

Deemed Export Control

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Deemed Export Control

Export control regulations are federal laws that prohibit the unlicensed export or potential export of certain controlled commodities or information for reasons of national security or protections of trade. Note: Work that will be published or otherwise released to the public is often exempt under the terms of **fundamental research**. To understand more about Export Control, please refer to the United States Citizenship and Immigration Service ([USCIS](#)) [site](#) [1], or contact the [Yale Office of Corporate Contracts and Export Control Licensing](#) [2].

All employers seeking H-1B status for employees must answer questions regarding export control compliance, before a new H-1B application can be filed with the USCIS. Federal law also requires that any material change to the employment during the H-1B sponsorship period must be reported to OISS immediately, including salary, appointment title, work location, and Export Control issues.

The hiring department must complete the [Export Control Form](#) [3], and either submit the completed signed form directly back to OISS, or forward the form to the Office of Corporate Contracts and Export Licensing.

Relationships with Outside Sponsors

In the course of their work, researchers at Yale may be asked to accept confidential, proprietary information, materials, software code or technology from a sponsor or third party. In some cases, non-disclosure requests are embedded in the content of several kinds of agreements between Yale and the sponsor or third-party. Examples of such institutional agreements include equipment or software purchases or loans, technology licensing, data sharing agreements, and material transfer agreements. The acceptance of disclosure-restricted information, equipment, software code or technology may expose the recipient to “deemed export” compliance risk since such information is not covered by the **fundamental research** exclusion. Contact the [Yale Office of Corporate Contracts and Export Control Licensing](#) [2] if you have questions.

Source URL: <https://oiss.yale.edu/for-departments/inviting-a-scholar/next-steps-for-h-1b/deemed-export-control>

Links

[1] <https://www.uscis.gov/working-united-states/temporary-workers/frequently-asked-questions-about-part-6-form-i-129-petition-nonimmigrant-worker> [2] <https://your.yale.edu/research-support/office-research-administration/export-controls> [3] https://yaleedu.sharepoint.com/:b:/s/OISS2/Edosxg_eVSFPlsT1Upg2MqYBld2sIU01HsFP_sBM7kyHHQ?e=R4gnkR