



**CHECKLIST FOR EXPORT CONTROL ISSUES FOR FOREIGN NATIONAL EMPLOYEES ON AN H-1B
VISA WITH TIME ALLOCATED TO EXTERNAL FUNDING**

College/Dept: _____

Principal Investigator: _____

Faculty/Professional Staff on H-1B Visa: _____

Job Title: _____

This form is required when the time of a foreign national employee on an H-1B visa is allocated to external funding. It must be completed and submitted with the Campus Approval for Externally Funded Projects (CAEFP).

Federal export control regulations apply when duties:

- Involve encryption software.
- Involve activities that could be related to the spread or increase of nuclear, chemical, biological weapons or missile technology.
- Involve work with any sanctioned countries.
- Involve items, articles, software or technology listed on the EAR/Commerce Control List or the ITAR/U.S. Munitions List.

Federal export control regulations do not apply when dealing with:

- Publication in periodicals, books, print, electronic, or any other media available for general distribution to any member of the public.
- Subscriptions that are available without restriction to any individual who desires to obtain or purchase the published information.
- Websites available to the public free of charge or at a cost, which does not exceed the cost of reproduction and distribution.
- Libraries open to the public, including most university libraries.
- Patents and open (published) patent applications.
- Instruction in general science, math and engineering principles commonly taught at schools, colleges and universities, and conveying information through courses listed in course catalogues and in associated teaching laboratories of academic institutions.
- Release at an "open" conference, meeting, seminar, trade show or other open gathering in the U.S., which is generally accessible by the public for a fee reasonably related to the cost and where attendees may take notes and leave with notes.

The information and software involved in the duties must meet all of the following criteria:

- Results from basic and applied research in science and engineering conducted at an accredited institution of higher education located in the U.S.
- Is ordinarily published and shared broadly within the scientific community.
- Is not restricted (either by written agreement or by the informal understanding) for proprietary reasons or specific national security controls; or subject to specific U.S. Government access and dissemination controls.

Brief Description of Externally Project Responsibilities:

Signature of Principle Investigator and Faculty/Professional Staff

Principal Investigator: _____ Date: _____

Faculty/Professional Staff: _____ Date: _____

Departmental Acknowledgement

I acknowledge that I have received this document after completion by the principal investigator or supervising staff member. I understand the principal investigator or supervising staff member will be responsible for acting in compliance with any relevant export control regulations.

Department Chair: _____ Date: _____