



March 20, 2020

The Honorable Larry Hogan
National Governors Association
444 North Capitol Street
Suite 267
Washington, DC 20001

Dear Governor Hogan:

COVID-19 presents one of the most complex challenges local, state, and federal governments have faced in modern times. As you continue to consider options for responding to this challenge, BSA | The Software Alliance¹, seeks to support decisions that maximize public health and safety while maintaining essential functions that millions of citizens depend on for critical business and personal needs. On March 19, the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) issued valuable and consistent guidance in identifying essential critical infrastructure workers during the pandemic response efforts.

BSA and its members believe that shelter-in-place orders and related policies limiting business operations should include exclusions, consistent with these CISA recommendations, to maintain vital functions performed by Information Technology (IT) and IT infrastructure in order to meet such needs. It is also extremely important that definitions of exclusions be consistent throughout the nation; inconsistencies make it more difficult for our members to provide the continuity of services that are needed to comply with these necessary policies.

BSA is the world's leading trade association representing the global software industry before governments and in the international marketplace. Its members operate cloud services, software platforms, and other IT infrastructure that supports functions that are vital, particularly in the unique circumstances that the spread of COVID-19 entails, to enable effective public health responses, to maintain economic continuity, and to meet essential personal needs of individual citizens. Health care providers, first responders, the vendors of food and essential supplies and their supply chains, business and government enterprises, and numerous other functions are reliant on IT and IT infrastructure. Shelter-in-place orders and similar policies that cause substantial disruptions to or closures of significant operations could potentially cripple these functions.

As you consider necessary and valuable policy responses, we urge you to ensure the continuity and stability of these services by including IT and IT infrastructure in essential business exemptions, or taking other measures to enable workforces in these industries to support these vital services. Such exemptions should include IT and IT infrastructure as well as their essential services vendors, including the provision of essential

¹ BSA's members include: Adobe, Atlassian, Autodesk, Bentley Systems, Box, Cadence, CNC/Mastercam, IBM, Informatika, Intel, MathWorks, Microsoft, Okta, Oracle, PTC, Salesforce, ServiceNow, Siemens Industry Software Inc., Sitecore, Slack, Splunk, Trend Micro, Trimble Solutions Corporation, Twilio, and Workday.

global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing supporting these services.

Globally, software companies are taking significant measures to improve the public health response to COVID-19, and our members are eager to continue working with government and non-governmental stakeholders to confront this crisis together. As you further consider policy responses, BSA and its members are eager to be resources to help make these policies as effective as possible. Thank you for your leadership during this challenging time.

Sincerely,

A handwritten signature in blue ink that reads "Tom Foulkes". The signature is written in a cursive style with a large, prominent initial "T".

Tom Foulkes
Senior Director, State Advocacy