

September 11, 2024

The Honorable Janet Yellen  
Secretary of the U.S. Department of the Treasury  
1500 Pennsylvania Avenue, N.W.  
Washington, D.C. 20220

Dear Secretary Yellen:

The undersigned organizations are writing regarding your role as the Chairperson of the Committee on Foreign Investment in the United States (CFIUS) to express our concerns about political pressure being brought to bear on the U.S. Government's foreign investment review of Nippon Steel's proposed acquisition of U. S. Steel. We fear that the CFIUS process is being used to further political agendas that are outside the committee's purview and putting the U.S. economy and workers at risk.

It is critical that CFIUS remain solely focused on defending U.S. national security while championing economic openness. That was the standard set when Congress codified CFIUS in the 1980s. That was the standard reaffirmed when Congress made reforms in the mid-2000s, and that was the standard with which FIRRMA was passed by Congress.

Unfortunately, there have been persistent attempts recently to politicize the committee's work from across the political spectrum, allowing politics to undermine the clear and narrow statutory mandate of national security. We fear this political pressure may be unduly influencing the outcome of the CFIUS review. Indeed, America's investment climate will be severely tarnished if such political interference prevails.

As you know, the United States is the world's largest recipient of foreign direct investment. Foreign-headquartered companies have invested over \$5 trillion into the U.S. economy, employing 7.9 million U.S. workers and offering salaries and benefits that are seven percent higher than the U.S. national average. American workers at foreign-headquartered companies produce 23 percent of all U.S. goods exports, shipping \$412 billion in goods to customers around the world annually.

The United States is also the largest source of outbound investment (\$6.68 trillion at the end of 2023). As described by top CFIUS officials, CFIUS's exclusive focus on national security concerns is intended to "reinforce" the U.S. commitment to maintaining an open investment policy. U.S. companies seeking to make investments abroad will be vulnerable to reciprocal action as a result of politicizing the U.S. review process. Such a decision would give license to foreign governments to protect national champions even when a specific investment presents no national security risks.

CFIUS should never become a tool for political posturing and should not morph into industrial policy masquerading as national security.

In closing, we would note that a critical factor for why the United States is able to attract such a high level of investment from international companies is our country's commitment to the rule of law and

the predictability and stability of our regulatory framework. We urge you to maintain this standard and ensure political interference does not diminish America's investment climate.

Thank you,

Global Business Alliance (GBA)  
U.S Chamber of Commerce  
National Foreign Trade Council (NFTC)  
Autos Drive America  
Alliance for Automotive Innovation  
United States Council for International Business (USCIB)  
Keidanren (Japan Business Federation)

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Merrick Garland, Attorney General  
Anthony Blinken, Secretary of State  
Alejandro Mayorkas, Secretary of Homeland Security  
Gina Raimondo, Secretary of Commerce  
Lloyd Austin, Secretary of Defense  
Jennifer Granholm, Secretary of Energy  
Katherine Tai, US Trade Representative  
Dr. Arati Prabhakar, Director of the Office of Science and Technology Policy