WORK INSTRUCTION 2: SCREENING OF PROJECTS AGAINST EXPORT COMPLIANCE REQUIREMENTS – U.S. DENIAL LISTS

ATTACHMENT 2: GENERAL PROHIBITIONS - SCREENING AGAISNT US DENIAL LISTS

Objective

To ensure that SI activities and transactions involving U.S. persons or U.S.-origin items under the jurisdiction of the EAR do not involve persons or organizations restricted by the U.S. Department of Commerce or those persons or entities whose export privileges have been denied or limited by the U.S. Treasury Department or whose names appear on the Debarred List maintained by the U.S. Department of State.

Responsibilities

Human Resources
Fellowship Coordinator
Contracts Specialist
Persons receiving foreign visitors
Units providing financial assistance to foreign persons
Shipping Personnel

Procedure

1. **Denial List Prohibition.** It is prohibited for SI to sell to parties on government denial lists. Therefore, all customer names must be screened against the government lists. The four lists to screen are:

- **Denied Persons List (DPL) -** Part 764 of the EAR. A list of individuals and entities that have been denied export privileges. Any dealings with a party on this list that would violate the terms of its denial order are prohibited.
- **Entity List -** The Entity List identifies foreign parties that are prohibited from receiving some or all items subject to the EAR unless the exporter secures a license. Those persons present a greater risk of diversion to weapons of mass destruction (WMD) programs, terrorism, or other activities contrary to U.S. national security or foreign policy interests. By publicly listing such persons, the Entity List is an important tool to prevent unauthorized trade in items subject to the EAR.

  BIS can add to the Entity List a foreign party, such as an individual, business, research institution, or government organization, for engaging in activities contrary to U.S. national security and/or foreign policy interests. In most instances, license exceptions are unavailable for the export, reexport, or transfer (in-country) to a party on the Entity List of items subject to the EAR. Rather, a prior license is required, usually subject to a policy of denial. For guidance concerning the prohibitions and license application review policy applicable to a particular party, please review that party's entry on the list. Procedures for removal from the Entity List appear in section 744.16 of the EAR. General Orders also may restrict exports to named individuals or entities.

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- **Unverified List** - A list of parties where BIS has been unable to verify the end-user in prior transactions. The presence of a party on this list in a transaction is a "Red Flag" that should be resolved before proceeding with the transaction.
- **List of Specially Designated Nationals** (SDN), Foreign Assets Control Regulations. **These persons/ companies are foreign nationals of, or companies owned or controlled by countries under US trade embargo (Cuba, Democratic Republic of the Congo, Iran, North Korea, Sudan and Syria.)** The Treasury Department maintains a list of terrorist, government official who violate human rights, drug king pins, etc. Check all foreign government organizations and persons against this list before proceeding with contracts

- **Debarred List.** U.S. Dept. of State. These parties are debarred for violation of the Arms Export Control Act. These are listed on the DDTC website www.pmddtc.state.gov

1. Screening of New Collaborators, visitors, organizations

The SI website provides a link to our consolidated denial list screening tool – www.mkdenial.com. Log on and provide the credentials - Request an instruction sheet with information from export@si.edu.

MK Denial-screenshot.doc

ID 70891 PW smithsonian

The web screening tool allows you to enter the name of a person or organization, (i.e., a student, post doc, researcher, etc.) , their address and country.

The tool will show a result of "not found" and date should be recorded and saved as and image. The tools will save the screening in an internal log, but the user can opt to save the report. If desired, the user should create an export compliance directory and name each DPL result files as "DPL_name_date".

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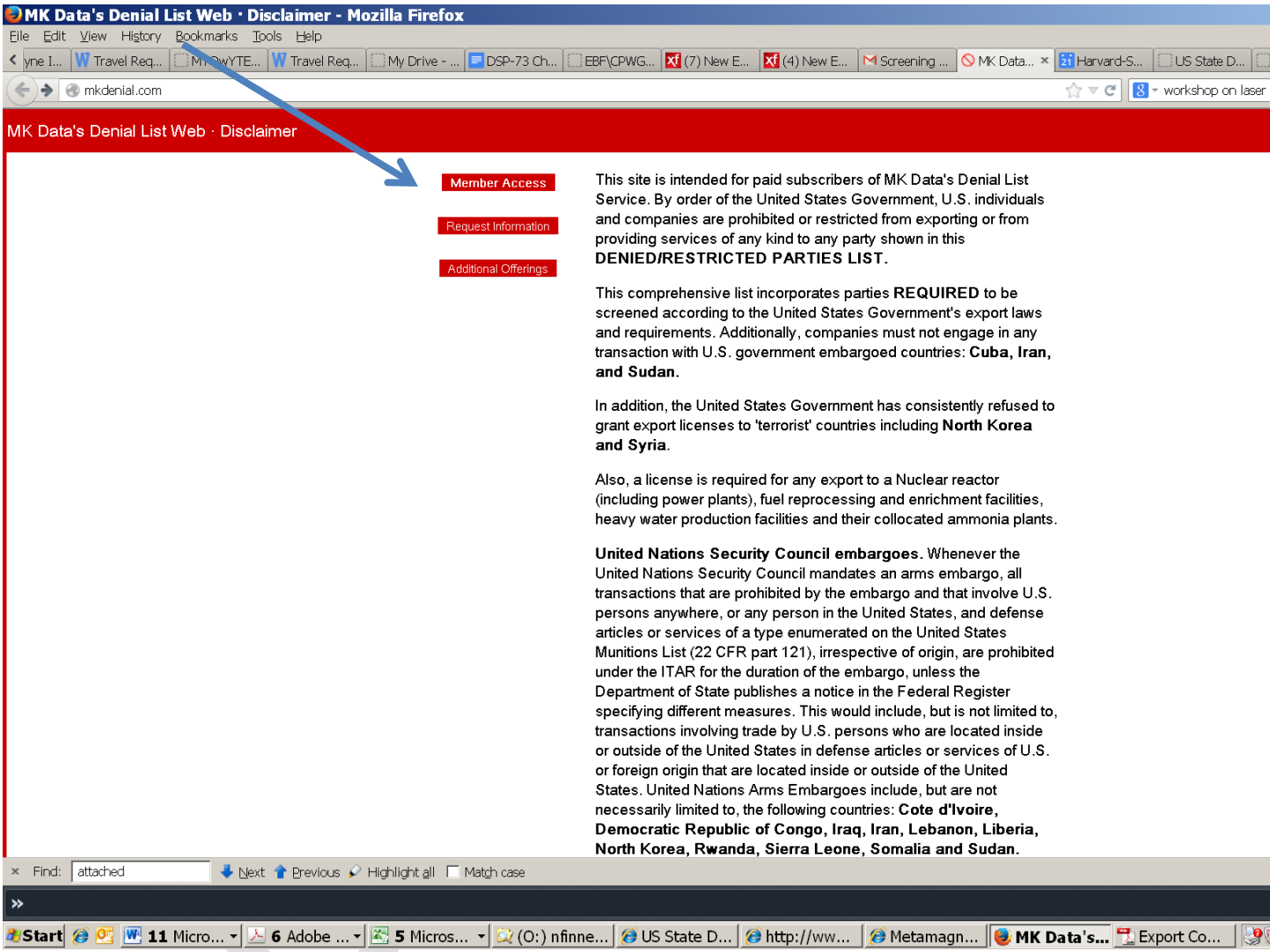
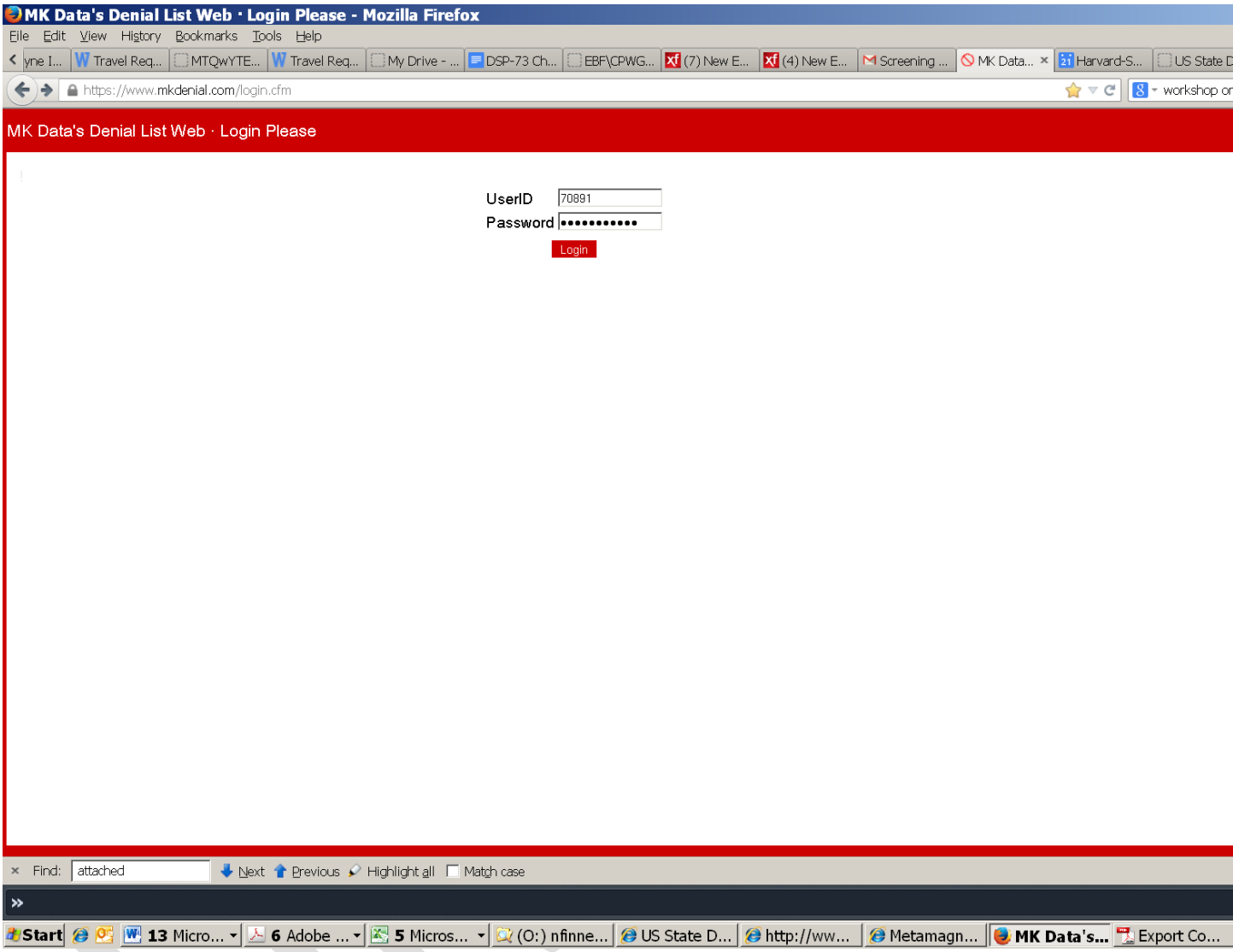
INSTRUCTIONS FOR DENIED PERSONS SCREENING OF VISITORS, COLLABORATORS AND SPONSORS

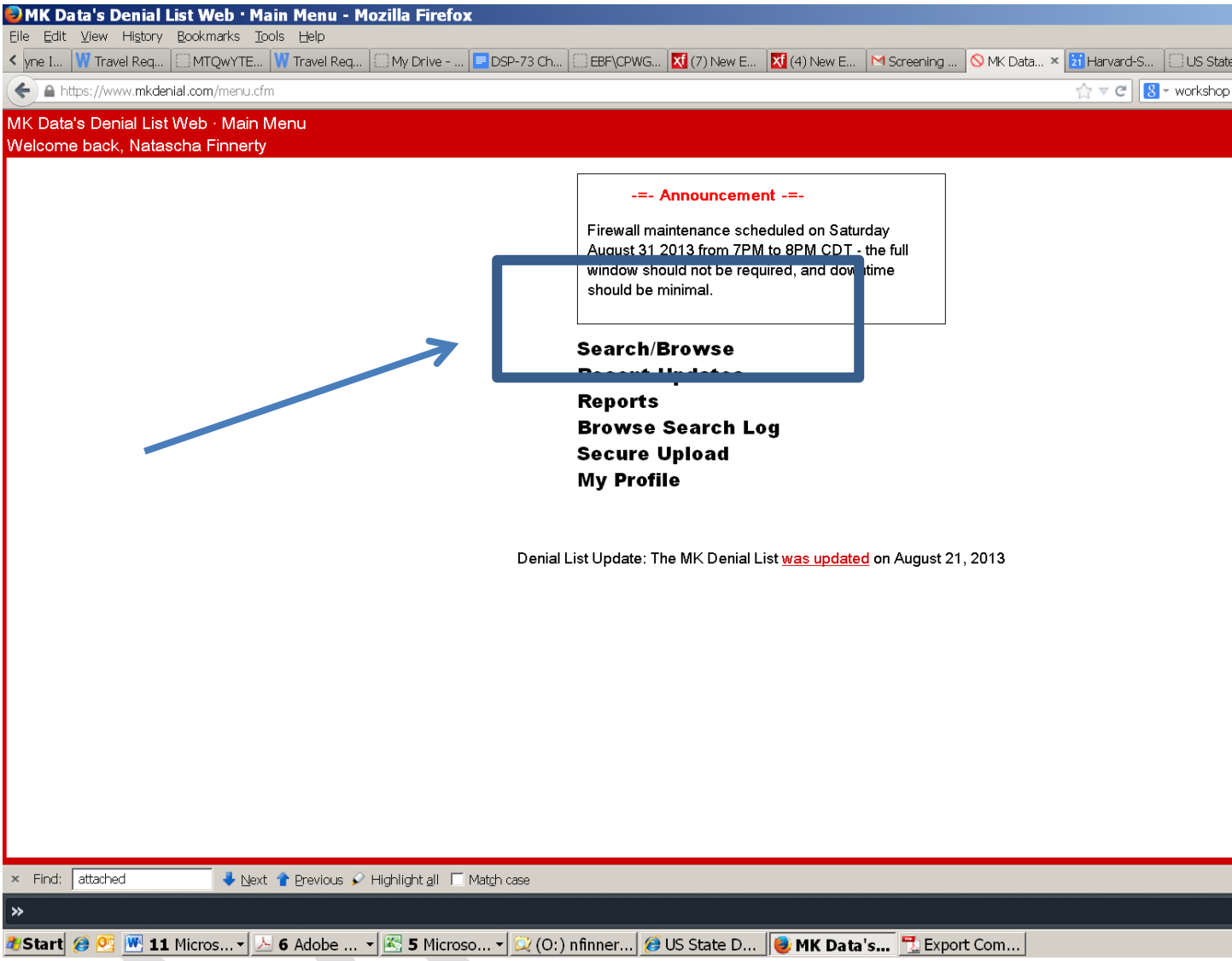
1. GO TO WWW.MKDENIAL.COM. CLICK ON MEMBER ACCESS



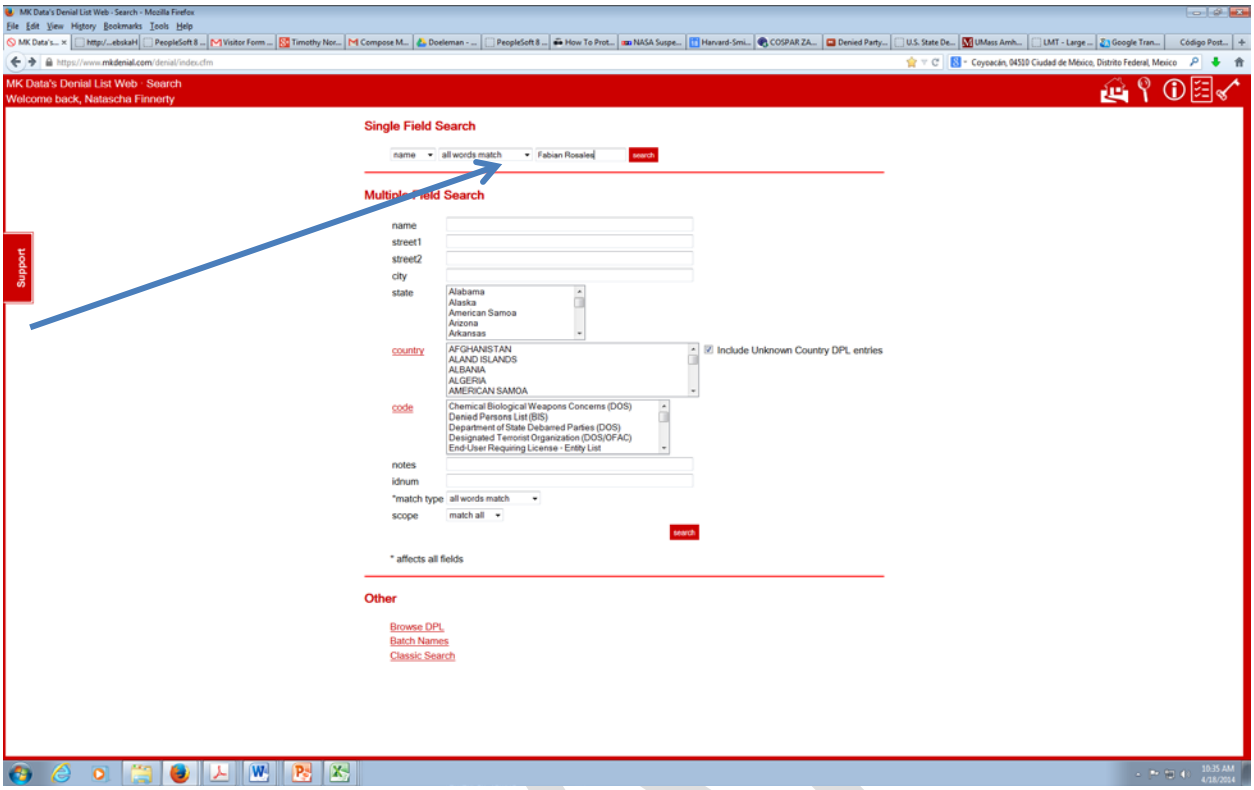
2. ENTER OUR LOG-IN CREDENTIALS: ID 70891 PW SMITHSONIAN


MK Data's Denial List Web · Login Please - Mozilla Firefox
File Edit View History Bookmarks Tools Help
https://www.mkdenial.com/login.cfm
MK Data's Denial List Web · Login Please
UserID
70891
Password
Login
Find:
attached
Next
Previous
Highlight all
Match case
Start

3. ACTIVATE THE SEARCH FUNCTION



4. FOR VISITORS, ENTER THEIR LAST NAME (I WAS SCREENING CONTRACTORS)



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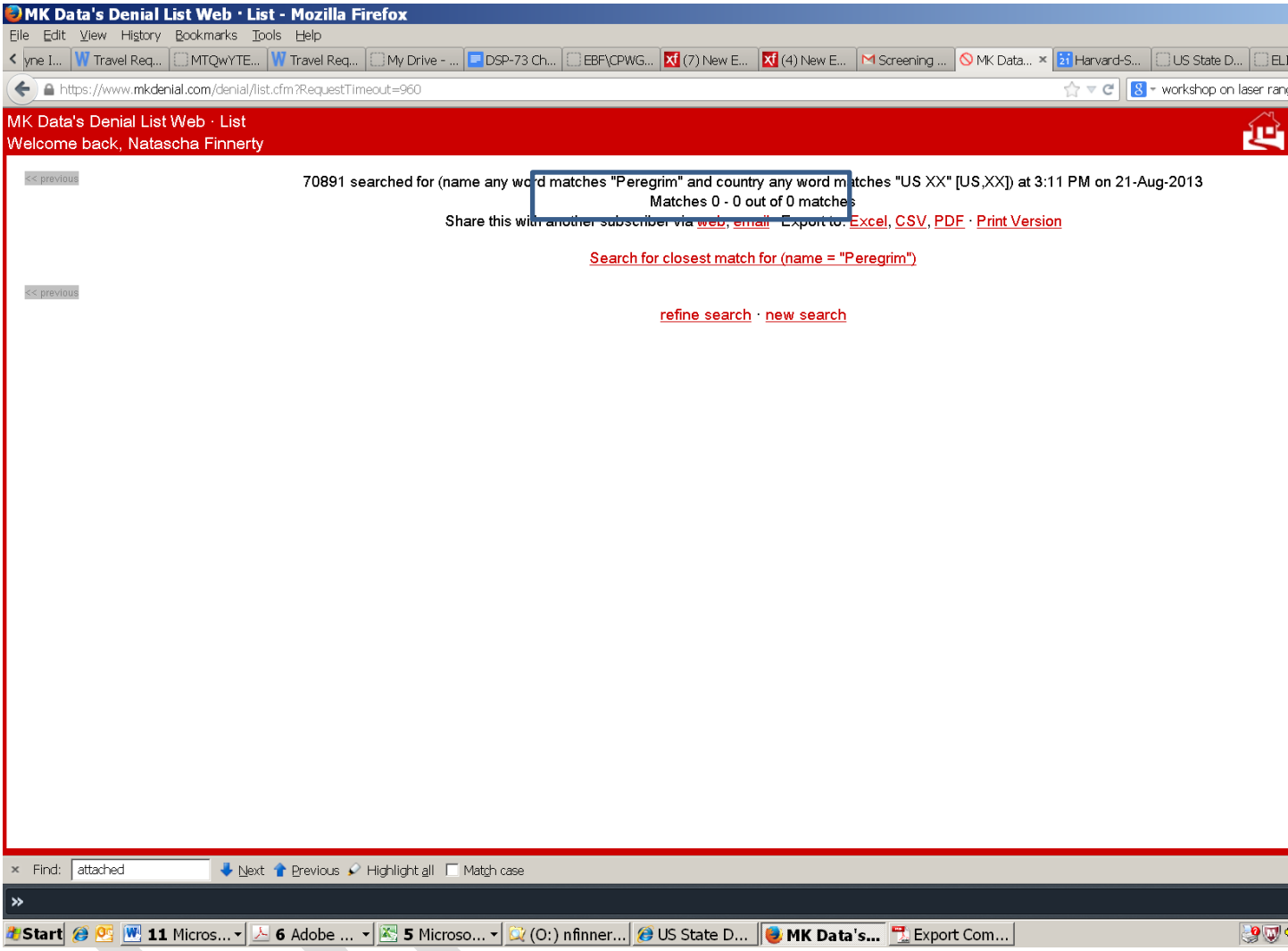
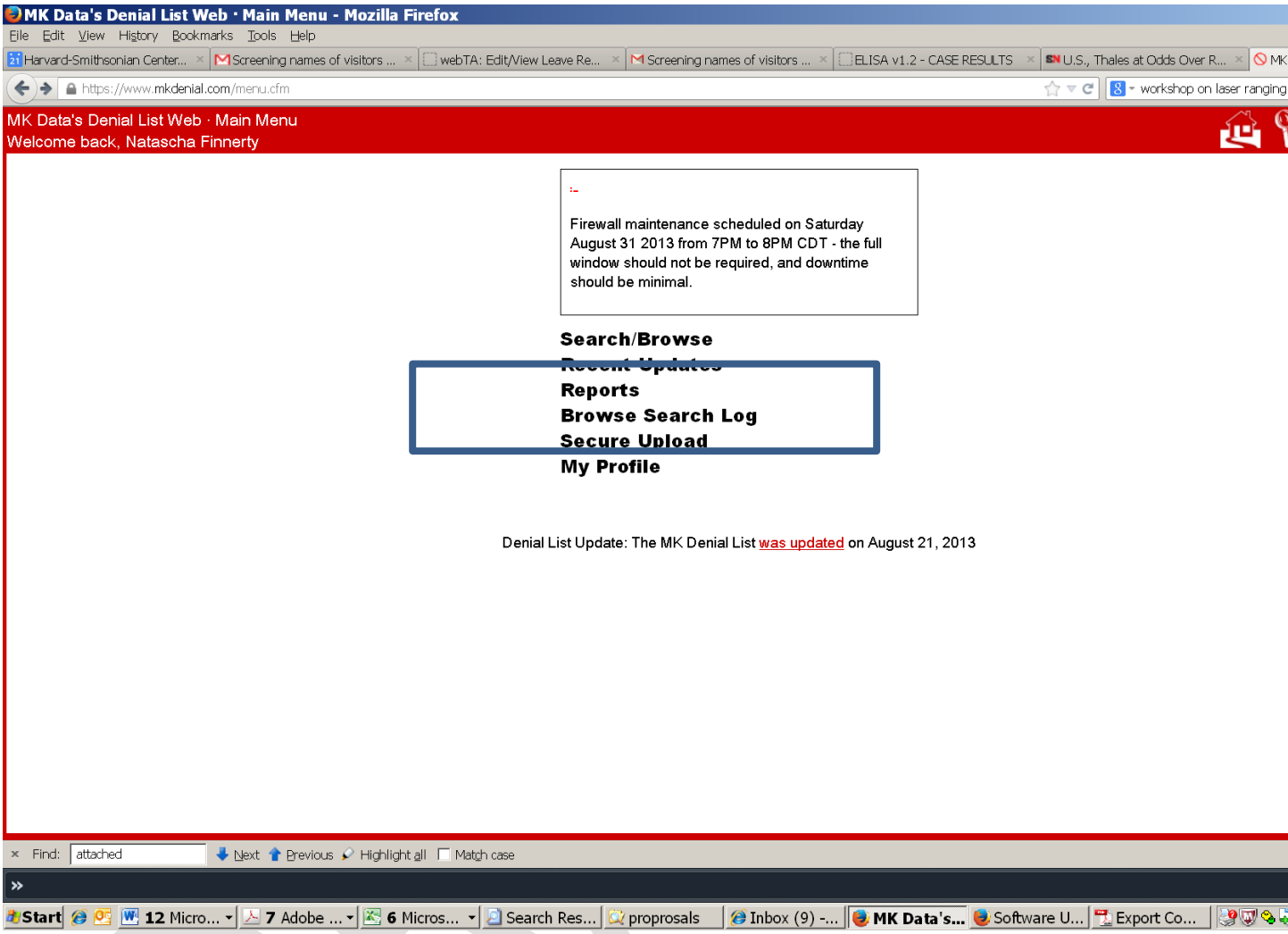
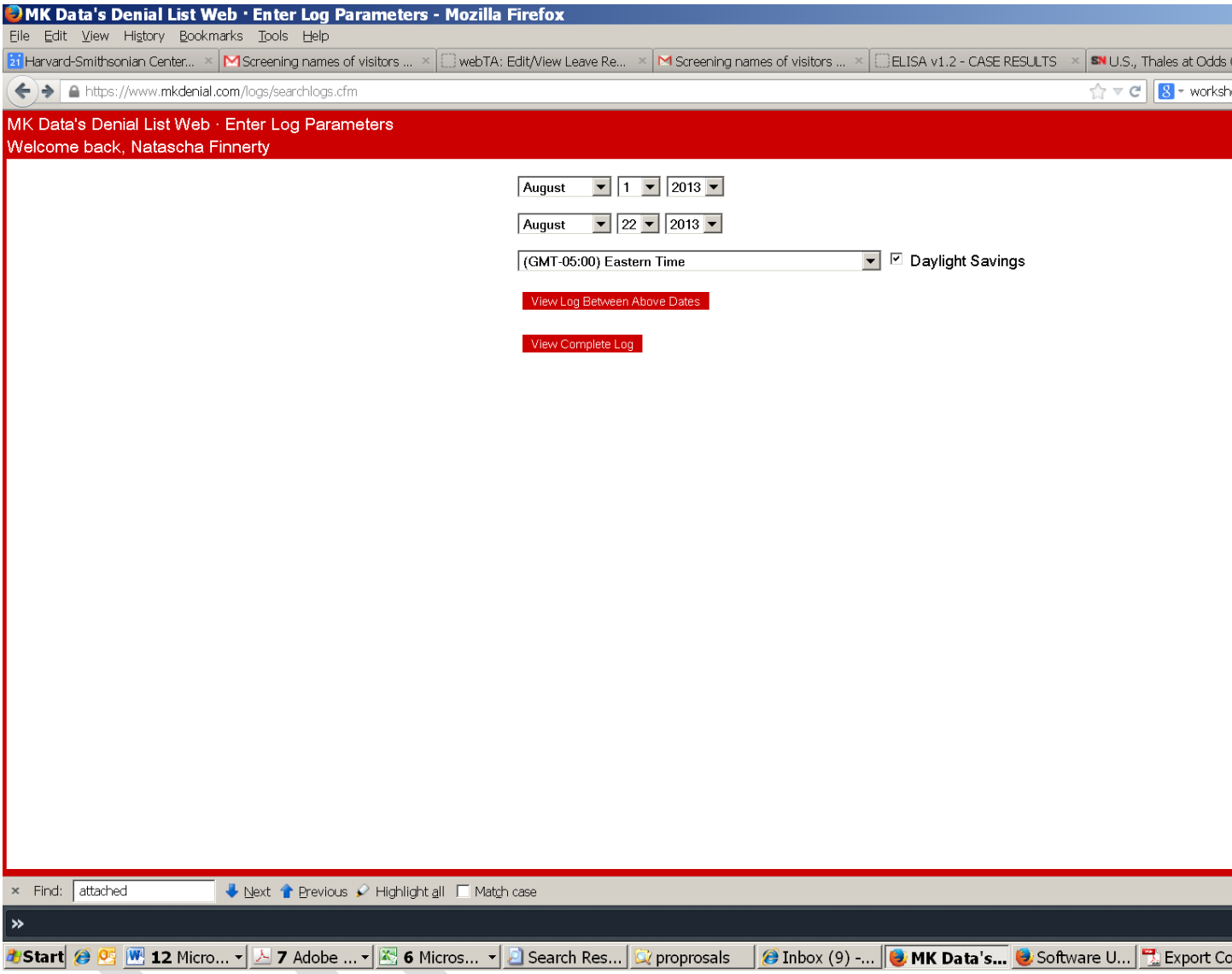
5. YOU LOOK FOR A RESULT WITH “0” HITS



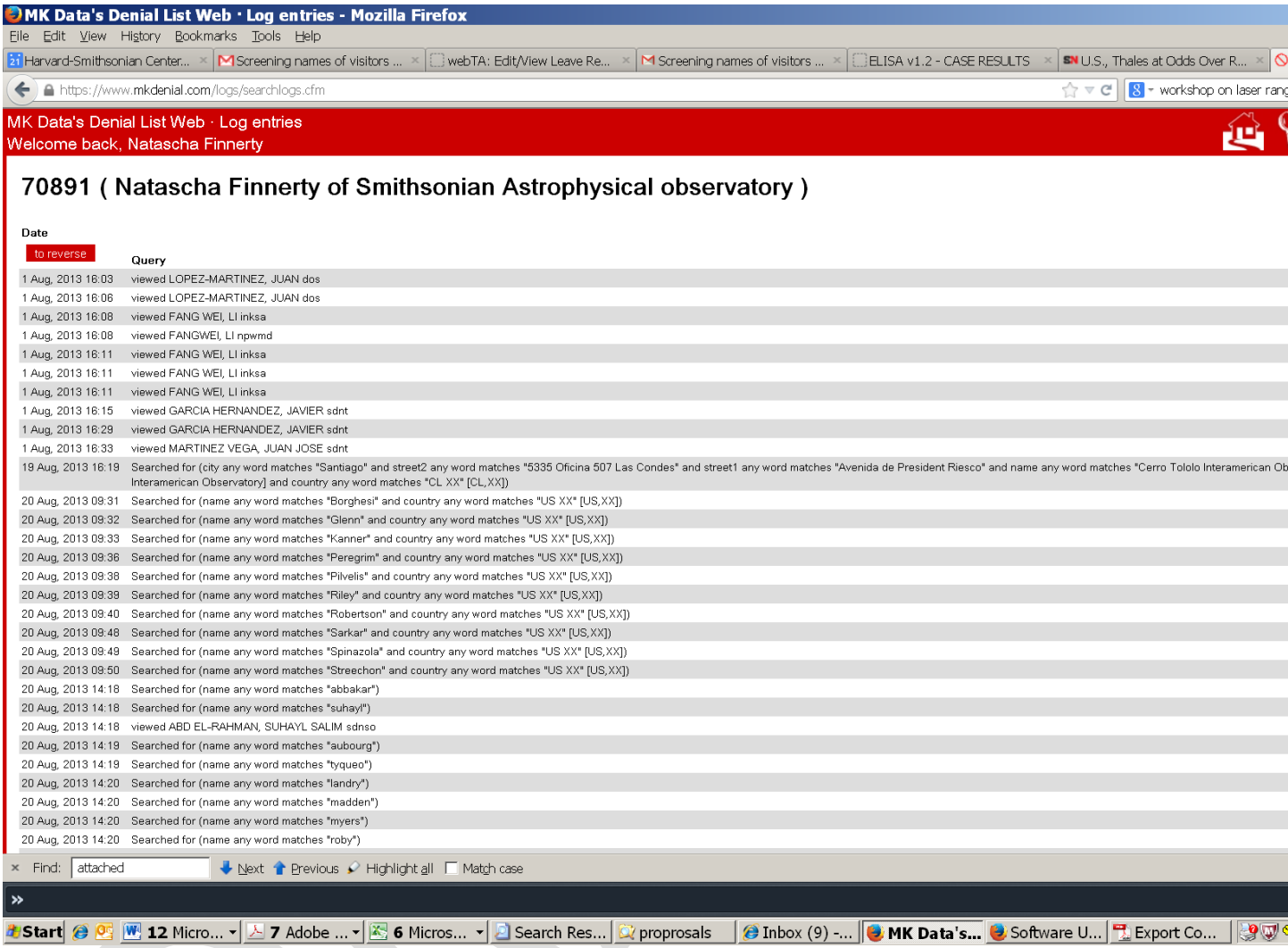
6. THE SEARCHES ARE SAVED AND CAN BE ACCESSED THROUGH THE BROWSE SEARCH LOG



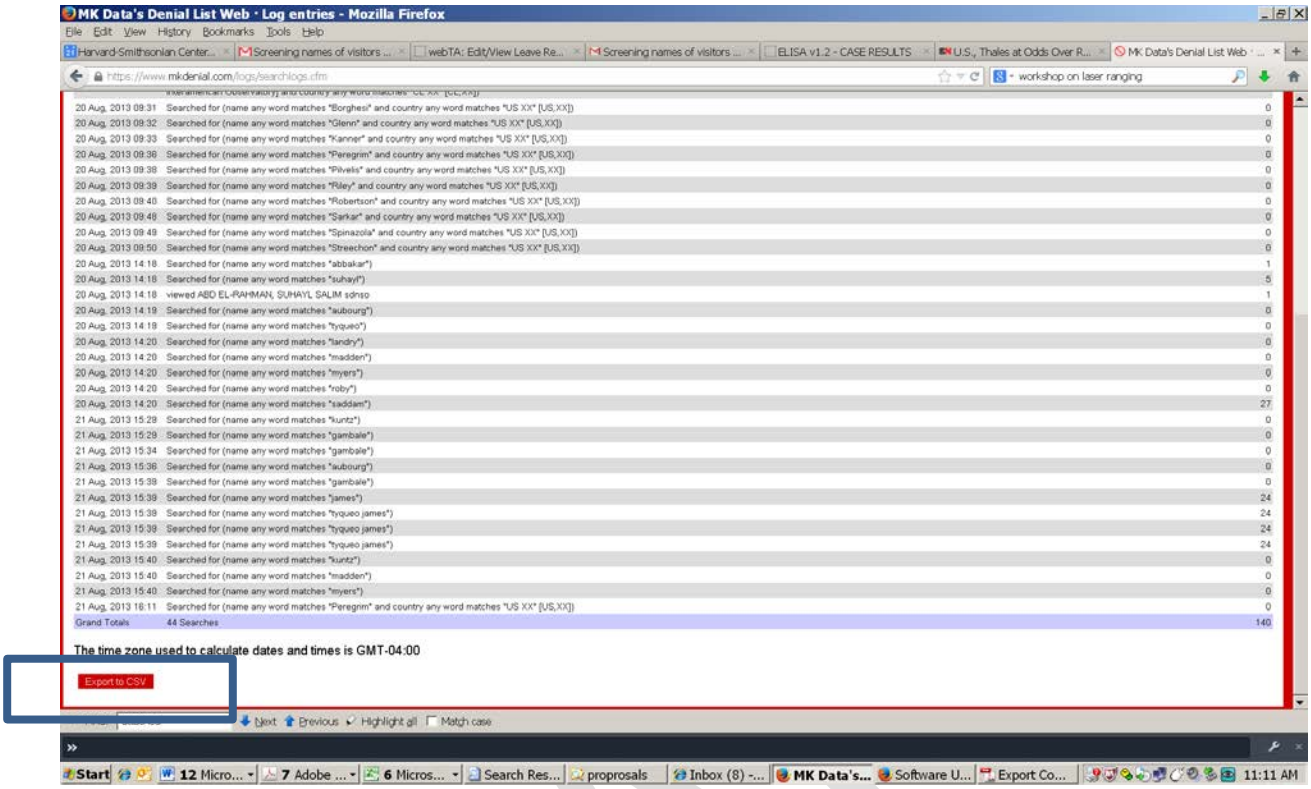
7. ENTER THE SEARCH DATE RANGE (OR OTHER CRITERIA AS DESIRED)



REPORT OF SEARCHES IS GENERATED



YOU CAN DOWNLOAD THE LIST PERIODICALLY


MK Data's Denial List Web · Log entries - Mozilla Firefox
20 Aug, 2013 09:31 Searched for (name any word matches "Borghesi" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:32 Searched for (name any word matches "Glenn" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:33 Searched for (name any word matches "Kanner" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:36 Searched for (name any word matches "Peregrim" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:38 Searched for (name any word matches "Pilvelis" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:39 Searched for (name any word matches "Riley" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:40 Searched for (name any word matches "Robertson" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:48 Searched for (name any word matches "Sarkar" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:49 Searched for (name any word matches "Spinazola" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 09:50 Searched for (name any word matches "Streechon" and country any word matches "US XX" [US,XX]) 0
20 Aug, 2013 14:18 Searched for (name any word matches "abbakar") 1
20 Aug, 2013 14:18 Searched for (name any word matches "suhayl") 5
20 Aug, 2013 14:18 viewed ABD EL-RAHMAN, SUHAYL SALIM sdnso 1
20 Aug, 2013 14:19 Searched for (name any word matches "aubourg") 0
20 Aug, 2013 14:19 Searched for (name any word matches "tyqueo") 0
20 Aug, 2013 14:20 Searched for (name any word matches "landry") 0
20 Aug, 2013 14:20 Searched for (name any word matches "madden") 0
20 Aug, 2013 14:20 Searched for (name any word matches "myers") 0
20 Aug, 2013 14:20 Searched for (name any word matches "roby") 0
20 Aug, 2013 14:20 Searched for (name any word matches "saddam") 27
21 Aug, 2013 15:29 Searched for (name any word matches "kuntz") 0
21 Aug, 2013 15:29 Searched for (name any word matches "gambale") 0
21 Aug, 2013 15:34 Searched for (name any word matches "gambale") 0
21 Aug, 2013 15:36 Searched for (name any word matches "aubourg") 0
21 Aug, 2013 15:38 Searched for (name any word matches "gambale") 0
21 Aug, 2013 15:39 Searched for (name any word matches "james") 24
21 Aug, 2013 15:39 Searched for (name any word matches "tyqueo james") 24
21 Aug, 2013 15:39 Searched for (name any word matches "tyqueo james") 24
21 Aug, 2013 15:39 Searched for (name any word matches "tyqueo james") 24
21 Aug, 2013 15:40 Searched for (name any word matches "kuntz") 0
21 Aug, 2013 15:40 Searched for (name any word matches "madden") 0
21 Aug, 2013 15:40 Searched for (name any word matches "myers") 0
21 Aug, 2013 16:11 Searched for (name any word matches "Peregrim" and country any word matches "US XX" [US,XX]) 0
Grand Totals 44 Searches 140
The time zone used to calculate dates and times is GMT-04:00
Export to CSV
Next Previous Highlight all Match case
Start 12 Micro... 7 Adobe ... 6 Micros... Search Res... proposals Inbox (8) -... MK Data's... Software U... Export Co... 11:11 AM

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