

**Export Control Certification for H-1B, H-1B1, or O-1
 Nonimmigrant Visa Petitions Filed for Prospective Foreign National Employees**

SECTION I: To be completed for ALL Petitions

Prospective Employee Name: _____ HSC Employee ID: _____
 HSC Project ID From Which the Employee Will Be Paid: _____

When filing a petition to sponsor a prospective foreign national employee for H-1B, H-1B1 (Chile & Singapore), or O-1 nonimmigrant visa status, the U.S. Citizenship and Immigrant Services (USCIS) on the Form I-129 "Petition for Nonimmigrant Worker" requires review and certification relative to export controlled technology or technical data being released to the prospective employee. The certification is regarding whether the prospective employee will or will not potentially require a license from the U.S. Department of Commerce or the U.S. Department of State. Completing the form means that basic export control issues must be assessed by those who will supervise the prospective employee.

More information about export controls is available at the Office of Sponsored Programs website at <http://research.uthscsa.edu/osp/ExportControls.shtml>. It is required that you review the PowerPoint training, "Overview of U.S. Export Controls and Embargoes," on the website before you answer the questions below. If you have any questions, please contact the Office of Sponsored Programs.

To determine whether a potential employee may be subject to export control requirements and a license from either the U.S. Department of Commerce or the U.S. Department of State, the following questions must be answered.

- | | |
|---|----------------|
| 1. Is the potential employee from the Balkans, Belarus, Burma, Cote d'Ivoire, Cuba, Democratic Republic of the Congo, Iran, Iraq, Lebanon, Libya, North Korea, Somalia, Sudan, Syria, Yemen, or Zimbabwe? | ___ Yes ___ No |
| 2. Will the potential employee have access to encryption technology? (This does not include commercial encryption software installed on PCs or Laptops) | ___ Yes ___ No |
| 3. Will the applicant be involved in a project that: | |
| a. Requires approval or prohibits use of foreign citizens on the project? | ___ Yes ___ No |
| b. Requires sponsor approval prior to publication or discussion at an open conference? | ___ Yes ___ No |
| c. Has a military purpose? (other than health-related) | ___ Yes ___ No |
| d. Requires access to confidential information protected under a non-disclosure agreement? | ___ Yes ___ No |

Based upon all "no" responses to the above questions a determination is therefore made that a license is not required from either the U.S. Department of Commerce and/or the U.S. Department of State to release such technology or technical data to the foreign person. **Please sign as indicated below and send the original of this form to the Office of International Services with the visa application packet.** If you answered "yes" to any of the questions you will need to complete Section II of this form and email a copy to the Office of Sponsored Programs at exportcontrol@uthscsa.edu for review.

Pursuant to 28 USC § 1746, by signing below, you are declaring under penalty of perjury under the laws of the United States of America that 1) the information you provided above is true and correct, 2) you affirm that you have reviewed the export control training on the Office of Sponsored Programs website, and 3) if required, you will not give the prospective employee any export controlled technical data/technology until the proper license or authorization is received.

The signatures below are required for the Health Science Center to prepare a petition to sponsor the prospective employee for H-1B, H-1B1 (Chile & Singapore), or O-1 nonimmigrant visa status.

_____	_____
Signature of Supervisor of Prospective Employee	Date
PRINTED NAME: _____	

I have reviewed the above information:

_____	_____
Signature of Department Chair or Director	Date
PRINTED NAME: _____	

If you answered "yes" to any of the questions on the previous page, please complete the following Section II.

SECTION II: ADDITIONAL INFORMATION REQUIRED FOR AFFIRMATIVE RESPONSES IN SECTION I

If you answered "Yes to Question 2. Describe the encryption technology and the potential foreign employee's anticipated role in the project. "Technology is information that relates to the production, development, or use of encryption in a new or existing product or software. Please note that this does not apply to technology for the development, production, or use of a product or software that will use the encryption capabilities of a publicly available program or hardware item (such as using the functionality of a browser, wireless device, router, etc.).

If you answered "Yes" to any of the items a-d in Question No. 3, briefly describe the nature of the project and the reason why you answered "yes" to any of the questions:

If you have completed Section I and Section II of this form, please email the signed form to exportcontrol@uthscsa.edu for review. Submit a copy of the form to the Office of International Services with your visa application packet.

For Office of Sponsored Programs Internal Use

Is a license required to release such technology or technical data to the prospective employee? Yes No

Export Control Officer's Signature _____ Printed Name _____ Date _____

For Office of International Services Internal Use

Date restricted/denied party screening completed and clear: _____

If match in Visual Compliance, date referred to OSP: _____

If match in Visual Compliance, date received final clearance from OSP: _____

OIS Staff Member Signature _____ Printed Name _____ Date _____