tariffs. The United States raised its *de minimis* level to \$800 as part of the Trade Facilitation and Trade Enforcement Act that was signed into law in 2016, but other countries have much lower levels. Canada, for example, has a \$20 *de minimis* for online orders. The new WTO Trade Facilitation Agreement (TFA) requires member countries to set a *de minimis* value, although it does not specify a threshold.

Modernizing ICT Trade Rules

The NAM and its board of directors have increasingly recognized, and sought to highlight, the relevance and importance of digital trade issues for manufacturers here in the United States. For example, the NAM Board of Directors in March 2014 unanimously approved new policy language seeking that new trade agreements include "commitments to liberalize cross-border data flows of information and access to digital products and services, and prohibit related localization requirements, such as requirements to use local data information infrastructure and storage." Such language matches more generally an increasing emphasis on technology and digital issues in the NAM's work on both domestic policy and foreign trade issues as central to the success of manufacturers in the United States.

Efforts to address these issues have also been undertaken globally in forums such as the G7, G20, Asia Pacific Economic Cooperation and the OECD.

- The G7 and G20 have paid increasing attention to these issues, reflecting input from organizations ranging from the United Nations Conference on Trade and Development¹⁷ to global ICT associations.¹⁸ As recently as February 2017, the Digitization Taskforce of the B20, the business arm of the G20, identified cross-border data flows as one of its core policy areas.¹⁹
- At a 2008 forum, APEC leaders issued a "Digital Prosperity Checklist" that recognized the importance of the "free flow of information."²⁰ APEC followed that initiative with both the APEC Innovation Principles in 2011 and the APEC Privacy Framework in 2012 that

¹⁶ Organisation for Economic Cooperation and Development, "[Quantitative Assessment of the Benefits of Trade Facilitation](#)," November 13, 2003.

¹⁷ Joakim Reiter, "[Harnessing the Digital Economy for Economic Growth and Development](#)," Statement during E-Commerce Week.

¹⁸ Digital Europe, Information Technology Industry Council, and Japan Electronics and Information Technology Industries Association, "[2016 G7 Summit and ICT Ministerial: Recommended Outcomes for Promoting Innovation, Development, and the Digital Economy](#)," 2016.

¹⁹ Sabine Bendiek, "[B20 Germany: The new global economy runs on free flow of data and trust](#)," February 22, 2017.

²⁰ Digital Prosperity Checklist, APEC (Nov. 2008), accessed at http://mddb.apec.org/documents/2010/TEL/TEL41-DSG-WKSP1/10_tel41_dsg_wksp1_003.pdf.

explicitly emphasized the importance of these issues.²¹ The APEC Privacy Network was further updated in 2015 to reflect global discussions on e-commerce, privacy, and the free flow of information.²²

- The OECD in July 2013 developed “Guidelines Governing the Protection of Privacy and Transborder Flows of Personal Data” that established a framework that supports cross-border data flows.²³

The U.S. government has also elevated their focus on these issues, with USTR launching its efforts to promote the “digital two dozen” priorities and increasing its focus on digital trade issues as part of regular trade reporting such as the National Trade Estimate.²⁴ The United States and European Union (EU) in 2011 agreed to a set of trade principles on ICT services that highlight the importance of ensuring the free flow of data across borders and avoiding localization requirements, and has pursued negotiations and agreements on cross-border data flows and cybersecurity with markets such as China and India. Digital trade issues were also an important negotiating priority incorporated into agreed text in past trade negotiations, and into bilateral agreements such as the February 2016 U.S.-EU Privacy Shield framework that provided predictability and stability for manufacturers, allowing them to protect personal data while ensuring the free flow of cross-border data to operate their businesses globally.

Despite growing recognition of this issue from the United States and others, the trading system has not fully kept pace. Although the TFA includes rules to address some of the customs-related challenges facing manufacturers seeking to use e-commerce platforms, broader trade issues impacting the digital economy have not been fully addressed. As the NAM and nine other associations explained as far back as 2013 in a letter to then-USTR Ambassador Michael Froman, “current trade rules are insufficient to ensure that borders remain open to data flows and services receive non-discriminatory treatment in key markets.”²⁵

These issues must be an important part of both trade negotiations and trade enforcement efforts, and the NAM welcomed language in the Bipartisan Congressional Trade Priorities Act of 2015, which sets specific trade negotiating objectives for the United States related to digital trade in goods and services and cross-border data flows. The NAM supports efforts to secure binding and enforceable new obligations in ongoing trade talks to permit the flow of data across borders and to prohibit information technology localization requirements in all future trade negotiations. Such outcomes could be a model for a new global architecture. Adoption of such disciplines can help countries increase their attractiveness to foreign investment that relies increasingly on access to ICT technologies, services and networks.

The NAM recognizes that there may be areas where exceptions to such binding commitments should be permitted, such as with respect to legitimate national security, intellectual property, privacy and law enforcement. Such exceptions should not, however, be used to create unwarranted or protectionist-based barriers to cross-border data flows or the use of ICT infrastructure. Thus, any exceptions should not be unnecessarily restrictive or constitute a

²¹ APEC, “[Promoting Effective, Non-Discriminatory, and Market-Driven Innovation Policy](#),” November 2011; [APEC Privacy Framework Pathfinder](#).

²² [Updates to the APEC Privacy Framework](#), adopted November 2016.

²³ OECD Guidelines Governing the Protection of Privacy and Transborder Flows of Personal Data (July 11, 2013, accessed at <http://www.oecd.org/sti/ieconomy/privacy.htm>).

²⁴ USTR, “[The Digital 2 Dozen](#),” February 2016; USTR, “[Fact Sheet: Key Barriers to Digital Trade](#),” March 2016.

²⁵ Letter to Ambassador Michael Froman (Sept. 26, 2013).

disguised restriction on trade; and, should be consistent with and no broader than the general exceptions (Article XIV) of the General Agreement on Trade in Services.

Conclusion

All manufacturers with cross-border investment and sales need to see policies put into place that ensure that their data can move across borders, that electronic commerce is accepted and that prohibit requirements to localize technology (such as servers) in any one country. It is important that the U.S. government lead efforts around the world, including work to modernize global trade rules that relate to ICT technology and services to ensure the ability of manufacturers in the United States to grow through greater access to trade and consumers overseas.