

Commerce Initiates Rulemaking Targeting Foreign-Manufactured Technology Used In Connected Vehicles

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This blog post was written with the assistance of Sean C. Church, Paralegal

On Thursday, February 29th, 2024, the Department of Commerce (“the Department”) announced an [advance notice of proposed rulemaking](#) (“ANPRM”), seeking public comments regarding new potential regulations to “secure and safeguard the Information and Communications Technology and Services (“ICTS”) supply chain for connected vehicles (“CVs”).”

The Department is expanding its authority to review transactions relating to communications and telecommunications, after a significant period of relative inactivity. This marks one of the first major uses of this authority to flag items of risk coming into the United States.

The ANPRM outlines the risks of such technology from foreign adversaries used within CVs. The Department determined that ICTS can provide a direct entry point to “sensitive U.S. technology and data,” or that may be able to bypass certain safety and security measures within the CV. Thus, the Department determined that ICTS provided under the jurisdiction or direction of certain foreign countries or persons could be used to harm the United States’ critical infrastructure and national security. In a [press release](#), the Department also named China as a threat in this context.

The Department is seeking feedback on a range of issues, providing an opportunity for industry players to help shape the scope and direction of the Department’s rulemaking process. Although in its very early stages, the ANPRM signifies an unprecedented use of authority under the ICTS Executive Order. Companies should be attentive to these developments, and consider consulting with counsel and submitting questions or concerns to the Department, as requested in the ANPRM.

Companies that manufacture, supply, or are otherwise involved with CVs should strongly consider submitting comments, especially those in the telecommunications industry.

Comments are due on April 30, 2024. Companies may email their comments directly to connectedvehicles@bis.doc.gov with “RIN 0694-AJ56” in the subject line. Below are some additional details on submitting comments.

Please [contact](#) our export controls and sanctions team if you need assistance navigating these latest developments.

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Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. For those seeking to submit confidential business information (CBI), please clearly mark such submissions as CBI and submit by email, as instructed above. Each CBI submission must also contain a summary of the CBI, clearly marked as public, in sufficient detail to permit a reasonable understanding of the substance of the information for public consumption. Such summary information will be posted on regulations.gov.

For further information, companies may contact: Marc Coldiron, U.S. Department of Commerce, telephone: 202-482-3678.