



November 9th, 2020

Dear Matthew S. Borman,
Deputy Assistant Secretary for Export Administration
Bureau of Industry and Security

Public comment on ANPRM: RIN 0694-AH80, Docket No. 200824-0224,
RIN 0694-AH80, Docket No. 201002-0264

Semiconductor Equipment Association of Japan (SEAJ) is deeply aware of the importance of security trade control, and has respect for the policies and activities of the Bureau of Industry and Security.

The semiconductor and semiconductor manufacturing equipment industries have been developing on the premise that companies in various countries bring the superior technical fields of each country together and that global supply chains based on free trade are maintained.

Even amid the world economic slowdown due to COVID-19, semiconductor technologies are evolving in each country. Global data traffic systems are safely maintained with high reliability. Even though direct face-to-face meetings between people are limited, quantitative levels of higher education or medical fields are maintained, and we believe that semiconductor technologies are making a significant contribution to this.

The technological evolution of semiconductors is advancing, and many semiconductor products that are produced using miniaturization technologies, such as 7 nm or 5 nm process technologies, which are currently being developed for practical applications, are used only for commercial consumer equipment including smartphones.

Controls for semiconductor manufacturing equipment should naturally be limited to equipment that is designed for the manufacturing of products for military applications as their direct purpose and technologies used for military applications. They should not be included in the technologies used for developing and manufacturing consumer products.

With respect to civil and business transactions including foundational technologies in security trade control, such technologies should not be controlled when concerns regarding the use of such technology for military or similar applications are reasonably mitigated by end use and/or end user validation or other appropriate means.

Moreover, technologies that have already been developed in other countries and put into

practical use should also not be controlled; implementing such regulations as a deterrent by regulating such technologies is not only ineffective, but may also hinder cooperation among countries in technological aspects or joint research and development carried out among people of allied nations. This may result in hindering opportunities for maintaining or expanding technological superiority of the people and industries of our own countries and allied nations.

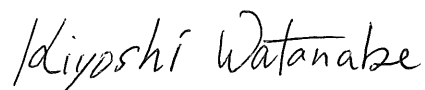
Semiconductor manufacturing equipment is already controlled by international regimes; therefore, when you add new controls in the future, we would like you to limit the target items to technologies that are highly likely to be diverted to military purposes. In addition, we would like you to clarify (including exemplification using guidelines, etc.) target items, so as to ensure seamless practical operation of the controls.

We would like you to clarify the application requirements for controls, so that the relevant controls will not disrupt global supply chains and will not place a greater burden than necessary on companies. Specifically, we would like you to limit the application of relevant controls to exports to embargoed nations, etc., so that they will not be applied to allies, including Japan.

Accordingly, we would like to ask that you carefully consider the appropriateness and scope of technologies to be controlled through consultations with your allies, including Japan, and each related country.

We would greatly appreciate your understanding regarding our position. Again, we would like to express our deep respect for the policies and activities of the Bureau of Industry and Security, and we extend our sincere gratitude.

Sincerely,



WATANABE Kiyoshi

Chief Executive Director

Semiconductor Equipment Association of Japan (SEAJ)

3, Rokubancho, Chiyoda-ku, Tokyo 102-0085, Japan