

**Controlled Technology/Technical Data License Compliance Attestation
For
H-1B and O-1A Petitions**

Deemed Export Background Information

Technology/technical data, software and/or defense services are considered to be exported not only under the traditional sense of shipping and/or providing the Technology/technical data, software and defense services overseas; an export can also be "deemed" to take place when technology/technical data, software and/or defense services is released and/or provided to a foreign national within the United States. Deemed exports must be authorized through an export license issued by the responsible Government agency. Technology/technical data, software and/or defense services are considered "released" for export when they are "available to foreign nationals for visual inspection (such as reading technical specifications, plans, blueprints, etc.); exchanged orally; or are made available by practice or application under the guidance of persons with knowledge of the technology/technical data."

You may consult the Division of Sponsored Research Website (<http://www.research.ufl.edu/research/compliance.html#export>) or the 2004 Council on Government Relations (COGR) publication called "Export Controls and Universities- Information and Case Studies" for additional information on export controls.

FOR COMPLETION BY SPONSORING UNIT STAFF

H-1B or O-1A Beneficiary's Name:

Last

First

Middle

Beneficiary's Country/Countries of Citizenship _____

Beneficiary's Current Country/Countries of Residence _____

Position Title / Sponsoring Unit _____ / _____

Description of the beneficiary's duties including the PeopleSoft project #, if applicable (attach additional pages if necessary):

Equipment and/or Specialized/Scientific software accessed (attach additional pages if necessary):

I certify that if during the beneficiary's term of employment any of the above noted employment conditions change and those changes result in the need for a license or the absence of a need for a license, the sponsoring unit will notify Immigration Compliance Services (ICS) before the effective date of the applicable change.

Administrative Staff Member

Telephone Number

Email Address

Hiring Authority Name

Hiring Authority Signature

CONTROLLED TECHNOLOGY/TECHNICAL DATA LICENSE COMPLIANCE QUESTIONNAIRE

Please answer the following questions based on your expectations of the beneficiary's duties and access to equipment, software, and/or information at this time:

1. Will any portion of the beneficiary's assignment involve research?

Yes No

2. Will the beneficiary be involved with projects sponsored by DoD, NASA, DHS, DoE or a commercial entity?

Yes No

3. Will the beneficiary be involved in research projects involving publication restrictions and/or foreign national restrictions?

Yes No

4. Will the beneficiary be involved in research associated with weapons, select agents, pathogens, toxins, military systems, missiles, satellites, space related technologies, high performance computers, radars, etc.

Yes No

5. Are any of the equipment and/or specialized/scientific software listed on the page 1 of this form controlled under the International Traffic in Arms Regulations (ITAR) or the Export administration Regulations (EAR)?

Yes No

If yes, please answer the following questions:

a. Please indicate which specific item/items are controlled under the ITAR and/or the EAR

b. Provide the United States Munitions List (USML) category and/or the Export Control Classification Number (ECCN) as appropriate. (Note: The USML and/or ECCN category can be obtained from the manufacturer, vendor and/or provider)

c. Please indicate any specialized/scientific software that will be in source code?

6. Is there an expectation at this time that the beneficiary will have access to sponsor or third party proprietary information, software and/or materials?

Yes No

If yes, please obtain written confirmation from the provider of the information, software, and/or materials whether or not they are controlled under either the ITAR or Export Administration Regulations (EAR).

Please notify Immigration Services a minimum of 30 days in advance of any change to beneficiary's employment that would require modifying any of the answers above.

FOR COMPLETION BY AN AUTHORIZED OFFICIAL IN THE SPONSORING UNIT, ONLY

*I certify that with respect to the technology or technical data the petitioner [the university] will release or otherwise provide access to the beneficiary (identified above), I have reviewed the Export Administration Regulations (EAR) and the International Traffic in Arms (ITAR) and have determined that:

(Select one of the statements below)

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 national person (beneficiary).

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 [sponsoring unit] 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.

*Statement provided by USCIS

Name

Title (Chair, Director, Associate Dean for Research, etc.)

Department/Center/Division

Signature

Date

NOTE: If the conditions of employment for the foreign national warrant a license, documentation that evidences the need for the license, or a copy of the license, must be submitted with this attestation.