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Re: Technology Alert List
and H-1B Visa Processing Delays

This memo contains a summary of the Technology Alert List formerly used by the State Department to screen visa applicants as well as recommendations for individuals who are applying for a new visa stamp while travelling abroad. While information about what the government uses to screen for security concerns <u>is no longer public</u>, it should provide information about the kinds of things that have traditionally flagged concerns about visa applicants.

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The Technology Alert List (TAL) is a list of technologies previously determined by the US federal government to be "sensitive" in several areas of concern, including possible use in weapons of mass destruction and missile delivery systems.

The TAL was used for many years as a guideline for Consular Officers ("COs") during the visa application review process, and it is likely that similar procedures are still used, but again, specific details are no longer publicly available.

The purpose of the TAL is to prevent the export of "goods, technology, or sensitive information" through activities such as "graduate-level studies, teaching, conducting research, participating in exchange programs, receiving training or employment..." Individuals working with sensitive information may be targeted for additional security reviews including checks previously known as "Visa Mantis" and "Security Advisory Opinions (SAO's)". While the State Department says that average times to clear additional security reviews are usually 2-3 weeks, we have seen some individuals delayed outside of the United States for up to several months. **There is no way to expedite a security check once it has been initiated.**

Please note that TAL may be applied to visa applicants from any country (including traditional US allies); however, individuals from the five "state sponsors of terrorism" (Cuba, Iran, North Korea, Sudan, Syria) and the five "non-proliferation export control countries" (China, India, Israel, Pakistan, and Russia) are more likely to be impacted.

When applying for the H-1B visa stamp, the US consulate will review the materials and the job description filed with your H-1B petition. The consular officer will also ask you questions about your position and what you do at your job. It goes without saying that you must be truthful; however, it may be helpful to provide details about your position in

very basic terms, in terms of the tools you use; i.e. "I develop software applications using C++" or something along those lines instead of overinflating your job in terms of the possible end uses of the code written.

In summary, you will want to emphasize that the tools used for your position are in the public domain (if applicable), avoid broad generalizations of your day-to-day duties, and focus instead more specifically on the tools you use in your job. If the CO asks you more specific questions, however, it is of course imperative that you answer honestly. CO's are charged with carefully screening visa applicants, and for some positions, frankly, there may be little you can do to avoid an additional security review.

If you are flagged for an additional security review, you may be asked to provide detailed information about your background, proposed activities, research interests, business interests, and travel plans.

Below are areas of interest on the Technology Alert List, at the time it was last available:

Technology Alert List (TAL)

a. **Advanced ceramics:** Technologies related to the production of tanks, military vehicles, and weapons systems.
b. **Advanced computer/microelectronic technology:** Technologies associated with superconductivity supercomputing, microcomputer compensated crystal oscillators.
c. **Aircraft and missile propulsion and vehicular systems:** Technologies associated with liquid and solid-rocket propulsion systems, missile propulsion, rocket staging/separation mechanisms, aerospace thermal and high-performance structures.
d. **Chemical and biotechnology engineering:** Technologies associated with the development or production of biological and toxin agents, pathogenics, biological weapons research.
e. **Conventional munitions:** Technologies associated with warhead and large caliber projectiles, fusing and arming systems.
f. **High-performance metals and alloys:** Technologies associated with military applications.
g. **Information security:** Technologies associated with cryptographic systems to ensure secrecy of communications.
h. **Lasers and directed energy systems:** Technologies associated with laser-guided bombs, ranging devices, countering missiles.
i. **Marine technology:** Technology associated with submarines and deep submersible vessels, marine propulsion systems designed for undersea use and navigation, radar, acoustic/nonacoustic detection.
j. **Materials technology:** Technologies related to the production of composite materials for structural functions in aircraft, spacecraft, undersea vehicles and missiles.

k. **Missile/missile technology:** Technologies associated with air vehicles and unmanned missile systems.
l. **Navigation and guidance control:** Technologies associated with the delivery and accuracy of unguided and guided weapons, such as tracking and homing devices, internal navigation systems, vehicle and flight control systems.
m. **Nuclear technology:** Technologies associated with the production and use of nuclear material for military applications.
n. **Remote imaging and reconnaissance:** Technologies associated with military reconnaissance efforts, such as drones, remotely piloted or unmanned vehicles, imagery systems, high resolution cameras.
o. **Robotics:** Technologies associated with artificial intelligence, computer-controlled machine tools.
p. **Sensors:** Technology associated with marine acoustics, missile launch calibration, night vision devices, high-speed photographic equipment.