

**EXPORT CONTROL CERTIFICATION
For All Visitors/Visa Types and Completion of
The USCIS Form I-129 "Petition For Nonimmigrant Workers"**

To be completed by the Principle Investigator/Supervisor or Department Chair/Director

Hosting College/Dept. and Faculty: _____

Name of Foreign National: _____

Status/Position/Title at Home Institution/Employer (undergrad/grad, faculty, postdoc, etc.-no abbreviations):

Home Institution/Employer with complete address: _____

Country of Birth for Foreign National: _____

Countries of Citizenship for Foreign National: _____

Immigration Status requested: _____

UC ID# /M# (if applicable): _____

Dates of visit: _____

Specific purpose of the visit (academic exchange, conference, research, etc.): _____

University of Cincinnati is committed to compliance with federal regulations and an export control program that has effective procedures to control and monitor activity. This form is essential to ensure that UC has the proper export authorizations in place, if the foreign national will be exposed to export controlled items, technology, software, and or information. In addition, the form addresses the U.S. Citizenship and Immigration Services (USCIS) I-129 "Petition for a Nonimmigrant Worker" form part 6, which requires review and certification to export control technology for all H1B, H-1B1 (Chile & Singapore), L-1, or O-1A nonimmigrant visa. **It must be completed and submitted with any eForm request submitted to UC International Services.** Your answers to these questions will help determine whether any aspect of the visit will be subject to export control regulations. The time to process the request will depend on the individuals and or the technology involved. Sponsoring departments **MUST** list all information regarding technologies, equipment, and countries involved.

When follow up is required, supervisors will be contacted directly by International Services and or Export Controls. Delays in responding to requests from International Services and or Export Controls could result in additional delays in processing times.

Initial Analysis	Yes	No	Unsure
1. Will the duties involve encryption software? (e.g. software with AES or RSA encryption)			
2. Will the duties involve activities that could be related to the spread or increase of nuclear, chemical, or biological weapons or missile technology?			
3. Will the activities involve access to any proprietary or confidential information received from a third party, e.g. corporate sponsor?			

Initial Analysis	Yes	No	Unsure
4. Will they work on a corporate or government sponsored research project?			
5. Will the duties involve working with high-technology or experimental equipment or cutting edge equipment? (e.g. sensors, lasers, centrifuges, accelerometers, thermal-imaging, gyros, UAVs, satellites, mass spectrometers, inertial navigation systems, GPS, simulations, special software, electronics, super-computers (e.g. Cray XC30, IBM Power 775 server), cryptography, telecommunication devices, any military or defense equipment)			
6. Will the activities involve using items not covered above and or toxins, chemicals, microorganisms, specialty metals (carbon fiber, alloys, etc.) materials or items purchased?			
7. Are any of the materials involved obtained under a Materials Transfer Agreement / Confidential Disclosure Agreement (MTA/CDA)?			
8. Do the duties or contract include (check each that applies): a) Restrictions on publication (including reporting of the research results) or presentations at conferences?			
b) Restrictions on the participation of foreign nationals?			
c) Export control clauses or references to ITAR/EAR?			
9. Will the duties (check each that applies): a) Require participation of other foreign nationals in the U.S. that are not on site at UC?			
b) Transfer of goods, services, information or technology abroad?			
c) International collaborations or joint labs?			
d) Involve the foreign national traveling outside the U.S. (except to their home country)?			

Please list details about the proposed duties of the foreign national and any items or articles, software or technologies that are involved. Please be as specific as possible.

If you have answered "yes" to any of the above, please provide a detailed explanation below.

The answers to the questions below will assist in determining if one of the exclusions may apply. Please note that the exclusions may only apply to technical data, research results, and information and, in some cases, software. They do **not** apply to equipment, articles, services, training, or encryption software, or developed products.

Public Domain Exclusion	Yes	No	Unsure
<p>10. Is all the information or software involved in the duties published and generally accessible to the public through one or more of the following:</p> <ul style="list-style-type: none"> ▪ publication in periodicals, books, print, electronic, or any other media available for general distribution to any member of the public; ▪ subscriptions that are available without restriction to any individual who desires to obtain or purchase the published information; ▪ websites available to the public free of charge or at a cost which does not exceed the cost of reproduction and distribution; ▪ libraries open to the public, including most university libraries; ▪ patents and open (published) patent applications; ▪ instruction in general science, math and engineering principles commonly taught at schools, colleges and universities, and conveying information through courses listed in course catalogues and in associated teaching laboratories of academic institutions; or ▪ release at an "open" conference, meeting, seminar, trade show or other open gathering in the U.S., which is generally accessible by the public for a fee reasonably related to the cost and where attendees may take notes and leave with notes. 			
<p>Note: If the release occurs outside the U.S., please indicate here:</p> <hr/>			

Fundamental Research Exclusion	Yes	No	Unsure
<p>11. Does the information and software involved in the duties meet all of the following criteria:</p> <ul style="list-style-type: none"> ▪ results from basic and applied research in science and engineering conducted at an accredited institution of higher education located in the U.S.; ▪ is ordinarily published and shared broadly within the scientific community; and ▪ is <u>not restricted</u> (either by written agreement or by informal understanding) for proprietary reasons or specific national security controls, or subject to specific U.S. Government access and dissemination controls. ▪ NOTE: The ITAR Exemption for fundamental research is not as broad as the EAR Fundamental Research Exclusion. Please refer to ITAR §123.16(b)(10). 			

Signatures and Acknowledgements

Your signature below certifies that all information is accurately depicted and if a license is required, that you will not give the foreign national access to any export controlled information or technology or equipment until the proper authorization is received. The form will not be processed and filed without the appropriate signatures.

****Endorse via signature or email****

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Signature of Principle Investigator/Supervisor
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Name of Supervisor of Foreign national: _____

Signature: _____ Date: _____
****Sign via signature or email**

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Departmental Acknowledgement
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I acknowledge that I have received this document after it was completed by the principle investigator or supervising staff person. I approve of hiring and/or sponsoring the foreign national with the understanding that the principle investigator or supervising staff member will be responsible for acting in compliance with any relevant export control regulations.

Name of Department/Division Head: _____

Signature: _____ Date: _____
****Sign via signature or email**

Internal Use ONLY:

****Sign via signature or email****

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University Approval

****Completed by UC International Services or Export Controls ONLY!**

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Restricted Party Screening completed and clear? yes no

If "yes" checked above: Is a license required to release technical data or items or technology to the prospective foreign national? yes no

If "no" checked above: what exclusion/exemption/exception is utilized:

Fundamental Research Exclusion (ITAR) Fundamental Research Exclusion (EAR)

Public Domain Exemption (list number) _____ Not Controlled

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Name of UC International Personnel:

Signature: _____ Date: _____

****Sign via signature or email**

Comments:

Check here if Export Controls review and approval is not required.

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Name of UC Export Controls Personnel:

Signature: _____ Date: _____

****Sign via signature or email**

Comments:
