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I-129 Attestation Form

This form should be completed by an individual (PI or hiring manager) who will be supervising the visa beneficiary (i.e., the nonimmigrant employee on whose behalf the NMC is filing the I-129 petition). Please return the form to hr@newmexicoconsortium.org.

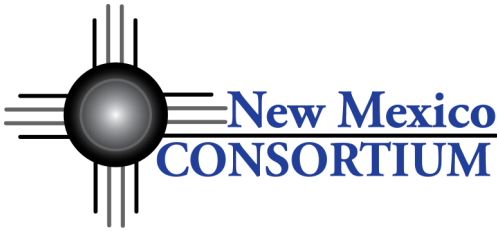
*Federal regulations for visa applicants of this type require NMC to certify that the employee or prospective employee either: (1) **will not be** involved in any activity that would require an export control license or (2) **will be** involved in an activity requiring an export control license and NMC will prevent access to controlled technology until an export control license has been obtained. The purpose of this questionnaire is to assist NMC in making the determination.*

Note: Licenses are not easily obtained as they require careful preparation and a significant amount of lead-time. Noncompliance with export control regulations subjects both individuals and the NMC to penalties, which may include monetary and criminal punishment. Information about Export Controls and the NMC's commitment to compliance can be found at <http://newmexicoconsortium.org/office-of-research-management/export-control>.

Thank you for your cooperation and please let us know if there are any questions: 505-412-4200, research@newmexicoconsortium.org

Beneficiary's Name:	
Beneficiary's Country(ies) of Citizenship (include dates):	Beneficiary's Country(ies) of Legal Residency (include dates):
Beneficiary's Current Visa Type if in the US:	Requested Visa Type:
Beneficiary's anticipated period of employment (from/to):	Beneficiary' Position/Job Title:
Project PI:	Beneficiary's Supervisor:
Project Title:	
Funding agreement #:	
Project Sponsor:	
Use additional sheets for additional projects.	

- Beneficiary's duties will be (mark all that apply):
 - Research Administrative Technician Other, please specify:
- Please describe the work and/or activities to be performed by the applicant. Please include the Beneficiary's specific area of expertise and, if applicable, all areas of research and any type of technology on which the Beneficiary will work. Be as specific as possible:
- Will the Beneficiary participate in any scientific research?
 - Yes No, skip to Question 7
- In which type of research will the Beneficiary participate (mark all that apply):
 - Basic Applied Development Testing Service Oriented Other:
- Will the Beneficiary participate in any research under a contract or grant that restricts any foreign persons from participating in the research or assessing the research results?
 - Yes No Possibly in a future project and I will contact the NMC HR Office before applicant begins work on such a project.
- Will the Beneficiary participate in any research under a contract or grant that restricts publication or dissemination of research results?
 - Yes No Possibly in a future project and I will contact the NMC HR office before applicant begins work on such a project
- Will the applicant have access to high-tech, experimental equipment, or prototypes (examples include high speed computers, sensors, materials, biologicals, electronics, lasers telecommunication devices or other cutting edge equipment)?
 - Yes No. *If yes, list the equipment here:*



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8. List any scientific equipment/instruments, including highly specialized computing equipment, that the candidate will be using in the performance of his/her job duties (use additional sheets as needed):
 - a. Equipment Name:
 - b. Equipment Manufacturer:
 - c. Export Control Classification Number (ECCN) or USML Category:
9. Will the prospective employee perform ALL of the following functions for any research equipment: operation, installation, maintenance, repair, overhaul, and refurbishing? Yes No. *If yes, list the equipment here:*
10. Will the candidate be exposed to equipment that was is known to be specifically designed or developed for military or space applications or "dual-use" technologies that have potential applications to military/proliferation purposes in addition to the usual commercial uses (e.g., night vision cameras, satellite technology, controlled imaging equipment, GPS, etc.)? Yes No *If yes, list the equipment here:*
11. Will the Beneficiary be exposed to encryption software, encryption source code, encryption object code, or otherwise be involved in the design, development, or production of encryption software, source code, or object code? Yes No
12. Will the Beneficiary's activities or projects (including any research projects) involve access to technical information or scientific third-party information, materials, equipment, or manuals that has been stamped "Export Controlled, EAR-controlled, or ITAR-controlled" or is not already in the public domain (i.e., not already published in an open journal or public website or is proprietary or confidential)? Yes No *If yes, please explain:*
13. Will the Beneficiary have access to any NMC owned technical data or technology? Yes No *If yes, please explain:*
14. List any other export-controlled technology that the employee may be exposed to during the proposed employment:
15. Will the Beneficiary be working with any items found on the [United States Munitions List](#)? Yes No. *If yes, please explain:*
16. Will the Beneficiary be working with any items/technical data found on the [Commerce Control List](#)? Yes No. *If yes, please explain:*
17. Will the Beneficiary be working with materials obtained under a Material Transfer Agreement (MTA)? Yes No. *If yes, please explain:*

I certify that the information provided is true to the best of my knowledge, and by signing this form I agree to inform the NMC HR office before the prospective employee begins work in a setting outside of my control or knowledge. I will contact the NMC HR Office before the applicant begins work on any other project.

Name: _____

Signature: _____

Title: _____

Date: _____