

# Nova Daly Discusses CFIUS Report on Foreign Efforts to Acquire Critical U.S. Technologies

*Inside U.S. Trade*  
January 10, 2014

Nova J. Daly, a senior public policy advisor in Wiley Rein's International Trade Practice, was quoted by *Inside U.S. Trade's China Trade Extra*, in a January 7 article about recent findings from the Committee on Foreign Investment in the United States (CFIUS) concerning foreign entities' efforts to acquire critical U.S. technologies.

In contrast to findings reported by CFIUS a year ago, the U.S. intelligence community now believes it is unlikely that foreign governments or companies are engaged in a "coordinated strategy" to acquire U.S. companies involved in the research, development, or production of critical technologies, CFIUS said in its December 2013 report.

Nevertheless, CFIUS found that foreign governments are still "extremely likely" to continue using a range of collection methods to obtain critical U.S. technologies. Those collection methods include general espionage by foreign governments that could lead to the acquisition of critical U.S. technologies, according to the article.

That finding "means that the threat of U.S. companies losing critical technologies is constant and significant," Mr. Daly told *Inside U.S. Trade*.

Comprised of the heads of multiple federal agencies and chaired by the secretary of the U.S. Department of the Treasury, CFIUS reviews foreign acquisitions of U.S. companies that raise national security issues. Mr. Daly served as Treasury's Deputy Assistant Secretary for CFIUS from 2006 to 2009.

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