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BSA Lays Out New Presidential Priorities

BSA, which represents the software industry, today issued a set of recommendations it thinks President-elect Joe Biden's transition team should use to craft "smart, bold policies" dealing with COVID-19 response and recovery, privacy, the 5G transition, digital trade, cybersecurity, and numerous other issues.

"[W]e urge the incoming Administration to prioritize responsible policies that foster a strong remote economy, promote racial justice, expand opportunities for the workforce, and protect privacy and security," BSA Vice President-global policy Aaron Copper said in a press release.

BSA recommended that in the short term, the Biden administration's response to the pandemic should focus on measures to "encourage and enable the use of software and cloud services and for continued business and government operations," as well as maintain "strong" privacy and security practices.

For the long term, the Biden administration should "invest in universal, affordable, secure" high-speed Internet service, by encouraging infrastructure development, particularly in rural areas, as well as deploy and secure 5G networks based on "open-source-driven architectures," BSA said.

Part of the Biden administration's pandemic recovery efforts should also include "removing barriers to cross-border collaboration" and maintaining a "secure, reliable, predictable IT supply chain," the group said.

The group's recommendations also called for a "comprehensive federal privacy law that creates new rights for consumers, places obligations on businesses that reflect their role in handling consumers' personal data, and creates strong and consistent enforcement mechanisms."

Among other things, BSA said, that law should provide consumers with the right to access, correct, and delete personal data, as well as create "real obligations" on businesses that use consumer data, the group said.

Those obligations could include having to specify the purpose for collecting data, obtaining consent to do so, and implementing and maintaining data security measures, BSA said.

The Biden administration should also place a priority on workforce development and immigration policies that will increase the "pipeline of skilled workers," the group said.

Those efforts should include improving access to science, technology, engineering, and math (STEM) education for under-represented groups, as well as supporting “flexible approaches” to skills training programs, the group said.

Regarding digital trade, BSA opposes data localization requirements, cross-border data transfer restrictions, customs requirements on electronic transmissions, and discriminatory taxes on software or cloud services.

The group also called for the Biden administration to press governments to adopt legal frameworks to protect data privacy and to not “undermine encryption in commercial products, including through the imposition of restrictions on security technologies used to safeguard against intrusions.”

BSA also said the incoming administration “must take robust action to confront cybersecurity threats to US networks and systems and to elevate US global cybersecurity leadership.”

Among other things, the government should support adoption of cloud technologies through the use of standards-based cloud security policies, as well as “recalibrating supply chain policies” to improve risk management, BSA said.

There should also be a focus on securing Internet of things (IoT) products and services by establishing a “common approach to IoT security that provides clear, flexible, outcome-focused security guidance and avoids state-level policy fragmentation.”

The Biden administration should also take steps to organize the government to fight cyber threats, including improving and providing more funding for the Cybersecurity and Infrastructure Security Agency (CISA) and establishing a National Security Coordinator to lead interagency cybersecurity initiatives, BSA said.

Mr. Biden also should appoint an ambassador-level official to lead a cybersecurity bureau at the Department of State.

The Biden administration also needs to facilitate greater sharing of non-sensitive government data, including fully implementing the 2019 OPEN Government Data Act and appointing a federal Chief Data Officer.

Regarding 5G, the Biden administration should invest in “development and deployment” of Radio Access Network (RAN) technologies that are software-based and built on open standards.

The U.S. should also press for internationally recognized standards for cloud security, as well as “substantially” increasing government participation in international standards development.

In addition, the group said, the Biden administration should guide the U.S. through its relationship with China regarding trade and security by using “distinct” tools to deal with each area.

“For example, the effectiveness of those national security tools is undermined if they are deployed in a manner that is perceived as an effort to advance economic interests rather than national security interests,” BSA said.

Overall, the U.S. needs to strengthen its strategic partnerships with allies when “responding to distortive Chinese trade and technology practices,” the group said.

In addition, the U.S. should adopt a “run faster” strategy on trade that includes building coalitions with allies, investing in long-term U.S. innovation, growing the country’s high-tech workforce, and “spurring” demand for U.S. technology, BSA said. —Jeff Williams

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