

## 26 Consortia Seek Clarity on Huawei Restrictions from Dept. of Commerce

The uncertainty and concern resulting from the May 16 addition of Huawei to the US "Entity List," and May 19 announcement of a limited 90-day exception for 5G standards development, have prompted 26 open standards organizations to request much needed clarity from the US Department of Commerce.

In a June 14 Letter to Secretary of Commerce, Wilber L. Ross, the consortium signatories emphasize the critical importance of broad and unfettered participation in standards development, and urgently request that the Department "make a clear statement that development of open enrollment, consensus-based standards or technical specifications as conducted by consortia is exempt from the

scope of the Entity List designation." The Letter concludes with proposed language for a new exemption, intended to clearly enable engagement with Huawei for purposes of developing standards, technical specifications, and related services within international standards bodies and industry consortia.

The Letter, background, and additional insights appear at <https://www.consortiuminfo.org/standardsblog/articles/26-consortia-request-department-commerce-exempt-standards-development-harsh-entity-list>, in the most recent entry of the Standards Blog by Andrew Updegrove, a Partner at Gesmer Updegrove LLP and co-author of the Letter.

*The rules regarding Huawei-related sanctions are very technical and their applicability in any given case is highly fact specific. Moreover, the political and enforcement landscape is changing rapidly. For all these reasons, any entity that believes it may be impacted by the sanctions and related rules should consult with, and rely on, the advice of legal counsel rather than this alert. If you have questions or would like additional information regarding your Organization or these topics, please feel free to contact Russ Schlossbach at [russ.schlossbach@gesmer.com](mailto:russ.schlossbach@gesmer.com). This advisory is for information purposes only, and does not constitute legal advice.*



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