22 CFR §125.4(b)(9) Exemption

Accessing data that is controlled under the International Traffic in Arms Regulations (ITAR) is authorized under license exemption 22 CFR §125.4(b)(9) when specific criteria is met. A UA employee who is a U.S. person (U.S. Citizen or Permanent Resident), or foreign person with a valid government authorization (license), may access technical data stored in the U.S. from abroad using a secured Virtual Private Network (VPN) connection. In addition, the UA employee may take technical data on a laptop or access via a smart phone if the security requirements below are met. **This exemption is applicable to UA employees only.**

The U.S. Department of State has strict recordkeeping requirements if this exemption is to be used (22 CFR §123.26). Therefore, the following certification must be made by the traveling UA employee. This exemption may only be used with approval from the University Export Control Program (UECP) and is to be submitted for review no later than 1 week prior to scheduled trip departure. This form will be retained by the UA employee noted below, along with all travel documentation, for five years. A copy of this form will be retained by the UA College/Department of the employee per University record retention policies.

I certify to the following:

- I am an employee of the University of Arizona.
- I am not traveling to a prohibited country (*i.e.,* Belarus, Burma, China, Cuba, Iran, North Korea, Syria, Venezuela) as defined at 22 CFR §126.1.
- I will be the only individual in possession of, accessing, or using the ITAR-controlled technical data and understand I have the primary responsibility for ensuring the technical data is adequately secured.
- Such security measures will include encryption of the technical data; the use of a secured VPN connection; the use of passwords and other access restrictions on all electronic devices and/or media on which technical data is stored; and the use of firewalls and other security measures to prevent unauthorized access.
- The ITAR-controlled technical data will not be used for foreign production purposes or for defense services.

> A *defense service* means: the furnishing of assistance (including training) to foreign persons, wherever located, in the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, demilitarization, destruction, processing or use of defense articles. It also includes the furnishing of any ITAR-controlled technical data, or providing military training to foreign units and forces regardless of format, structure, or location.

		Date:
UA Employee Signature:		
UA Employee Name:		
UA College/Department:		
Dates of Travel:		
Travel Destination(s):		

Approved By UECP:		**Date:**	