

INTERNATIONAL FACULTY & SCHOLARS

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University Export Control Program Export Control Determination

The U.S. Citizenship and Immigration Services (USCIS) requires an export control review and certification. A section has been added requiring certification that any technology or technical data released to a prospective **H-1B, H-1B1 (Chile & Singapore), L-1, or O-1A visa** applicant during the period of their employment **will or will not** require a license from the U.S. Department of Commerce or the U.S. Department of State. **In order to complete the I-129, export control issues must be assessed by the Responsible Party (RP) who will be supervising the foreign national employee/applicant.**

Please complete the Export Control Determination at https://rgw.arizona.edu/sites/default/files/export_control_determination_i-129fillable.pdf to determine export control requirements for the foreign national employee/applicant. For your reference, the form includes a link to federal export regulations.

Form I-129 states you must “certify” that you reviewed the export regulations and determined whether a license is or is not required. Your answers will help determine if a license will or will not be needed for the foreign national employee/applicant. If you have questions about export controls or the questions in the Export Control Determination, please email Export Control at export@arizona.edu. For questions regarding immigration compliance, please contact International Faculty & Scholars at uaifs@arizona.edu or (520) 626-6289.

Please forward a copy of the completed Export Control Determination along with the completed and signed Export Control Certification form (below) to International Faculty & Scholars (IFS) at the address listed above.

EXPORT CONTROL CERTIFICATION

This form must be completed by the Responsible Party (RP) who will supervise the foreign national employee. Once completed it must be submitted to International Faculty & Scholars with the H-1B or O-1 Request.

International Faculty & Scholars is unable to file any H-1B or O-1 petitions (new, transfers, extensions, amendments, etc.) without this form signed by the RP. USCIS implemented Certification of Export Control effective February 20, 2011.

Foreign National Name: _____ Position Title: _____

Hiring Department: _____ RP Name: _____

RP Phone Number: _____ RP Email Address: _____

If you have questions regarding Export Control compliance, please contact the Export Control Office at 626-5338. If you have questions regarding Immigration compliance, please contact International Faculty & Scholars at 626-6289.

Part 6. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States

(For H-1B, H-1B1 Chile/Singapore, L-1, and O-1A petitions only. This section of the form is not required for all other classifications. See Page 3 of the Instructions before completing this section.)

Check Box 1 or Box 2 as appropriate:

With respect to the technology or technical data the petitioner will release or otherwise provide access to the beneficiary, the petitioner certifies that it has reviewed the Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR) and has determined that:

- 1. 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
- 2. 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.

SIGNATURE OF THE RESPONSIBLE PARTY

“Pursuant to 28 USC §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.”

Name

Title of Responsible Party

Signature

Date