



Ms. Carme Artigas Brugal
Secretaría de Estado de Digitalización e Inteligencia Artificial
Paseo de la Castellana, 162, 28046 Madrid

March 27, 2020

Subject: Ensuring Necessary Exclusions from Strict Confinement Policies for Essential IT Functions

Dear Minister Artigas Brugal:

COVID-19 presents one of the most complex challenges governments around the world have faced in modern times. As you consider options for responding to this challenge, BSA | The Software Alliance (**BSA**)¹ 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, including healthcare needs.

It is important that mandatory stay-at-home or confinement orders and related policies limiting business operations exclude individuals who are necessary 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 both among and within countries; inconsistencies make it more difficult for our members to provide the continuity of services that are needed for stay-at-home and related policies to work effectively.

BSA's members operate cloud services, software platforms, and other IT infrastructure that support functions that are vital, particularly in the unique circumstances that the spread of COVID-19 entails. These functions enable effective public health responses, support and maintain economic continuity, and underpin many 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, critical infrastructures like utilities and financial services, and numerous other functions, including education, are reliant on IT and IT infrastructure. Without the necessary exclusions, stay-at-home orders and similar policies that cause substantial disruptions to IT and IT infrastructure providers could cripple these functions.

¹ BSA | The Software Alliance (www.bsa.org) is the leading advocate for the global software industry before governments and in the international marketplace. Its members are among the world's most innovative companies, creating software solutions that spark the economy and improve modern life. With headquarters in Washington, DC, and operations in more than 30 countries, BSA pioneers compliance programs that promote legal software use and advocates for public policies that foster technology innovation and drive growth in the digital economy.

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

As you consider implementing mandatory stay-at-home or similar 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 continue to support these vital services. Such exemptions should include IT and IT infrastructure vendors as well as their essential products and services vendors. These should include those providing essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing supporting these services. It is also critical to allow the on-going construction and installation of new facilities and infrastructure to ensure providers are able to meet the rapidly growing demand for such services.

In Europe and globally, software companies are taking significant measures to improve the public health response to COVID-19. 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 serve as resources to help make these policies as effective as possible. Thank you for your leadership during this challenging time.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Boué', with a long horizontal stroke extending to the right.

Thomas Boué
Director General, Policy – EMEA
BSA | The Software Alliance