

Notice: Deemed Export Annual Certification

August 31, 2006

We have amended the statements slightly to reduce any confusion about what attachments are expected. Also, we have **added** an attachment that asks each LO/CO to identify which facilities **have not been assessed** for controlled technology.

This annual certification process institutionalizes your internal control procedures for ongoing adherence to deemed export policies and requirements. The annual certification process also provides a mechanism for the LO/COs to document that the critical components of the NOAA deemed export program are in place in each LO/CO:

- list of foreign nationals;
- inventory of EAR-controlled technology;
- access control plans;
- list of facilities that have been assessed for controlled technology *and* points of contacts at these facilities;
- list of facilities that have not been assessed for controlled technology; and
- list of any deemed export licenses obtained or requested.

Please note there are two certification statements on the website under “Certification Requirements.” Your DAA/CO Director is required to submit *only the first certification* statement to the CAO, signed on behalf of the entire LO/CO. A point of contact (POC) must be listed for each facility covered by the certification statement. This POC is the person responsible for the individual facility assessment. The second certification statement is designed for your internal use and does not need to be submitted to the CAO.

Summary of Items that must accompany the Certification Statement signed by the DAA:

1. The LO/CO List of Foreign Nationals (FNs): Ensure your list reflects your FY06 record of FN Guests (FNs accessing NOAA facilities more than 3 days including employees under contracts, grants, cooperative agreements) and that the **date** on the list is accurate.
2. The LO/CO Controlled Technology Inventory: Ensure your inventory reflects FY06 data and that the **date** on the inventory is accurate.
3. The List of Facilities assessed for controlled technology: Include Points of Contact for each assessed facility in FY06.

4. The List of Facilities **not assessed** for controlled technology. *Note: Foreign national guests are not allowed access to these facilities until an assessment has been completed.*

5. The list of any deemed export licenses requested and/or obtained in FY06

Items that must already be in place prior to the certification:

The LO/CO must ensure access control plans are in place for all facilities that have been assessed for controlled technology, including facilities with only EAR 99 items, and that the CTC, facilities, and CAO have a copy of these access control plans.