

NOTICE: Important Change to Hiring/Sponsoring Process for Temporary Non-Immigrant Visa Petitions (primarily, H1B and O1)

FROM: International Scholar and Student Services
University Compliance Officer

DATE: January 3, 2011

International Scholar and Student Services has implemented an important change to the process for hiring or sponsoring a foreign national at UAB. **Beginning December 22, 2010, departments will be required to complete the *Foreign National Researcher/Scholar Screening Form* (example below) before a Temporary Non-Immigrant Visa Petition can be filed with U.S. Citizenship and Immigration Services.**

This process change is the result of increased scrutiny by the federal government over export controls:

- U.S. Citizenship and Immigration Services (USCIS) has added a new certification to Form I-129, *Petition for a Nonimmigrant Worker*.
- For each petition, UAB, as the U.S. employer, must determine whether the foreign national will have access to sensitive military, law enforcement, anti-terrorism, or similar technologies or data (called a “deemed export”). If so, an export license may be required.
- In each petition filed after February 20, 2011, UAB is required to certify that it has reviewed the deemed export regulations and applied those requirements to the visa petition.
- The requirements apply to H1B, H1B1 Chile/Singapore, L-1, and O1-A petitions only; UAB would primarily be concerned with certifying compliance in H1B and O1 visa petitions.
- Inaccurate certifications on these petitions may expose UAB to liability for false statements to the U.S. Government, as well as for violations to export control regulations.

In order to help ensure that the information provided in each petition is true and correct, we have developed the attached *Foreign National Researcher/Scholar Screening Form* to be completed by Faculty/Staff Sponsors as part of International Scholar and Student Services’ information packet during the visa application process. Both the International Scholar and Student Services Office staff and the University Compliance Office staff are available to assist you as needed. Please contact Lisa Townsend (ltownsend@uab.edu) or Penny Whiteside (whiteside@uab.edu) with questions.

**University of Alabama at Birmingham
Foreign National Researcher/Scholar Screening Form
(To be completed by Faculty/Staff Sponsor(s))**

Date of Submission: _____

Sponsor's Name: _____

Sponsor's Signature: _____

Position Applying for: _____

Foreign National Researcher/Scholar (last name, first name): _____

Foreign National Researcher/Scholar Affiliation (institution): _____

Country of Citizenship/Permanent Residence: _____

Worksite Location (s): _____

1. Please describe, in as much detail as possible, the activities and purpose of the researcher/scholar's assignment and all activities to be performed by the researcher/scholar. [Use additional space as needed.]
2. To what research technology and academic facilities, including computer servers and laboratories, will the researcher/scholar have access? (Your answer should provide information about access to potentially controlled and sensitive equipment, software, personnel, etc.)
3. Will the researcher/scholar be involved with any projects, funded or not, that (select all that apply):

Yes No Are proprietary or involve proprietary information?

Yes No Have publication or access and dissemination restrictions imposed by sponsor?

Yes No Require foreign national approval by sponsor?

If you answered "yes" to any of the above, please list and describe all applicable projects. [Use additional space as needed.]

Please submit this form along with the curriculum vitae, appropriate contract, MOU, or other agreement, forms, etc. to:
Lisa Townsend, Assoc. Director, UAB International Scholar and Student Services.

Reviewed by: _____ / _____
Lisa Townsend, Associate Director
International Scholar and Student Services

Reviewed by: _____ / _____
Penny Whiteside, Director
Sponsored International Programs

Reviewed by: _____ / _____
University Compliance Officer

Export License Required by UCO? Yes No

Employment Approved by: _____ / _____
University Human Resources Official