I-129 Checklist for Export Control Determination

U.S. Citizenship and Immigration Services (USCIS) <u>Form I-129</u> Part 6 requires the **Responsible Party (RP)** supervising the foreign national employee/applicant to assess **export control issues** and <u>**certify**</u> whether a license is required for any technology or technical data to be released to a prospective **H-1B, H-1B1 (Chile & Singapore), L-1,** or **O-1A visa applicant** during their employment.

To determine if a license is needed, the RP should review <u>Federal Export Regulations</u>, then answer the following questions. Please contact <u>Export Control</u> with any questions.

Name of Applicant: _____ Citizenship: _____

1. Did the <u>Visual Compliance</u> screening yield a potential match?..☐ Yes ☐ No

2. Is the applicant currently involved (or *will* they be involved if a new hire) with a project that:

   a. Has or will have a Technology Control Plan (TCP)?..☐ Yes ☐ No

   b. Has restrictions on the release of certain project information?................................☐ Yes ☐ No

   c. Has publication or access and dissemination restrictions? ....☐ Yes ☐ No

   d. Has a military connotation or end-use?...☐ Yes ☐ No

   e. Is sponsored by a defense agency? ....☐ Yes ☐ No

   f. Is related to space, missile technology, or biological/chemical weapons?...............☐ Yes ☐ No

   g. Requires sponsor approval of foreign nationals or does not permit foreign nationals? ....☐ Yes ☐ No

3. Does the applicant currently have access (or *will* they have access if a new hire) to:

   a. ITAR-controlled data, technology, materials, information, software, or equipment?..............☐ Yes ☐ No

   b. EAR-controlled technology or encryption software code?...☐ Yes ☐ No

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Your signature certifies the information you have provided is true and correct and that you reviewed the export control regulations. If a license is required, the Applicant will not receive technical data/technology or use certain export-controlled equipment without the appropriate government license.

_____	_____	_____
Responsible Party Name	Responsible Party Signature	Date
_____	_____	_____
Department	Departmental Approval (Dean, Assoc. Dean for Research, or Department Head)	Date

➢ If you answered **YES** to *any* questions above, send this document to <u>Export Control</u> for review before completing the <u>Export Control Certification</u>.

➢ If you answered **NO** to *all* questions, complete and select OPTION 1 on the <u>Export Control Certification</u>. Send this document, the Certification, and the H-1B or O-1 Request to <u>International Faculty & Scholars</u>.

EXPORT CONTROL DETERMINATION:

☐ An export license **IS NOT REQUIRED**. Select OPTION 1 on the Export Control Certification

☐ An export license **IS REQUIRED**. Select OPTION 2 on the Export Control Certification.

Determination made by: _____   _____
                                        Name   Date