

March 2019

## Counterfeit Electronics Fueled By E-Waste Exports From U.S. Must Be Addressed in China Trade Negotiations

Trade negotiations have shown recent signs of progress as President Trump delayed tariffs and proposed a summit with China President Xi Jinping for later this month. While protecting national security has been a crux issue in the Administration's trade actions to date, the current debate overlooks the continued flood of counterfeit electronic components from China.

Counterfeiters use electronic waste (e-waste), much of it exported from the United States, as raw materials for this illicit trade. Counterfeits raise concerns in three key areas:

- **National Security.** A [2011 study by the U.S. Senate Armed Services Committee](#) identified more than one million suspected counterfeit electronic parts in defense system hardware. Despite supply chain reform, the problem remains serious. For instance, in May 2018 an electronics distributor was charged with [selling counterfeit electronics](#) with military and commercial uses.
- **Public Safety.** A Semiconductor Industry Association report outlines specific incidents in which counterfeits created risks in healthcare technology, consumer products, aviation, and more.
- **Environment.** Laden with toxic materials, e-waste is a global environmental threat when exported to developing countries that lack adequate controls to protect water and air as well as worker safety.

### Supporting Responsible Recycling Policies

Unlike all other developed countries, the U.S. lacks a national policy on e-waste exports. We are the only developed country that has not ratified the Basel Convention on hazardous waste that includes the trans-boundary movement of e-waste.

The [Coalition for American Electronics Recycling](#) (CAER) has led the drive for export policies that solve these problems by requiring domestic recycling of untested, non-working electronics that fuel the environmental and security threats. Key initiatives include:

- **[Secure E-waste Export and Recycling Act \(SEERA\)](#).** CAER spearheaded introduction of this bipartisan legislation that proposed adding untested, nonworking e-waste to a list of materials restricted from export under the Export Control Act of 2018 due to national security concerns related to counterfeiting.
- **Department of Commerce Inquiry.** CAER and our member companies [provided comments](#) to regulations proposed by the Bureau of Industry and Security (BIS) that would strengthen U.S. government oversight of discarded electronic waste exports due to national security concerns. The proposed regulations embodied many of the provisions outlined in SEERA.

**Please join us in this important cause  
by co-sponsoring the reintroduction of SEERA in the 116<sup>th</sup> Congress**

For more information, visit:  
[AmericanErecycling.org](http://AmericanErecycling.org)

