

Export Control Questionnaire and Certification Form (Required Supplement for H-1B Temporary Worker Requests)

Purpose of Form: In order to sponsor a non-immigrant employee as a beneficiary under the H-1B temporary worker visa program, Tufts University is required to determine whether or not the employee will have access to technology or technical data requiring a federal license or authorization from the US Department of Commerce and/or the US Department of State. More specifically, Tufts must certify it has reviewed the Export Administration Regulations (EAR) and International Traffic in Arms Regulations (ITAR), and determined either (A) **no license is required** from the US government for release of the technology or technical data to the beneficiary; or (B) **a license is required** and Tufts will prevent access of the technology or technical data by the employee until the required license is obtained. The questionnaire below has been developed by the International Center and the Office of Vice Provost of Research in order to facilitate University compliance with these federal regulations.

Instructions: Departments should complete and submit this form when requesting H-1B visa services* from the International Center for any beneficiary.

- **The form must be completed and signed by the individual (e.g., PI) who will be supervising the beneficiary or who is otherwise knowledgeable about the beneficiary's intended work.** The form must be completed for both H-1B initial and H-1B extension requests. Under no circumstances should the beneficiary be responsible for preparing or responding to the questions on this form.
- **Once completed, upload the form into the International Center Portal along with other required materials when submitting your H-1B request. The document should be uploaded to the Documents Section "Export Controls Certification Form."** If you are uncertain about how to initiate an H-1B request in the International Center Portal, contact your International Center advisor.

Note that H-1B requests cannot be processed without a signed and completed form. The information provided on this form will be used to complete USCIS Form I-129, including legal representations to the Department of Homeland Security regarding the H-1B employee and H-1B employment offer.

Processing: If, upon reviewing the form, it is determined that additional information is needed or a license is required for the employee, the hiring department or unit will be contacted by the Export Control Office, under the Office of Vice Provost for Research, for additional information.

Questions about Export Controls? If you do not have sufficient information to complete this certification, contact the Tufts Export Control Office at exportcontrol@tufts.edu. Additional information is available from the Office of Vice Provost for Research at [Export Control FAQs | Tufts Office of the Vice Provost for Research](#).

***O-1 Visas:** Departments seeking to sponsor persons in the O-1 visa for individuals of extraordinary ability or achievement may also need to complete this questionnaire. Contact the International Center for more information regarding O-1 visa petitions.

Export Control Questionnaire and Certification Form

1. Visa Beneficiary's Name _____
2. Beneficiary's Country of Citizenship _____
3. Department Sponsoring the Beneficiary _____
4. Beneficiary's Position / Title _____
5. Name of Beneficiary's Supervisor _____
6. Title of Beneficiary's Supervisor _____
7. Supervisor's Email _____

Position Information

8. Nature of Beneficiary's Expected Duties (check all that apply)
 - Administrative
 - Teaching
 - Research
 - Other _____
9. Funding: Please indicate whether or not funds from any outside/external agencies will be used to support or finance the research projects the Beneficiary will participate on/in.
 - N/A (no externally funded research involved)
 - Yes (please explain) _____
10. Will the Beneficiary be working in the biomedical sciences, computer sciences, engineering, space sciences, or any other scientific or engineering field?
 - No.** Skip to end. Sign and date the form and submit to the International Center with the H-1B visa request.
 - Yes.** Check boxes that apply and provide additional information if required.
 - The Beneficiary will NOT be working under a research agreement that restricts or prohibits the participation of foreign persons (no clauses pertaining to foreign nationals or non-US persons participating in the research)
 - The Beneficiary will NOT be working under a sponsored research agreement that restricts or prohibits the research team's right to publish any of the data or research results (except for the sponsor's right to review and exclude from intended publication proprietary data that is exempt from publication)

- In performing the work under the visa, the Beneficiary will NOT be provided access to:
 - Technical information that has been stamped “export controlled”
 - Sponsor or third-party proprietary or confidential information, materials, or software; or,
 - Encryption source code

- In performing the work under the visa, the beneficiary will NOT be provided access to equipment specifically designed or developed for military or space applications.

- In performing the work under the visa, the beneficiary will NOT be involved in any bioengineering context involving the development of specialized imaging, fermenting, remote sensing or detection, or robotic information or software.

If any of the boxes in Question #10 were not checked, please provide additional information about the employee’s intended or actual research activities:

Certification

To be signed by the supervisor or other individual familiar with beneficiary’s intended work. I am familiar with the job duties and other particulars of the employment of the beneficiary listed above and hereby affirm that the contents of the foregoing certification questionnaire are true, to the best of my knowledge, information and belief.

Signature (electronic or ink): _____

Date: _____

Name: _____

Title: _____

Department: _____

Email: _____

Phone: _____