

Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the U.S. in H-1B or O-1 Status

Federal regulations require that employers certify that they have reviewed the **Export Administration Regulations (EAR)** and the **International Traffic in Arms (ITAR)** and have determined whether a license is required from the U.S. Department of Commerce or the U.S. Department of State to allow an employee access to controlled technology. Technology and technical data provided to a foreign national within the U.S. is considered an export. ***This attestation is REQUIRED for all H-1B petitions and O-1 petitions.***

Please review the information on U.S. export controls – including, but not limited to, EAR and ITAR – on Columbia University’s Office of Research Compliance and Training website at:

http://www.columbia.edu/cu/compliance/docs/international_research/

The hiring supervisor, principal investigator, Department Chair, or other appropriate University authority responsible for oversight of an employee’s work and access to technology, must attest to one of the following two statements in order for the ISSO to process the H-1B or O-1 petition.

Please understand that a license may be required. Questions should be directed to the Office of Research Compliance and Training or the Office of General Counsel, after a thorough review of the information published on the website.

Attestation (check one)

I certify 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 (as described in EAR and ITAR) to the foreign person.

OR

I certify that a license is **required** from either the U.S. Department of Commerce or the U.S. Department of State to release such technology or technical data (as described in EAR and ITAR) to the foreign person and I will prevent access to the controlled technology or technical data to the foreign person until the required license or other authorization has been obtained.

Name of H-1B or O-1 beneficiary (please print)

Title of H-1B or O-1 beneficiary

Name of supervisor of H-1B or O-1 beneficiary (please print)

Title of supervisor

Signature of supervisor of H-1B or O-1 beneficiary

Date