



Export Compliance Assistance Program Restricted Party Screening Procedure



What is restricted party screening?

The Departments of State, Commerce, and Treasury maintain multiple lists that place restrictions on entities found to be working against American interests (e.g., weapons of mass destruction proliferation, terrorism, or narcotics trafficking). Any transactions or transfers involving these entities require additional scrutiny and precaution. To identify any transactions or transfers that may involve potential bad actors, the Department of Energy (DOE) requires personnel and programs to conduct restricted party screening. Restricted party screening compares the names and details of individuals and organizations involved in a proposed transaction against the restricted party lists.

The Export Compliance Assistance Program (ECAP) has developed this brief restricted party screening (RPS) procedure to serve as a general guide for DOE programs to tailor according to their specific operating environment.



Why your program needs to screen

The DOE is not exempt from RPS regulations. Each site must establish procedures to ensure compliance with RPS requirements. Even locations with little international interactions are at risk, as restricted parties are not exclusively located abroad. Many listed entities reside within the United States, requiring vigilance and due diligence even for programs that do not export commodities or host international scientists. Properly vetting visitors and vendors ensures your site remains compliant with screening requirements and continues to safeguard DOE property and technology.

Steps to establish a RPS process



Step 1: Determining when to screen?

Each site must tailor their local procedures to provide the most appropriate amount of due diligence. The first step is to establish what activities merit screening. ECAP recommends several general considerations and specific triggering points.

General considerations

Nature of the DOE work or program

Consider how the standard operations of your work or program could create opportunities for interacting with restricted parties, such as number of foreign visitors and scientists, frequency of exports, frequency of property sales, and type of activities (e.g., power generation or super-computer research).

Interaction frequency

Reflect on how often the program interacts with new parties. How often do you collaborate on research programs with foreign laboratories? Do many contractors work on-site?

Familiarity with individuals and companies

Programs that routinely interact with the same, small set of companies face less risk than their counterparts with constant new individuals and companies.

Screening results are not static

Previous screening results can change over time. In response to US foreign policy objectives, the restricted party lists are constantly updated via notices to the Federal Register. It is possible the foreign research center or scientist that you collaborated with last year has recently been added to a restricted list.

Specific triggering points

Foreign interaction

Whether the activity occurs within the United States, abroad, or in a virtual environment, interacting with non-US parties may have additional national security concerns.

Buying and Selling of Goods and Services

Purchasing or selling commodities and services could violate sanctions even if the transaction does not include any dual-use technology.

Transferring information

Transferring information that is not export-controlled could violate sanctions and other restricted lists.

Shipping property

Restricted parties may use false names, but addresses are often documented in the screening tool search results.

General Considerations

What is the nature of your site's work?

How often does your site interact with new partners?

For visitors, research collaborators, and vendors, are you familiar with the company as well the individual?

Have you rescreened the party since the last interaction?

Specific Triggering Points

Any foreign interaction

Signing a contract

Transferring Information

Shipping property

Step 2: Determine who is responsible for screening

Screening obligations must be clearly assigned. Determine which group(s) should be responsible for conducting initial screening. RPS can be a shared responsibility.

Typical groups involved often include:

- Principal investigators
- Sales/purchasing
- Shipping and property
- Foreign visitors and assignments
- Global protocol
- Human resources and legal

Individuals who conduct the screening do not have to resolve hits. Many screening searches do not have potential matches on the restricted party lists. If a potential match appears, the individual who conducted the screening can pass all available information to the group or groups designated to further investigate the issue.

Step 3: Conducting the screening

Depending on your site's risk profile and available resources, decide between using the free Consolidated Screening List (CSL) or one of the subscription-based commercial screening services.

Free screening resources

Consolidated Screening List (CSL): The only free RPS tool provided by the US Government. The CSL combines 11 different restricted party lists from the Departments of Treasury, State, and Commerce

» Consolidated Screening List

Commercial screening resources build upon the CSL, including other lists such as other countries' restricted parties and United Nations Security Council resolutions. These commercial services have other additional capabilities if your site decides to include these functions in its subscriptions.

- » Visual Compliance
- » OCR Global Trade Management
- » MK Data Services
- » And others

Follow these steps when running a search:

Open your site's screening tool of choice and input all relevant information for the entity or individual to be screened. If screening both an organization and individual, also screen each separately.

- Individual's full name
Alternate names/spellings, aliases, and middle names
- Company or organization's full name "Doing business as" names
- Complete address
No abbreviations
- Date of Birth
- Nationality

Be sure the **"fuzzy" screening option** is always active. Fuzzy searches allow similar entries to return in the search results.

- **For example**, fuzzy search results for "Johnathan" would include "John" and "Jon"

If you are using a commercial screening service, determine which restricted lists are appropriate to search. It is recommended to keep these lists selected. The screenshot below, from Visual Compliance, has the following options:

- **Export** (Restricted, Denied, and Blocked Persons Lists)
All of the major lists included in the CSL
- **Sanctions** (Sanctions-related Blocked Persons Lists)
Treasury Department and United Nations Consolidated Sanctions lists
- **GSA** (General Services Administration)
Individuals who are barred from participating in government contracts or receiving government funds.
- **Police** (Law Enforcement Wanted Persons Lists)
Individuals who are wanted by various federal law enforcement agencies.
- **PEP/OIG** (Politically Exposed Persons and Office of Inspector General)
The CIA's list of Politically Exposed Persons helps compliance with the U.S. Foreign Corrupt Practices Act. Note, Politically Exposed Persons are only identified individuals in senior positions of foreign governments and not an immediate indication of debarment.

The Office of Inspector General's list includes entities that are excluded from Federal Health and Medicare Programs, which can be very important to research institutions.
- **International** (International Terrorist, Blocked Person, Wanted, and Entity Lists)
Includes restricted parties and sanctions lists from the European Union, Interpol, Canada, England, Japan, Australia, etc.

Potential to affect international, collaborative agreements with information, equipment, and people all comingling (e.g. a Chinese laboratory supplies vendor is included on Japan's restricted lists).

- **Submit the request** for screening
- **Review the results**
If the results contain potential matches, proceed to Step 4: Resolving Screening Hits

If there are no hits, proceed to Step 5: Recordkeeping

Standard Search

Name: John Doe

Company: General Science & Services Ltd.

Address: 987 Main Street, extension

City: Atlanta, State: GA

Country: United States, Zip Code: 30309

Comment: add comments

☐ ECCN for country controls check, ECCN

☐ Exact, ☐ Phonetic, ☒ Fuzzy, ☐ Weighted, ☐ Combined

☐ Stemming, ☐ Thesaurus, ☒ Field Specific, ☒ Remove business words

☒ Export, ☒ Sanctions, ☒ GSA, ☒ Police, ☒ PEP/OIG, ☒ International

SCREEN

Step 4: Resolving screening hits

All positive screening results need to be directed to designated reviewers. Determining the validity of a screening hit is a process that must be documented thoroughly and performed by trained personnel. Designated personnel responsible for resolving hits will adhere to the following steps:

Gather more information

- Review the Federal Register Order that placed the person/company on a restricted list for additional information
- Confirm the name
Middle names, multiple given names, short form names should be included
Unisex names may give false positives (e.g., Screening a visitor named "Alex" may return a hit for "Alexander," but the visitor's name is actually "Alexandra").
- Date of Birth
Compare the age of listed individuals and the party your program is screening

Contact others for information

- Reaching out to initial citing agency who added the individual or entity to a restricted list.
- Contacting your counterintelligence office or appropriate reachback office.
- Contacting the ECAP team.

Rescreen with new information

Decision to Approve or Deny

- Develop a form to document the formal decision-making process to resolve hits
For example, a form with checklists that document the original search criteria, the screening hit, how the hit was resolved, and what evidence/information was involved in the decision.

If you decide to deny access or any service to entities from Department of Treasury denied parties lists, you must report the denial to the Department of Treasury within 10 business days.

- » **Department of Treasury reporting form**
- » **ECAP OFAC Best Practices**



**Gather
Information**



Contact



Re-screen



**Make a
Decision**

Step 5: Recordkeeping

Keep detailed records for every scenario, even if the search returned no hits or easily resolved false positives. For the situations that require more in-depth resolutions (e.g., contacting the citing agency), document each piece of information that led to the ultimate decision to approve or deny the interaction.

Using the CSL:

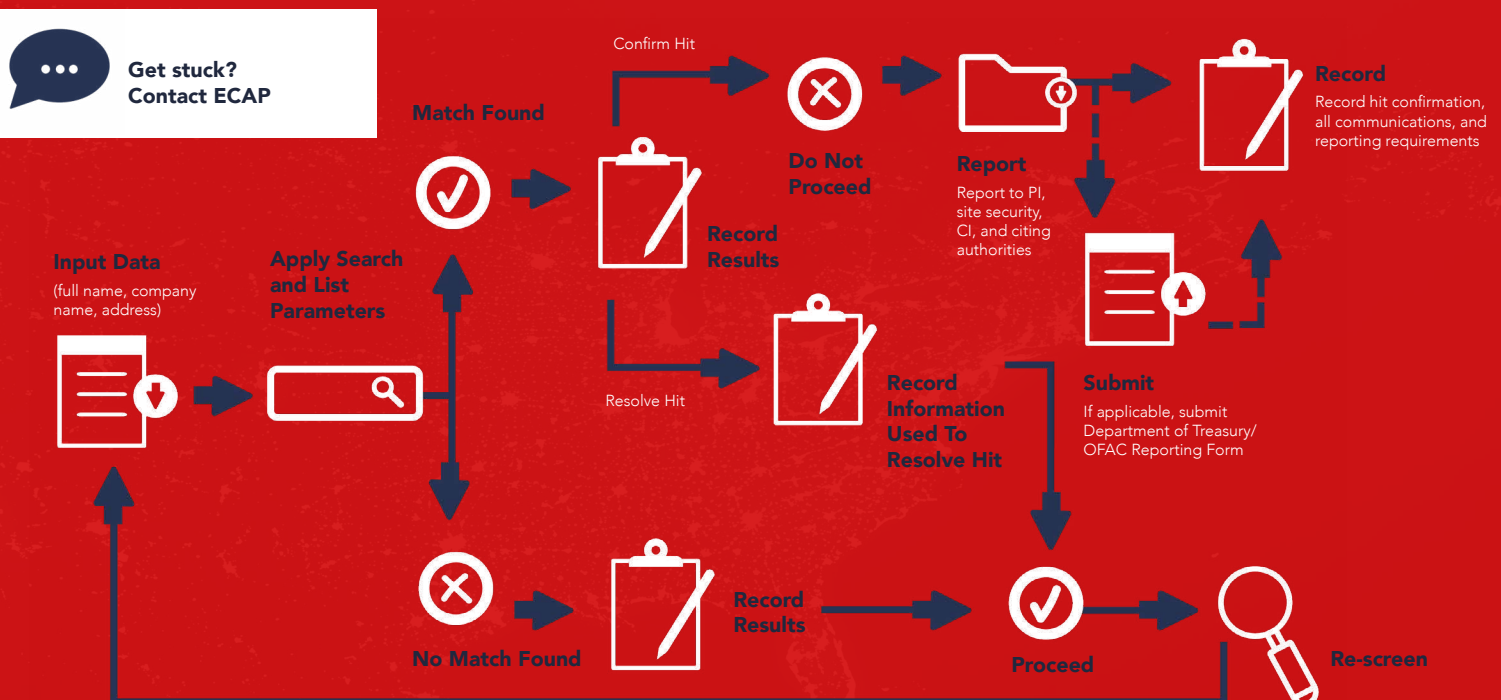
- Ensure your site has a process to document screening results, hits, and efforts to resolve hits. The CSL does not save search results.
- Require PDF printouts of CSL search results that clearly include the search criteria, any potential hits, and the date and time the search was conducted.

Using commercial screening tools:

- Search results will have options for emailing or converting the results to PDF. Whichever method is preferable, ensure consistency across your site.
- As a backup, most commercial screening tools record searches, allowing account administrators to review if needed.

If search results required resolving potential hits, document the entire decision-making process and any relevant information that led to the decision.

RPS Process Flowchart





Export Compliance Assistance Program (ECAP)



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