

I-129 Export Control Compliance Certification

Office of International Affairs
University of California, Merced
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Phone: 209-228-4722 - Fax: 209-228-4708
Email: international@ucmerced.edu
Website: international.ucmerced.edu



This certification should be completed by the individual who will be supervising the H-1B foreign national on whose behalf the University is filing an H-1B petition or who is otherwise knowledgeable about the foreign national's intended work.

Name of foreign national this form is submitted on behalf of

Foreign national's citizenship(s)

Name of supervising PI/ supervisor

Will the H-1B beneficiary be working in one of the following areas (check all that apply)

Biomedical sciences

Computer sciences

Space sciences

Engineering

Other scientific discipline

Check Yes or No as appropriate in answer to the above question:

No. There are no additional responses required. Please sign and date the section immediately below and submit it with the rest of the H-1B documents to OIA

Yes. Proceed to the next page (page 5). Do not complete the section immediately below this.

I am familiar with the job duties and other particulars of employment of the H-1B beneficiary listed above and hereby affirm that the contents of the foregoing certification are true, to the best of my knowledge, information, and belief. I further understand that failure to accurately complete this questionnaire can result in U.S. government export control violations for which civil and criminal penalties can be assessed against any individual (including a PI) found to have caused or facilitated a violation, and/or against the University of California, Merced.

Signature

Name of person signing the above statement

Title of person signing the above statement

UCM school/ unit

E-mail

Phone Number

Date

If the answer to the question on page 4 is yes, that the H-1B foreign national will be working in the area of biomedical sciences, computer sciences, space sciences, engineering, or other scientific discipline: please review the contents of the export control compliance certification below. If you do have the information necessary to complete this certification, sign and complete the section at the bottom of page 5. If you do not have the information necessary to complete this certification and this is an academic appointment, please contact Deborah Motton at 209-383-8655 or dmotton@ucmerced.edu to complete pages 4-5.

Please check **all** the boxes below, sign and date this form and send a copy of this form (pages 4, 5 and 6) to Deborah Motton along with a detailed job description and the foreign national's CV or resume as an attachment to an e-mail. Deborah Motton will review the certification, sign and date it, and return it to you with her recommendation about whether a license is or is not required from either U.S. Department of Commerce or the U.S. Department of State. Please submit it with the rest of the H-1B documents to OIA.

If this is for a non-academic appointment, the foreign national's supervisor must attest this page and no further action is necessary on pages 4-5.

The research agreement (e.g. grant or contract) and/or projects on which the beneficiary will be working does not restrict or prohibit the participation of foreign persons in the project.

The research agreement (e.g. grant or contract) and/or projects on which the beneficiary will be working does not restrict or prohibit the research team's right to publish any of the data or research results.

In performing the work as an H-1B foreign national, the individual will not be provided access to the following: 1) Technical information that has been stamped "export controlled" 2) Sponsor or third-party proprietary or confidential information, materials, or software, or 3) Encryption source code.

In performing the work as an H-1B foreign national, the individual will not be provided access to equipment specifically designed or developed for military or space applications.

I am familiar with the job duties and other particulars of employment of the H-1B beneficiary listed above and hereby affirm that the contents of the foregoing certification are true, to the best of my knowledge, information, and belief. I further understand that failure to accurately complete this questionnaire can result in U.S. government export control violations for which civil and criminal penalties can be assessed against any individual (including a PI) found to have caused or facilitated a violation, and/or against the University of California, Merced.

Signature

Name & title of person signing the above statement

UCM school/ unit

E-mail

Phone Number

Date

CERTIFICATION BY DEBORAH MOTON AT THE UC MERCED OFFICE OF RESEARCH

I have reviewed the submitted information and recommend that the following box be checked on Part 6 of Form I-129 regarding the release of controlled technology or technical data to foreign persons in the United States.

A license is not required from either the U.S. Department of Commerce or the U.S. Department of State to release such technology or technical data to the foreign person, or

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

Deborah Motton - Assistant Vice Chancellor
for Research Compliance & Integrity

Date

CERTIFICATION REGARDING THE RELEASE OF CONTROLLED TECHNOLOGY OR TECHNICAL DATA TO FOREIGN PERSONS IN THE UNITED STATES.

Please check box

The supervisor for the position has contacted Deborah Motton, Assistant Vice Chancellor for Research in the UC Merced Office of Research regarding this matter, and has received a response.

Check Box 1 or Box 2 as appropriate:

With respect to the technology or technical data that will be released to or otherwise provided access to the H- 1B employee, I certify that I have corresponded with Deborah Motton concerning the Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR) and have determined that:

A license is not required from either the U.S. Department of Commerce or the U.S. Department of State to release such technology or technical data to the foreign person, or

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 required license or other authorization to release it to the beneficiary.

Foreign National's Supervisor Name

Signature

Phone Number

Date

School/ Unit Contact Person Name

Signature

Phone Number

Date