**I-129 Export Control Compliance Certification**

Any employer petitioning for a nonimmigrant employee in the H-1B visa category must certify on Form I-129 (Box 1, Part 6) that it has reviewed the EAR and ITAR and determined that: A) no license is required from the U.S. government for release of the technology or technical data; or B) a license is required and the employer will prevent access of the technology or technical data by the foreign employee until the required license is obtained. This form is to certify that Box 1, Part 6 of Form I-129 may be checked. If you do not have the information necessary to complete this certification, please contact the Office of Research Administration and Compliance at the numbers listed at the bottom of this form.

1. Visa beneficiary’s name:

2. Visa beneficiary’s citizenship(s):

3. Name of department, institute, or center sponsoring the beneficiary:

4. Name of the supervising PI:

5. Will the visa beneficiary be working in the biomedical sciences, computer sciences, space sciences, engineering, or other scientific or technological discipline? Check one:

No.Please, sign and date this form below and submit it to the Berkeley International Office, as part of the H-1B request   
 packet.

Yes. Please check all the boxes below (if applicable) and sign and date at the bottom

The research agreement (e.g., grant or contract) 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) 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 under the visa, the beneficiary will not be provided access to:

* + technical information that has been stamped “export controlled”
  + sponsor or third-party proprietary or confidential information, materials, or software; or
  + encryption source code.

In performing the work under the visa, the beneficiary will not be provided access to equipment specifically designed   
 or developed for military or space applications.

*This certification should be completed by the individual who will be supervising the visa beneficiary or who is otherwise knowledgeable about the beneficiary’s intended work.*

*I am familiar with the job duties and other particulars of employment of the visa beneficiary listed above and hereby affirm that the contents of the foregoing certification are true, to the best of my knowledge, information, and belief. Box 1 in part 6 of the I-129 form may be checked.*

Please include this completed certification as part of the H-1B request packet in ISD. Box 1 in Part 6 of the I-129 form may be checked.

Berkeley International Office

2150 Shattuck Ave, Suite 500

Berkeley, CA 94704 Fax: 510.643.7289

[h1b@berkeley.edu](mailto:InternationalOffice@berkeley.edu)

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| --- | --- |
| Name: | Dept: |
| Phone: | Email: |
| Signature | Date: |
|  | If you require additional information, please contact:  Export Contral Staff  [ec-team@berkeley.edu](mailto:ec-team@berkeley.edu)  <https://rac.berkeley.edu/ec/contact.html>  Office of Research Administration and Compliance  1608 Fourth St., Suite 220  Berkeley, CA 94710-1749 FAX: 510. 642.8236 |
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