



DEEMED EXPORT COMPLIANCE ATTESTATION (DECA) FOR H-1B SPONSORS

The Department of Homeland Security requires each employer sponsoring an H-1B nonimmigrant worker to make certifications regarding the release of controlled technology or technical data to foreign persons in the United States.

This certification is made under penalty of perjury (28 USC 1746). Penalties for providing false information may include, but are not limited to, fines, criminal prosecution, and disbarment from the H-1B program.

INSTRUCTIONS

The Office of Sponsored Programs will review the information provided below and make an assessment of how to complete the statements and assurances regarding export control representations in the Form I-129 Petition for Nonimmigrant Worker. Due to the nature of this attestation, this document must be signed by the beneficiary's Principal Investigator(s) (if applicable), the Chair of the H-1B sponsoring University of Washington Department, and applicable Dean, Chancellor, or Dean's Office Research Representative (e.g., Associate Dean for Research). **Signatures by other personnel/designees and stamp or digital signatures are impermissible.**

Because the H-1B must be sponsored by a single department, the sponsoring department is responsible for reviewing all projects and programs under which the H-1B nonimmigrant employee will be funded, including those housed in other departments.

Please complete the form, print and route for required signatures. The Dean's office should submit a signed copy of the Attestation to exports@uw.edu and forward the original to ISO, Box 351245.

ATTESTATION INFORMATION (to be completed by the sponsoring UW department)

Beneficiary Name: _____

Nationality of Beneficiary: _____

Foreign Institution/Entity Affiliation (if applicable): _____

- I. Please describe the position and responsibilities of the beneficiary for which this H-1B application is being filed (attach additional pages if necessary):

Beneficiary Name:

Routing: Dean's Office - email signed copy to exports@uw.edu & forward original to ISO, Box 351245.



II. Please review all projects and programs under which the H-1B employee will be funded, the accompanying Export Control Memorandum, and the definitions of “Fundamental Research” and “Public Domain” information prior to answering the questions.

Fundamental research is described under the Export Administration Regulations and the International Traffic in Arms Regulations as “information arising from basic and applied research in science and engineering at an accredited institute of higher learning within the U.S., where the resulting information is ordinarily published and shared broadly with the scientific community.”

Information in the public domain is described by the EAR and ITAR, respectively, as the following:

ITAR: information which is already published and generally accessible to the public is not subject to ITAR. Information that is available through books, periodicals, patents, open conferences in the United States, websites accessible to the public with no access controls, or other public release authorized by the U.S. government, is considered in the public domain.

EAR: publicly available technology and non-encryption software, such as information that is the subject of an open patent application, published in a book or periodical, released at an open conference anywhere, available on a website accessible by the public with no access controls or information that will be published is not subject to the EAR. This includes submission of manuscripts to journals for consideration with the understanding that the article will be published if favorably received.

QUESTIONS OF THE BENEFICIARY

1. Will the beneficiary only be performing fundamental research?

YES NO N/A (beneficiary does not perform research)

2. Will the activities of the beneficiary only involve information that is found in the public domain?

YES NO N/A (beneficiary does not perform research)

If you answered **“YES”** or **N/A** to **both** questions, please answer Question 3

If you answered **“NO”** to **either** question, please answer the following:

a) Please describe the nature of the research or information

b) Does the research or information have a potential military application?



c) Will the beneficiary at the UW be provided with technology, data, software, or other material that was disclosed to UW from an outside party?

[Empty text box for response to question c)

c.1. Does the technology, data, software, or other material have restrictive markings (e.g. "Export-Controlled", "FOUO", "Proprietary", etc.)

[Empty text box for response to question c.1)

c.2. Is there a material transfer agreement, confidentiality agreement or other non-disclosure agreement in place under which this technology, data, software or material was transferred to the University?

[Empty text box for response to question c.2)

3. Will the beneficiary's position at the UW be funded by a sponsored project or program?

YES

NO

*If YES please provide the UW internal eGC1 number(s): _____

SIGNATURES

The signatory certifies that he/she has read the Export Control Memorandum attached, that the above information is accurate, complete, and current as of the date of signature, to the best of his/her knowledge, and understands that the form I-129 attestations are made by the Vice Provost or Assistant Vice Provost for Academic Personnel under penalty of perjury.

Principal Investigator (if applicable) – Printed Name: _____

Principal Investigator – Original Signature: _____ Date: _____

Please add additional pages if there are additional Principal Investigators. If there is no Principal Investigator, or if the PI is also one of the signatories below, please note that in the signature box above.

Department Chair – Printed Name: _____

Department Chair – Original Signature: _____ Date: _____

Dean/Chancellor/Dean’s Office Research Representative – Printed Name:

Dean/Chancellor/Dean’s Office Research Representative – Original Signature:

Title: _____ Date: _____



CERTIFICATION (to be completed by The Office of Sponsored Programs)

The Office of Sponsored Programs (OSP), which administers the export control compliance program at the University of Washington, has reviewed the attestations above. After review of associated agreements and the information provided by the sponsoring department, which is kept on file in the OSP grant and contract file and export control database, OSP has determined that, as of the date signed:

A license is not required from either U.S. Department of Commerce or the U.S. Department of State to release such technology or technical data to the foreign person; or

A license is required from the U.S. Department of Commerce and/or the U.S. Department of State to release such technology or technical data to the beneficiary and the petitioner will prevent access to the controlled technology or technical data by the beneficiary until and unless the petitioner has received the required license or other authorization to release it to the beneficiary.

Name and Title

Date
