

1-17-2019

January 17, 2019 - From the President's Desk

Cheryl B. Schrader
Wright State University - Main Campus

Follow this and additional works at: https://corescholar.libraries.wright.edu/president_desk

Repository Citation

Schrader, C. B. (2019). January 17, 2019 - From the President's Desk. *From the Desk of the President*.
https://corescholar.libraries.wright.edu/president_desk/44

This Letter is brought to you for free and open access by the University President at CORE Scholar. It has been accepted for inclusion in From the Desk of the President by an authorized administrator of CORE Scholar. For more information, please contact library-corescholar@wright.edu.

January 17, 2019 - From the President's Desk

Dear Campus Community,

Wright State University endorses the principles of nondiscrimination, freedom of inquiry, and the open exchange of ideas. We also acknowledge that there are circumstances when the export of sensitive commodities, software, or technology must be controlled to protect U.S. national security or advance U.S. foreign policy interests. To this end, the U.S. government has established a comprehensive system of restrictions and prior licensing requirements applicable to the export of sensitive military, defense-related, and “dual use” items and technologies.

It is Wright State's policy to comply with all requirements of the U.S. export control laws and regulations that apply to activities at the university. Furthermore, it is the university's policy to ensure that all employees, faculty members, students, researchers, staff, and others contracted by or representing the university are aware of their individual responsibility to be familiar with and comply with U.S. export control requirements.

This policy is part of Wright State's ongoing efforts to enhance the university's compliance program and standards. [Read the U.S. export/trade controls compliance policy.](#)

Background on U.S. Export Controls

The term “export” is not limited to shipments of hardware from the United States to a foreign country. Rather, “export” is defined broadly in the applicable regulations to include the following activities, regardless of whether they occur entirely in the United States or abroad:

Releasing information or technology subject to U.S. export controls to foreign persons
Providing assistance to foreign persons with respect to items or information subject to U.S. export controls
University faculty, students, and staff may engage in activities subject to U.S. export control requirements when conducting research; traveling to international destinations; shipping; or taking items subject to control outside of the United States, such as laptops, software, or documents; or teaching or working with non-U.S. students, researchers, or colleagues.

The principal U.S. laws and regulations governing the export of unclassified items and technology are as follows:

- **ITAR:** The export of defense articles and the furnishing of technical data and assistance related to such items are governed by the U.S. International Traffic in Arms Regulations (ITAR) administered by the U.S. Department of State. “Defense Articles” are identified on the U.S. Munitions List and generally consist of uniquely military or defense-related items and technologies, but also may include civilian items that have significant military or intelligence capabilities. Virtually all exports subject to ITAR controls require the prior approval of the U.S. government.
- **EAR:** The export of commercial, dual use, and less-sensitive military/defense-related hardware, materials, software, and technology is governed by Export Administration Regulations (EAR), which are administered by the U.S. Department of Commerce. Dual use items are those with predominantly commercial applications but also significant military, intelligence, or proliferation-related applications, including encryption items, composite materials, and sensors. The export of items subject to the EAR may require prior approval of the U.S. government, depending on the classification of the item(s) involved, the country of destination, the participants in the transaction, and the end-use for the export.
- All types of economic and trade-related transactions with countries subject to multilateral or unilateral financial and trade sanctions are governed by regulations administered by the U.S. Department of the Treasury, Office of Foreign Assets Controls. Specific individuals and entities identified on lists maintained by the U.S. government also are subject to varying levels of restrictions.

Most classroom education and research activities that occur at Wright State are exempt from U.S. export controls because the information involved is in the public domain or because such activity constitutes “Fundamental Research” as defined in the applicable regulations. The results of basic research are neither proprietary nor subject

to dissemination restrictions but rather are intended to be shared broadly within the scientific community. However, certain research—particularly sponsored research—may be subject to dissemination restrictions or restrictions on foreign person involvement, or it may involve sponsor-provided inputs, such as equipment or technology, that are subject to U.S. export controls. Research that does not qualify as Fundamental Research is subject to export controls, and the prior approval of the U.S. government may be required before foreign persons can participate or have access to the results of such research.

Statement of Policy

The Vice Provost for Research and Innovation has primary responsibility for overseeing the university's efforts to ensure compliance with the requirements of U.S. export control laws and regulations. An Export Compliance Officer (ECO) within the Office of Research Compliance will serve as the primary point of contact for Wright State personnel on export control issues and will have responsibility for managing the day-to-day implementation of the university's export compliance program.

All Wright State faculty, students, researchers, and staff are individually responsible for understanding how U.S. export controls apply to their activities and for ensuring that their activities comply with such requirements. Training on U.S. export control requirements and university compliance procedures will be available for all Wright State personnel and will be mandatory for certain university faculty staff, and students designated by the ECO. The ECO will oversee updates to enhance existing university policies and implement additional internal procedures to assist Wright State employees and students in identifying and complying with applicable requirements.

Compliance with U.S. export controls is a serious matter. Violations—even inadvertent ones—can have severe repercussions for Wright State and any individuals involved, including criminal fines, imprisonment, loss of exporting privileges, loss of U.S. government contracting privileges, and reputational damage. The U.S. government has increased its scrutiny of export compliance at institutions of higher learning. As you may know, a professor at a public university recently was convicted and is serving time in prison for export control violations that occurred in support of a U.S. Air Force-sponsored research project.

In light of the seriousness of these matters:

- Wright State employees and students are required to immediately report suspected violations of U.S. export control laws or regulations or university export compliance procedures to the ECO, the Vice Provost for Research and Innovation, or the University General Counsel.
- Any violations of U.S. export control requirements or Wright State export compliance procedures will be grounds for disciplinary action.

Any questions about this policy statement, U.S. export control laws and regulations, or Wright State University export compliance procedures should be directed to the ECO at exportcompliance@wright.edu

Warmest regards,

Cheryl B. Schrader, Ph.D.
President

[Return to the previous page](#)

Posted Thursday, January 17, 2019

Share to:   

