



March 6, 2023

Dr. Dominic J. Mancini, Ph.D.  
Deputy Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
Washington, DC 20503

Dear Dr. Mancini,

I am requesting emergency approval of a new information collection needed for implementation of the CHIPS Act of 2022 (Division A of P.L. 117-167) (the Act). The Act tasks the Secretary of Commerce with carrying out sections 9902, 9904 and 9906 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652, 4654, and 4656). This statute aims to catalyze long-term growth in the domestic semiconductor industry in support of U.S. economic resilience and national security. The NOFO discusses the application process for projects for the construction, expansion, or modernization of commercial facilities for the front- and back-end fabrication of leading-edge, current-generation and mature-node semiconductors and can provide direct funding (via grants, cooperative agreements, or other transactions), loans, and loan guarantees for eligible projects.

The CHIPS Program must fund a variety of projects to achieve its economic resilience and national security objectives. Projects will vary in technology, scale, cost, location, risk, and other factors. Over the last six months the Department has been working diligently to determine the best way to incentivize manufacturing through a series of requests for information. Input from these activities has helped design a program that will provide financial assistance awards to incentivize investment in facilities and equipment in the United States for semiconductor fabrication, assembly, testing, advanced packaging, and research and development, thereby increasing U.S. economic and national security by supporting a sustainable, competitive domestic semiconductor industry. Because both Congress and the Administration have identified the current low U.S. production of semiconductor chips as a matter of national security and defense, the Secretary of Commerce is implementing this program on an expedited timeline to meet the identified U.S. economic and national security needs.

The Department is requesting emergency approval of the CHIPS Pre-Application by March 20, 2023. The submission of a Pre-Application is highly encouraged but not required. The purpose of a Pre-Application is to create an opportunity for the Department to provide a preliminary assessment of the likelihood of a potential application receiving CHIPS Incentives, and to provide meaningful feedback to applicants before they prepare a full application package, as well as an opportunity for dialogue between CPO and the applicant to ensure the applicant is ready to meet program requirements and address program priorities. CHIPS Incentive Program will

initially prioritize incentives for the fabrication of leading-edge semiconductors. Leading Edge applicants may access the application upon release and may submit a Pre-application no earlier than 31 Mar 2023 or 21 days after submitting a Statement of Interest, whichever is later. All other applicants may access the application upon release but will not be able to submit a Pre-application until 1 May 2023 or 21 days after submitting a Statement of Interest, whichever is later.

A Federal Register notice was published on March 3, 2023, for a public comment period which will end on March 17, 2023. Commerce understands OMB clearance would be for 6 months only and would publish a 60 day notice very quickly after OMB approves the emergency collection.

Please contact [Elizabeth.Reinhart@nist.gov](mailto:Elizabeth.Reinhart@nist.gov) should you or your staff have any questions about this request.

Sincerely,

**LAURIE  
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Laurie E. Locascio, Ph.D., NAE  
Under Secretary of Commerce for Standards and Technology &  
Director, National Institute of Standards and Technology

cc: Hon. Gina R. Raimondo