

## UA Export Control Program Bona Fide Employee Certification

The International Traffic in Arms Regulations (ITAR) specifically exempts foreign persons who are a bona fide, full-time regular employee of the University of Arizona (UA) from the requirements of an export license for disclosures of unclassified technical data in the United States by U.S. institutions of higher learning.

This exemption **does not apply** to those who are students, part-time employees or Designated Campus Colleague (DCC). Nor does it apply to nationals of ITAR proscribed countries identified at 22 CFR §126.1, which includes: Belarus, Burma, China, Cuba, Iran, North Korea, Syria, and Venezuela. Certain restrictions apply to nationals of Afghanistan, Central African Republic, Cyprus, Democratic Republic of Congo, Eritrea, Haiti, Iraq, Lebanon, Libya, Somalia, Sudan, and Zimbabwe. The [list of proscribed countries](#) should be verified for any changes.

This exemption ([22 CFR §125.4\(b\)\(10\)](#)) is available only if:

- The employee's permanent residence throughout the period of employment is in the U.S.;
- The employee is not a national of a proscribed country listed at [22 CFR §126.1](#); and
- The institution informs the individual in writing that the technical data may not be transferred to other foreign persons without the prior written approval from the U.S. Department of State.

Qualified individuals, department administrator, and project Principal Investigator (PI)/Project Director must read and sign the attached statements in order to document the exemption and certify that the technical data being released will not be transferred to other foreign persons without prior written approval.

Determinations on whether a foreign person qualifies for this exemption will be made by the University Export Control Program (UECP). The UECP may be contacted at [export@arizona.edu](mailto:export@arizona.edu) for assistance.

Once UECP has completed the review and determined that the exemption applies, the form should be completed electronically and sent to UECP. Signatures may be completed in ink (by hand) or digitally.

UECP will sign and return the form to the Department Administrator, Lead PI, and the Employee for their own records.

## Bona Fide Employee Certification

<b>Department / College</b>		<b>Date</b>	
<b>Associated Project(s)</b>			
<b>Project PIs</b>			

**Technical Data:**

No technical data related to this project may be transferred to other non-U.S. persons who are not a bona-fide, full-time employee of the University of Arizona (UArizona) from non-prohibited countries without the proper written authorization of the U.S. Department of State Directorate of Defense Trade Controls (DDTC). *There can be no discussions or exchanges of technical data between the Bona Fide Employee noted above and third parties (i.e., the sponsor of the research) without the proper written authorization from DDTC.*

**Certification from Employee:**

I, \_\_\_\_\_, certify to the following:

- (a) I am a full-time employee of the University of Arizona since \_\_\_\_\_
- (b) My permanent abode throughout my employment is located in \_\_\_\_\_ Arizona.
- (c) I am a citizen of the \_\_\_\_\_, which is not a prohibited country as defined in [22 CFR §126.1](#) of the ITAR.
- (d) I have been notified in writing via this certification that I may not transfer the technical data I will receive related to this project to other foreign persons or to any parties outside the University without the proper written authorization of the DDTC and the University Export Control Program.
- (e) I have been briefed on and understand the eligibility requirements of the ITAR exemption at [22 CFR §125.4\(b\)\(10\)](#) for bona-fide, full-time employees, and I meet those eligibility requirements.
- (f) I have been briefed by the Lead Principal Investigator / Project Director on the restrictions associated with this project, have reviewed copies of the relevant Technology Control Plan (TCP), and will comply with all controls documented therein.

<b>Employee Signature</b>	<b>Date</b>

**Acknowledgement by Lead Principal Investigator / Project Director**

I have briefed the Employee above on the restrictions associated with this project and have provided copies of the relevant TCP for the employee's review.

<b>PI / Project Director Signature</b>	<b>Date</b>

<b>UECP Approval</b>			
<b>Reviewed by</b>		<b>Date</b>	