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E-waste Export Reform Legislation Introduced to Protect National Security

*Secure E-Waste Export and Recycling Act
Will Deter Counterfeit Electronics from China, Create U.S. Jobs*

Washington, DC – Rep. Adriano Espaillat (D-NY) and Rep. Paul Cook (R-CA) today introduced the Secure E-Waste Export and Recycling Act (SEERA) legislation that will combat the national security threats posed by the unregulated export of e-waste from the United States. Introduced with strong support from the [Coalition for American Electronics Recycling](#) (CAER), SEERA will restrict export of untested, non-working electronic scrap that provides feedstock for microchip counterfeiters based primarily in China.

“I appreciate the bipartisan interest and efforts to curb China’s baneful economic practices and I am glad to work with Congressman Cook to abate e-waste exports to China, which directly threaten our national security and economic interests. Despite the recently enhanced prevention and detection measures imposed on e-waste, the current situation remains untenable and requires a comprehensive strategy to choke off counterfeiters’ feedstock: American e-waste exports,” Rep. Espaillat said. “Aside from the national security concerns this bill addresses, SEERA mitigates the damaging effects on the environment caused by China’s unchecked recycling of e-scrap, which contains toxic materials such as lead, PCBs, mercury and more.”

“China regularly counterfeits electronics and puts these dangerous products, including critical military equipment, back into the market,” Rep. Cook said. “These electronic components threaten the reliability and safety of a wide range of technology. SEERA will ensure we’re not exporting electronic scrap materials that return to us as counterfeit parts and undermine the reliability of technology essential to our national security.”

SEERA would add untested, non-working e-waste used by counterfeiters to a list of materials restricted under the Export Control Reform Act of 2018 due to national security concerns. The legislation includes exemptions for materials considered low risk because they are unlikely to be used by counterfeiters, including:

- Tested, working used electronics
- E-scrap that has been shredded or demanufactured, which may be exported for use as feedstock for smelters and other recycling processes
- Recalled electronics, which may be exported for repairs

By requiring domestic recycling of e-scrap, SEERA will increase high-value exports of refurbished computer equipment and commodity-grade material refined from used electronics. The export reforms will also enable U.S. recyclers to attract investment, expand capacity and create up to 42,000 quality jobs for Americans.

For more details, read a [summary of the bill](#) on the CAER website.

The threat counterfeits pose to national security was first spotlighted in a [Senate Armed Services Committee study](#) that found 1 million suspected counterfeit parts in military technology, including helicopters, cargo planes, submarines, thermal weapons sights, and missile control systems. The report states “much of the material used to make counterfeit electronic parts is electronic waste, or e-waste, shipped from the United States and the rest of the world to China.”

The problem remains serious, as shown by the conviction of a California-based electronics executive earlier this year for selling counterfeit semiconductor chips with fake branding that ended up in U.S. military systems, including a classified weapons system. The counterfeits were pulled from electronic waste (e-waste) – used or discarded chips – then altered by Chinese counterfeiters to appear like new semiconductors and sold to defense contractors. In his plea agreement, Rogelio Vasquez of PRB Logics Corporation also admitted that in 2016 he acquired counterfeit integrated circuits from China, also processed from e-waste, and sold them into the U.S. defense supply chain believing they would be used in the B-1 Lancer Bomber military aircraft.

About CAER

The Coalition for American Electronics Recycling is the voice of the emerging e-waste recycling industry on Capitol Hill. Our industry will play an integral role in the fight against counterfeits by providing secure, domestic e-recycling services for government and businesses. CAER includes more than 150 companies and supporting members operating more than 300 facilities in 37 states as well as Puerto Rico and the District of Columbia.