

Export Control and if any exemption apply. In the case of H-1B and O1 visa applications, the University is legally required to certify on Form I-129 (Immigrant Petition) for the foreign national's employment that a) export licenses are needed or b) a license is needed and will be obtained,

or access to the controlled technologies will be prevented.

Instructions

1. This questionnaire must be completed and signed by the Principal Investigator (PI) or Supervisor (if there is no PI) who is responsible for hiring, or continuing to employ, the foreign national. Other lab personnel may be consulted when filling out the questionnaire.
2. The Office of Research Compliance & Assurance will review the completed questionnaire. Additional follow up may be necessary (for example to review lists of controlled items).
3. Based on the information received, a recommendation is made on whether an export risk exists. A determination of risk does not mean that the foreign national will not be approved. In that case, the Office of Research Compliance & Assurance will work with the PI or supervisor to determine a course of action.
4. When a final determination is made, the Office of Immigration will receive clearance for immigration paperwork creation and information on what to check on the I-129 form.

The University will not submit the Form I-129 until a completed questionnaire has been received and reviewed by the Office of Research Compliance & Assurance. Timely completion of this questionnaire will prevent delays in visa application processing.

The University of South Alabama is committed to compliance with export control regulations.

Export Control Questionnaire for Foreign National Employees

Name of Foreign National (FN): _____

Is this H1B/O-1 petition an extension of the same position? Yes No

*If yes, answer questions in Section A only. If no, you may begin atin S-4.6 (-4.6 (FT Tw -1.6 (t) (t)6cdB)

B. General Information (cont'd)

4. Does the FN's work involve the design, development, or alteration of encryption, encrypted items, or source code?
 Yes No I am unable to answer If yes, please describe.

5. Will the FN participate in any activities that stipulate compliance with U.S. export control regulations or refer to government licenses or permits? Such stipulations could occur in grants, contracts, project requirements or purchase documentation for equipment, materials, hardware, or software.
 Yes No I am unable to answer If yes, please describe.

6. Will the FN's work involve collaborations and/or travel outside the U.S.?
 Yes No I am unable to answer If yes, what countries?

7. Will the FN participate in projects connected to the U.S. Military or which have direct military applications?
 Yes No I am unable to answer If yes, what is the connection?

8. Is the FN a member of or connected to a foreign military organization?
 Yes No I am unable to answer If yes, please explain.

B. General Information (cont'd)

9. Is the FN a participant in a foreign government Talent Recruitment Program?
 Yes No I am unable to answer If yes, which country?

10. Does any of the FN's research/work related to the spread or increase of nuclear, biological, and chemical weapons or delivery systems?
Yes No I am unable to answer If yes, please explain.

11. Will any of the FN's research/work involve access to any research, resources or facilities subject to a Technology Control Plan?
Yes



C. Access to Possible Control Items (cont'd)

2. Will the FN's activities include access to technical or scientific third party information, materials, equipment, or manuals that are in the public domain (other than HIPAA protected patient information, or data not yet published but which is expected to be published in the future)?

Yes No I am unable to answer

If yes, include access to unrelated projects which may occur in a shared lab or open lab environment.

3. Are you aware of any equipment, materials, software, technical data, or encrypted software or hardware that would be export licensable under the International Traffic in Arms (ITAR) Regulations or the Export Administration Regulations (EAR) that the FN would have access to, including in an open/shared lab or office environment?

Yes No I am unable to answer

If yes, please indicate type(s) or item(s) that is (are) export controlled.

4. Will the FN have access to any equipment, material, software, or technical data (directly or through unrelated projects occurring in an open lab or office environment) which have been or are currently being specifically designed, developed, configured, adapted, or modified for a military, satellite, or space application?

Yes No I am unable to answer

5. Does this project or any projects that will be accessible to the FN (directly or through unrelated projects occurring in an open lab or office environment) have any National Defense Classified aspects relating to equipment, materials, technology, software, or encryption? Yes No I am unable to answer If yes, please explain.

C. Access to Possible Control Items (cont'd)

6. If applicable, please indicate the types of significant equipment the FN will be utilizing in connection with his/her position. (e.g., examples include sophisticated spectrographic instruments, chromatography instruments, laminar flow hoods, fermenters, centrifugal separators, cross flow filtration equipment, incubators, lasers, magnets, high speed cameras, high technology electronic sensors).

- This question is not applicable to the FN.

6.0 Will the FN have access to technical information which would enable them to develop, produce, or "use" the item? For the purposes of this question, the definition of "use" includes all six of the following tasks: installation; operation; maintenance; repair; refurbishing; overhaul.

- Yes
- No
- I am unable to answer



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