

# GAO Highlights

Highlights of [GAO-20-394](#), a report to congressional requesters

## Why GAO Did This Study

Over 1.2 million foreign students studied at U.S. universities in 2018 (see fig.). Although foreign students and scholars contribute to U.S. research, there is a risk that they will “export” sensitive knowledge they gain to their home countries. To mitigate this risk, the U.S. government implements export controls.

GAO was asked to review agency guidance and universities’ security practices. This report examines (1) the extent to which State and Commerce have provided guidance and outreach that supports U.S. universities’ understanding of export control regulations; (2) challenges U.S. universities face working with other federal agencies, such as DOD; and (3) the extent to which universities’ export compliance practices align with State and Commerce guidelines.

GAO reviewed related laws, regulations, and guidance, and interviewed officials from relevant federal agencies and four university associations. GAO also visited nine universities—selected, in part, on the basis of research expenditures and geography—and assessed their compliance practices against agency guidelines.

## What GAO Recommends

GAO is making four recommendations, including that State and Commerce should improve their export control guidance and outreach, which may help address gaps in university export control compliance practices. GAO also recommends that DOD take steps to ensure its officials consistently interpret export control regulations. State, Commerce, and DOD concurred with the recommendations.

View [GAO-20-394](#). For more information, contact Kimberly Gianopoulos at (202) 512-8612 or [gianopoulosk@gao.gov](mailto:gianopoulosk@gao.gov).

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## EXPORT CONTROLS

### State and Commerce Should Improve Guidance and Outreach to Address University-Specific Compliance Issues

#### What GAO Found

The Departments of State (State) and Commerce (Commerce) have each provided guidance and outreach to support exporters’ understanding of and compliance with their separate export control regulations. Exporters, including universities, are subject to these regulations if they ship export-controlled items overseas or if they share such items, including technology or source code, with foreign persons in the United States. University and association officials raised concerns that State and Commerce guidance and outreach does not adequately address export compliance issues that are more common to universities than to industry, such as fundamental research—i.e., research that is ordinarily published and not subject to export control regulations. Without additional guidance and outreach that addresses such issues, universities may not have the information they need to adequately comply with these regulations and properly safeguard export-controlled items.

Officials from selected universities and university associations identified three export control-related challenges in working with other federal agencies. For example, university and association officials asserted that Department of Defense (DOD) officials misunderstand the term fundamental research, which may limit universities’ ability to conduct research for DOD. DOD acknowledged that some officials have inconsistently interpreted the regulations and that it has not yet fully addressed this challenge. Additionally, university and association officials expressed concerns that threat briefings and other guidance that the Federal Bureau of Investigation (FBI) and Department of Homeland Security provide are not helpful because, for example, they do not contain unclassified information that can be shared widely. To address these concerns, the FBI partnered with a university association to produce a series of unclassified “awareness-raising” materials for university audiences, among other efforts.

Seven of the nine universities GAO visited have export compliance policies and practices that generally align with State’s and Commerce’s export compliance guidelines. For example, most have demonstrated a strong management commitment to export compliance and have robust practices for tracking export-controlled items, recordkeeping, and reporting potential violations. However, GAO identified gaps in some universities’ practices in four areas—risk assessments, training, internal audits, and export compliance manuals.

Number of Foreign Students at U.S. Universities in 2018, by Country



Source: GAO analysis of Department of Homeland Security data. | GAO-20-394