



To: WSU Chancellors
WSU Deans

From: Dr. Christopher Keane
Vice President for Research, WSU
Vice Chancellor for Research, WSU Pullman

Date: November 2, 2023

Subject: Commitment to Export Control Compliance

Washington State University's (WSU) global partnerships and collaborations are critically important to our research, education, and outreach missions. WSU leadership is committed to performing these missions while also complying with United States export control laws and regulations.

The US Department of State Directorate of Defense Trade Controls (DDTC) recently visited WSU to discuss export control policies and related topics. As an outcome of the visit DDTC recommended WSU provide a memorandum documenting our commitment to follow US export controls and regulations. This memorandum, posted [here](#), satisfies this request.

Export control laws are in place to protect national security, foreign policy objectives, and economic interests of the United States. Export controls are governed by three separate branches of the U.S. government: the [Bureau of Industry and Security](#), [International Traffic in Arms Regulations](#), and the [Office of Foreign Assets Control](#). Compliance with these laws is a shared responsibility and applies to members of the WSU community, as non-compliance may result in personal and/or institutional violations that could include fines and imprisonment. The negative publicity resulting from an export violation may also damage the reputation of the individual or the institution.

Export control regulations apply to most research, sponsored or not. However, export control regulations do not control all research activities at WSU because of the Fundamental Research Exclusion (FRE). Fundamental research is defined as "research in science, engineering, or mathematics, the results of which ordinarily are published and shared broadly within the research community, and for which the researchers have not accepted restrictions on publication or access to or dissemination of the results."

The complexity of the regulations often results in unclear expectations for researchers. Therefore, it is important for the research community to be aware of specific activities that may be export controlled or lead to the need for export compliance management. Examples include, but are not limited to:

- Collaborations that involve a foreign person or entity
- Agreements that include restrictions on publication, foreign person, or a non-disclosure agreement
- Equipment that has an end-user agreement or is labeled as export controlled
- International shipments, including hand carry items, that include export-controlled items or data
- Any transactions with individuals or entities from an embargoed or sanctioned country

The Office of Research provides resources to help the WSU community navigate and comply with export control regulations, including:

- [Office of Research Assurances Export Controls](#)
- [Office of Research Support & Operations](#)
- [CITI Program Export Control Training and/or Foreign Influence Modules](#)

Compliance with WSU policies and the United States export control laws is a group effort with responsibility resting on all members of the WSU community. Please join me in our commitment to comply with US export control laws and regulations.

Please distribute this memorandum to faculty, staff, and students in your area as appropriate.

Please contact the WSU Export Control Officer at or.ora.export@wsu.edu with any questions.

CC: Doug Cuellar, WSU Export Control Officer, Office of Research Assurances
Levi O'Loughlin, Associate Director, Office of Research Assurances
WSU Research Council