July 12, 2016

Mr. Shaun Donovan
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Secretary Penny Pritzker
Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Secretary John Kerry
Department of State
2201 C St NW
Washington, DC 20520

Secretary Ash Carter
Department of Defense
1400 Defense Pentagon
Washington, DC 20301

Dear Secretary Pritzker, Secretary Kerry, Secretary Carter and Director Donovan:

I write to support the expeditious completion of the proposed rules to update U.S. Munitions List (USML) Category XII and the Commerce Control List (CCL) regulations. The optics and photonics industries in my state have informed me that current regulations are undermining their ability to compete globally. The proposed final rules governing the export of optics and photonics technologies would enable these industries to export their commercial components for years to come, as well as grow and hire more employees. It is critically important that these rules be finalized as soon as possible.

The U.S. optics and photonics industries in New York are concerned that if the USML Category XII and the bookend CCL rules fail to be finalized, they would be left with current regulations that inhibit their ability to sell their products abroad. The optics and photonics industries produce cutting-edge military and commercial technology employing over 125,000 people at over 900 companies nationwide, including over 15,000 workers across 100 companies based in the greater Rochester, New York, area. These industries are concerned that the continuance of the current restrictive and antiquated export regulations could have the unfortunate effect of driving U.S. production abroad.

I commend the State Department and Commerce Department for their work on the proposed USML Category XII and CCL rules, which were recently submitted to the Office of Management and Budget (OMB) for inter-agency review. These rules are the culmination of many years of collaboration between industry, academia and the agencies governing the export control system. They are carefully devised to protect our sensitive military technology and prevent unfair barriers for exporting commercial components in rapidly advancing industries. The implementation of these rules would be a vital step in assuring that the optics and photonics industries can sell their commercial components in markets worldwide and continue to grow and

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support more good paying jobs in New York and around the country. Any further delays could jeopardize the implementation of these rules before the end of the current Administration, which would hinder years of work to craft these new balanced regulations and could further harm these industries.

Again, I urge your agencies to expeditiously finalize the proposed final USML Category XII and CCL rules. We must ensure that U.S. industries are not unduly harmed by static regulations. Thank you for your time and attention on this important issue.

Sincerely,

[Signature]

Charles E. Schumer
United States Senator