

EXPORT CONTROL FORM (revised 7/29/16)***required information**

Foreign Person's Full Name* _____
(as on their passport)

Date of Birth _____
(mm/dd/yyyy format)

Country of citizenship* _____

(if other than country of citizenship)

Country of permanent residence _____

Foreign Person's Employer/Affiliated Institution Name* _____

If foreign person is currently employed by UMCP, please explain need for screening in the *comments* section below

Foreign Person's Employer/Affiliated Institution Address* _____

Name of UM Faculty Host/Investigator* _____

Faculty Host Email Address * _____

Will foreign person be appointed as a regular employee* Yes No

Dates of Visit/Appointment* to (MM-DD-YYYY)

FRS Account # that foreign person will be paid from (if applicable)

Technical Scope of the research in which the foreign person will be participating/collaborating

Questionnaire and Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States

Background

The following questions are posed to determine whether a U.S. Commerce Department or U.S. State Department export license could be required to release controlled technology or technical data to the Foreign Person at UMD. The University of Maryland, College Park ("UMD") needs this information to complete the certification required in Part 6 of the **Form I-129** petition. According to the I-129 instructions, the technology and technical data that are controlled for release to foreign persons are identified in the Commerce Control List ("CCL") of the Export Administration Regulations ("EAR") or the United States Munitions List ("USML") of the International Traffic in Arms Regulations ("ITAR"). Links to those lists can be found [here](#). Additional background on this questionnaire and certification is provided [here](#).

Department Questionnaire & Certification

Answers to the following questions are to be confirmed by the Department Head, Principal Investigator, or other person having knowledge of which kinds of technology or technical data, if any, will be released to the foreign individual or entity (the "Foreign Person") at the University of Maryland, College Park ("UMD"). In this regard, releasing technology or technical data to the Foreign Person should be understood to include providing the Foreign Person with access to technology or technical data. Please respond to the best of your knowledge and belief to the following questions on the proposed appointment, employment or other activity of the Foreign Person at UMD.

1. Will the Foreign Person be involved in UMD instruction, training, research, services or other activities involving the sciences, engineering, mathematics, information security (including encryption) or related technologies or fields?

Yes

No

[If the answer is "Yes," proceed to Questions (2) through (5). If the answer is "No," then technology and technical data related to the CCL and USML should not be implicated. Proceed directly to Question (5) and, if the answer to that question is "Yes," Box 1 should be checked in Part 6 to the Form I-129, provided that Foreign Person has been cleared by ECO for restricted party screening purposes. However, if special compliance issues are presented (e.g., foreign person from embargoed country, or end-use/end-user involved in weapons proliferation, etc.), please contact the Export Compliance Office at 301-405-4212 before proceeding further.]

2. Does the Department expect the Foreign Person's non-administrative activity at UMD to be dedicated exclusively to (a) research involving published information, (b) providing or receiving instruction in UMD catalog courses and associated teaching laboratories, and/or (c) engaging in basic and applied research in science and engineering where the resulting information is ordinarily published and shared broadly within the scientific community, without any restriction on the publication or dissemination of the resulting scientific or technical information beyond the temporary delays allowed by University System of Maryland policy?

Yes

No

[If the answer is "No," then an export license may be required. Please contact the Export Compliance Office at 301-405-4212 before proceeding further.]

[N.B.: It is the policy of the University System of Maryland ("USM") that instruction, research, and services will be accomplished openly and without prohibitions on the publication and dissemination of the results of academic and research activities. Under highly unusual circumstances, exceptions to this policy may be granted by the USM Chancellor on the recommendation of the appropriate President or Director.]

3. Will UMD release any proprietary or confidential information to the Foreign Person that has been identified by the Department, a research sponsor or any other party as export controlled information

Yes

No

[If the answer is "Yes," then an export license may be required. Please contact the Export Compliance Office at 301-405-4212 before proceeding further.]

[In this question, export controlled information means technology or technical data identified in the Commerce Control List ("CCL") of the Export Administration Regulations or the United States Munitions List ("USML") of the International Traffic in Arms Regulations.]

4. Will the Foreign Person be involved in, or have access to, research in the area of encryption software or technology at UMD?

Yes

No

[If the answer is "Yes," then an export license may be required. Please contact the Export Compliance Office at 301-405-4212 before proceeding further.]

[If the answers are "Yes" to Questions (1) and (2) and "No" to Questions (3) and (4), then Box 1 of Part 6 of the Form I-129 should be checked, provided that the Foreign Person has been cleared by ECO for restricted party screening purposes. However, as noted above, if special compliance issues are presented (e.g., foreign person from embargoed country, or end-use/end-user involved in weapons proliferation, etc.), please contact the Export Compliance Office at 301-405-4212 before proceeding further. In addition, if there is a change with respect to any of the above answers following the submission of this questionnaire and certification, then the Department must advise OIS and ECO immediately so that any USCIS reporting and Commerce/State export control implications of such change can be determined.]

5. Will the Foreign Person be the subject of an **H-1B, H-1B1 Chile/Singapore, L1, or O-1A** nonimmigrant worker petition to be filed by UMD?

Yes

No

[IF THE ANSWER TO QUESTION (5) IS "YES," THEN UMD WILL RELY ON THE INFORMATION CONFIRMED IN THIS QUESTIONNAIRE TO COMPLETE THE FORM I-129 CERTIFICATION TO THE U.S. GOVERNMENT REGARDING THE RELEASE OF CONTROLLED TECHNOLOGY OR TECHNICAL DATA TO FOREIGN PERSONS IN THE UNITED STATES.]

N.B.: The instructions to the Form I-129 state that severe penalties can be applied for falsifying or concealing a material fact or submitting a false document with the I-129 petition. Severe civil and criminal penalties can also be assessed against individuals and organizations for violations of the EAR and the ITAR. See the [Penalties for Noncompliance](#) information under the Export Control Office website.

BY SUBMITTING THE ABOVE INFORMATION, I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Comments: