Meeting synopsis:

1. Call to Order and Approval of Agenda
2. Approval of minutes from January 12, 2011 FCR meeting
3. Announcements
5. Requests for Information and Updates
   - Changes in the H-1B Visa application form – Carol Rhodes, OSP
   - Updates from Office of Sponsored Programs – Lynn Chronister, OSP
6. Adjournment

1. Call to order
Council chair Ron Stenkamp called the meeting to order at 9:00 a.m.

2. Approval of Minutes
The minutes from the January 12, 2011 meeting were approved as written.

3. Announcements
Dave Eaton gave a legislative update, noting that the US House of Representatives had approved a reduction in continuing resolutions for research. This would result in many programs being cut and research funding would likely be hit extra hard among these agencies.


Stenkamp introduced the request [attached – appendix A], noting that similar requests had been approved the previous three years.

Approved

5. Requests for Information and Updates

Changes in the H-1B Visa application form – Carol Rhodes, OSP

Carol Rhodes, Associate Director of the Office of Sponsored Programs (OSP), gave a presentation on changes in the H-1B visa application form [Attached – Appendix B]. She said the UW processes between 200-250 H-1B visa applications per year, some of which are new and some renewals. A new section on the application will state whether an applicant needs an export
control license, which entails an assessment of what technology the applicant will be accessing. She said it would go into effect on February 20, 2011.

In response to a question about how this would affect those already holding H-1B visas, Rhodes also explained that those already holding the visa have to go through renewal annually, and in the meantime, the responsibilities of getting an export control license remain the same. She also said that the university has responsibility if it is providing controlled technology or information to an individual and must do due diligence during the H-1B visa process.

*Updates from Office of Sponsored Programs – Lynn Chronister, OSP*

Lynne Chronister brought up a number of items:

- On the issue of expansion of regulatory requirements, some organizations have asked universities whether or not there are certain regulations that add little value and take up a lot of time. UW came up with a long list, and recently a combined list came out that will be sent to the federal Office of Management and Budget.

- A new schedule has been developed for the Research Administration Program for Training University Research Employees (RAPTURE). They have a five year plan for developing new courses, and are seeing a lot of faculty members coming to courses – a possible effect of faculty research administration loads increasing.

- New documents and policy statements have been developed related to the closing procedures for awards, including an ARRA closeout checklist for PIs and administrators, NIH closeout submission procedures, and a guide to layoff notices for ARRA funded positions. Chronister said that the most difficult closeout procedures are the financial and technical reports, and they are working with sponsors to ensure that final technical reports are submitted in a timely manner.

Wright pointed out that it would be useful if SAGE (the System to Administer Grants Electronically) could connect to the original applications and documents so that PIs could scan through and see what was missing. Vogt added that the notifications aspect of SAGE would also be useful in this regard. OSP staff present agreed, saying that it would be a good project to undertake when resources allowed.

Chronister said that she would bring the documents and policy statements back to FCR when they had gone through the comment period.

- Changes made to GIM 19 regarding deadlines for submitting proposals to OSP have been fruitful, as 18 (of 89 total) submissions to the NIH came back with errors prior to the deadline and were able to be fixed thanks to the longer window for internal error correction.

6. Adjournment
The meeting was adjourned at 10:05 a.m.
Minutes by Craig Bosman, Faculty Council Support Analyst. <cbosman@uw.edu>

Present:
- Faculty: Stenkamp (chair), Fluharty, Jain, Roseler, Spieker, Vogt, Wright
- Ex Officio: Nolan, Starostina, Pantazis, Spelman
- President’s Designee: Eaton
- Guests: Susan Camber, Lynne Chronister, Carol Rhodes, Susan Astley

Absent:
- Faculty: Curran, Haselkorn, Spieker
- Ex Officio: Smith
January 13, 2011

To: Faculty Council on Research

From: Robert T. Miyamoto  206-685-1303
Applied Physics Laboratory  rtm@apl.washington.edu
University of Washington

Subject: Request for FCR approval of classified contract: “2011 ONR Joint Active/Passive Sonar Review” from the Office of Naval Research

I would like to request University of Washington Faculty Council on Research (FCR) approval for a classified purchase request from the Office of Naval Research (ONR) through a company known as MANDEX to APL-UW to organize and manage a classified meeting of researchers funded by the Office of Naval Research Code 321 US (Undersea Signal Processing, Lead by Dr. John Tague). MANDEX has the contract with ONR to conduct meetings. The Principal Investigator on the project is David Krout and the amount of requested funding is $24,000. FCR has approved similar requests for the last three years and the meetings have been so successful that ONR would like the University of Washington to host it again this year. The statement of work for this project is the following:

“The contractor shall provide the necessary security management and meeting infrastructure (including audio/video support, registration, arrange announcements, etc.) to conduct a three-day meeting to peer review and disseminate research being conducted under ONR’s Joint Active-Passive Sonar Program. Other tasks include organizing informal technical exchange for attendees to discuss meeting proceedings. Facilities should be able to accommodate discussions to the classification level of SECRET. Meeting is scheduled to occur Aug 2-4, 2011.”

Please find below answers to the “Questions for Researchers Applying for a Classified, Proprietary or Restricted Research Contract.” Thank you for your consideration of this request.

Sincerely,

Robert T. Miyamoto
Associate Director
Applied Physics Laboratory, University of Washington
Attendees from the 2010 Office of Naval Research Signal Processing Review

1. What unique capabilities do your program and the UW bring to this proposed project?

APL-UW has organized such classified peer reviews for ONR in the past, the most recent in August 2010. APL-UW can leverage this past experience to help ONR achieve a successful peer review session. APL-UW has the security infrastructure necessary to handle the classified nature of a subset of the presentations to be made at the review (the remainder, and majority, of the presentations will be unclassified).

2. Describe the scholarly, scientific, and/or educational benefits of this proposed project.

As mentioned in the statement of work, the goal of the meeting is “to peer review and disseminate research being conducted under ONR’s Joint Active-Passive Sonar Program.” This review encompasses the “Discovery and Invention” portion of the research funded by ONR 321 US, and hence covers primarily basic research results. Some of the presentations will be classified due to the use of classified data to test the efficacy of the developed algorithms in anti-submarine and anti-torpedo applications. Such reviews allow a broad range of researchers, many from other universities, to come together and discuss new advances in signal processing algorithms for sonar applications. Several projects from APL-UW and one from the UW Department of Electrical Engineering will participate in the review.

3. In what ways does the proposed project provide a public or community service?

Such peer reviews are critical for advancing ONR’s mission of providing the best possible technology in support of the nation’s defense. Often the cross-fertilization of ideas engendered by concentrating together a group of researchers working in the same field can produce new research avenues that lead to improved methodologies. It is an implicit function of APL-UW as a University Affiliated Research Center (UARC) to facilitate such interactions.
4. In what ways, if any, will UW students (graduate or undergraduate) be involved in the project? If they participate in the research, will they require security clearance or have restrictions placed on their thesis, dissertation, or other academic activities?

No UW students will be involved in the project, although UW students are encouraged to attend sessions that are considered to be unrestricted by the funding officers and meet with Office of Naval Research program officers.

5. Does the proposed project engender any restrictions on publications by the PI, members of the research team, students or postdoctoral fellows?

No research results per se will be generated under this project. Material provided to APL-UW will be handled according to the provided DD Form 254, “Contract Security Classification Specification.”

6. Are there any ‘foreign nationals’ working on this project?

No ‘foreign nationals’ will work on this project.
**New Section on Form**

- USOS issued new version of the I-129 Form, used for H-1B Petitions, effective February 20, 2011.
- Now employer (IU) must attest to whether the foreign national beneficiary requires an export license.

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**H-1B Visa Petitions and export controls**

Presented by: The Office of Sponsored Programs
February 8, 2011
Faculty Council on Research

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**Export License Determination**

- UW Office of Sponsored Programs Export Control Team carries out export control licensing determinations.
- An export license is needed whenever a foreign national has access to controlled technology, software or technical data ("deemed export").
- Controlled information is that which is set out in the International Traffic in Arms Regulations (ITAR) or the Export Administration Regulations (EAR) as sensitive for national security purposes.

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**Purpose of H-1B Visa**

- Called the "working visa".
- Foreign national employee is the "beneficiary".
- Beneficiary must have specialized knowledge.
- Temporary visa up to three years (renewed annually).

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**Information Needed to Determine Licensing Needs**

- Nationality of employee.
- Type of work carried out.
- Sponsored projects, if any, funding work.
- Whether employee has access to proprietary technology/software/data.

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**H-1B Petition**

- Requires information about the beneficiary, the services he/she will perform, offer letter, academic records and other documentation.
- All H-1B application information is submitted to the International Scholars Office (ISO).
- Petition is signed by the University of Washington, Vice Provost for Academic Personnel and submitted to USCIS.
Questions?

- Export Control Licensing or the Deemed Export Attestation:
  - Carol Rhodes, Associate Director, Office of Sponsored Programs (206) 543-2139 or exports@uw.edu
- H-1B Petition Process:
  - Katherine (Kate) Lee, International Scholar Adviser, International Scholars Office (206) 543-1545
  - Tamara Echter, Assistant Director, International Scholars Office, (206) 523-8889

Deemed Export Attestation

- Filled out by host department along with other H-1B required information.
- Signed by:
  - employee’s supervisor (PI, if sponsored project)
  - Chair
  - Dean’s office (or his/her designee)
- Attestation submitted to exports@uw.edu.

License Determination provided to ISO

- License determination carried out and documented in OSP export control records.
- OSP forwards determination to ISO, along with signed Attestation.
- H-1B Petition signed by Vice Provost for Academic Personnel.

License required?

- If a license is required, OSP will follow up with the host department to determine next steps:
  - Submit a license application to regulatory agency (State or Commerce).
  - Put in place a Technology Control Plan, if employee will be at UW prior to UW receiving export license.