

TECH WAR LAW, POLICY & COMMERCE

BESPOKE EXECUTIVE EDUCATION

Regulation of Foreign Access to Technology: Mechanics and Impacts from Research to Supply Chains

The race to dominate future technologies like artificial intelligence and 5G is central to the U.S.-China economic confrontation and to U.S. policy more broadly, given expectations that emerging technologies mastery will fuel nations' economic and military strength in the near and distant future.

In Washington, there is—and was prior to the Trump Administration—bipartisan consensus that China's technological ascendance is a threat to U.S. national security, which includes the preservation of America's economic, military, and technological edge. Accordingly, a U.S. whole-of-government strategy is at work to protect technology from foreign access, participation, and influence deemed contrary to U.S. interests. Relative to tit-for-tat tariffs, the United States' technology strategy is institutionalized—it is not dominated by a single public official or driven by Twitter, news cycles, elections, or short-term market movements.

U.S. law is the linchpin of the whole-of-government strategy. A range of laws, regulations, and policies have been enforced, adopted, and proposed to regulate foreign access to technology across the innovation pipeline—from research to the sale of goods and services within and outside of the United States. In addition, the United States has sought to stem Chinese access to, participation in, and influence on emerging technologies in and through third countries.

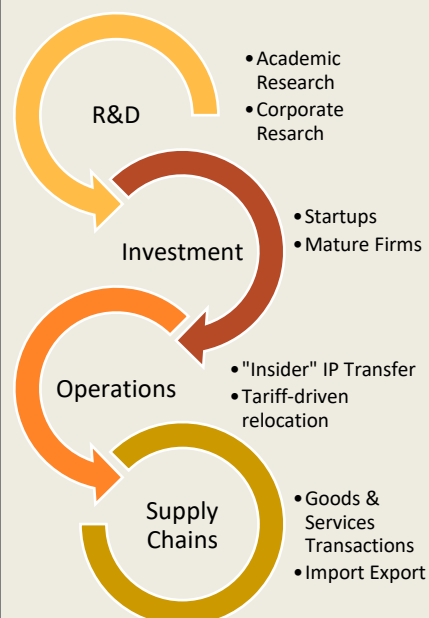
High profile U.S. legal actions have involved export controls, sanctions, and supply chain exclusions aimed at Chinese firms like Huawei, ZTE, and Hikvision. But these are not the only legal measures in play. U.S. regulations are neither China-specific nor limited to "rival" nations. Moreover, U.S. regulations and policies impact technology development and transfer across the innovation pipeline, from R&D to global supply chains.

To effectively navigate the rapidly evolving landscape, manage counterparty and supply chain risk, and assess how future events might unfold—including after the 2020 U.S. presidential election—it is necessary to understand and contextualize relevant regulations and policies, and their commercial impacts.

This unique executive education offering—adapted from a one-of-a-kind graduate school course—will cover U.S. regulation of foreign access to technology from R&D to market, U.S. government and Trump Administration dynamics, and links between the trade war and technology. Offered exclusively by MassPoint Legal and Strategy Advisory PLLC, this course is provided on a customized basis to companies, academic institutions, investors, industry groups, policy professionals, and other stakeholders.

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Regulation of Foreign Access to Technology (illustrative)



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