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Effective Date: October 1, 2014

Revision History: Noted Below

Responsible University Officer: Office of Research Administration (ORA)

Responsible Offices: Office of Research Administration (ORA)

Purpose

Restricted party screening (RPS) is a compliance control that prevents doing business with prohibited or restricted entities, including governments and individuals. Governments of various countries, as well as international organizations, such as the United Nations, maintain a variety of such entities. Screening means conducting due diligence to ensure a party of interest does not appear on one or more of these lists. Depending on the nature of the list and transaction, a party may be legally prohibited to engage in certain activities. Prohibited activities could include contracting with, selling to, shipping to, receiving payment from, making payment to, or conveying technology to a prohibited/restricted party. Additionally, as a matter of reputation and University of Miami (UM) policy, UM may choose not to engage in certain transactions with listed entities, even if not legally prohibited.

In response to federal regulations¹ and UM policy² on export controls, UM will conduct RPS on persons and entities before engaging in any business transaction. RPS is for those persons and entities who are not captured under other UM processes, such as DS-2019, I-129, and vendor application. UM personnel are responsible for ensuring that foreign persons or entities (including students, visitors, observers, outside services vendors, etc.) have been screened *prior* to engaging in business activities to confirm that the person or entity does not appear on any agency list of denied or excluded parties.

This standard operating procedures (SOP) document outlines the procedures that the Office of Research Administration Export Control Compliance office will follow to review individuals and entities.

Definitions

Please refer to UM's [Office of Research Administration Export Control Compliance website](#) for a list of acronyms and terms commonly found within U.S. export control laws and regulations, as well as UM's export compliance program.

Responsibility

Requesting Department	The department within UM engaging in a business transaction where RPS is not captured under another UM process. Responsible for monitoring access to restricted areas or controlled items.
ORA	Reviews EXPORT-F-009 form. Runs Restricted Party Screening (RPS). Oversees export control and technology management for UM.
General Counsel (GC)	Collaborates with the Director, Export Control Compliance in understanding of export classifications and regulations, license

Procedure

UM uses Amber Road's RPS On-Demand for screening parties subject to denial orders or otherwise restricted or prohibited from engaging in U.S. export transactions. Amber Road's system screens over 300 lists from U.S. federal agencies, foreign governments, and international organizations. The RPS system does not screen

¹ Executive Order 12549, 15 CFR Part 736 – General Prohibition Four, 15 CFR Part 744 – Control Policy: End-User and End-Use Based, 15 CFR Part 758.3 – Responsibilities of parties to the transaction, 45 CFR Part 76 – Government Debarment and Suspension (Non-Procurement), 48 CFR Parts 9 & 52 – Federal Acquisition Regulation; Uniform Suspension and Debarment Requirement.

² Export Control Compliance policies, processes and form can be located on the ORA [website](#).



RESTRICTED PARTY SCREENING PROCESS

against State lists such as the Florida Agency for Health Care Administration (AHCA) or the Florida Department of Law Enforcement (FDLE). Screening of State lists will need to be conducted directly by the UM department requiring such screening to be completed. Background criminal investigations will need to be requested through UM's Security department.

All parties in any transaction should be screened, with exceptions noted below. This includes both domestic and international transactions because (a) certain restrictions may apply to domestic transactions, (b) domestic transactions may be part of an international transaction, and (c) reputational concerns may exist. Screening should be conducted at the beginning of each new project or business transaction, even when screening has been previously done because lists are updated regularly and federal regulations can change.

Parties to be Screened as Applicable (includes but not limited to):	
• Countries	• Visitors and the organization they represent
• Customers	• Sales representatives
• Suppliers and subcontractors	• Consultants
• Consignees and intermediate consignees	• Merger and acquisition parties
• Freight Forwarders	• New hires
• Banks or other financial institutions	• Contract workers
• Service Providers	• Agents
• "Pay to" parties	• Manufacturers
• "Pay from" parties	• End-users, if known
• Other business partners	• Recipients of technical data

Limited Exceptions to Screening:
U.S. Government agencies
Entities owned or controlled by the University of Miami
Additional limited exceptions as approved by the Vice Provost for Research, including entities on any designated list of cleared entities maintained by UM (e.g., vendors, students, faculty and staff).

Step	Responsibility	Action
1	Requesting Department	Completes EXPORT-F-009.
2	Requesting Department	Submits EXPORT-F-009 to the exportcontrol@miami.edu mailbox as outlined in the instructions section
3	ORA	Reviews EXPORT-F-009 for legibility and completeness. Hand written forms will be returned to Requesting Department.
4	ORA	Analyzes and reviews documentation for export compliance risks. Conducts restricted party screening (RPS).
5	ORA	If the RPS report returns any restricted results: <ol style="list-style-type: none"> 1. Verifies that the correct individual was searched; re-runs report. 2. Declines EXPORT-F-009 if same results occur on re-run of report. 3. Forwards EXPORT-F-009 electronically to GC and Requesting Department and so appropriate actions can be taken by applicable parties. 4. Files form and correspondence electronically.
5.a	ORA	If the RPS report returns with no restricted results: <ol style="list-style-type: none"> 1. Approves EXPORT-F-009. 2. Forwards EXPORT-F-009 form electronically to the Requesting Department, making note of any risks. 3. Files form and correspondence electronically.
5.b	ORA	If analysis of the form results in requirement for an export license, notifies GC and Requesting Department.
5.b.1	Requesting	Dean / Department Chair must give approval to apply for export license.



	Department	If YES, Director, Export Control Compliance approves EXPORT-F-009; begin license application process.(Steps 6-10) If NO, Director, Export Control Compliance declines EXPORT-F-009. Process
6	ORA	Conducts investigation to gather data required for license application.
7	ORA	Submits license application as applicable.
8	ORA	Tracks progress of license application.
9.a	ORA	If license is approved and received, original is filed with the ORA office. Provisos are reviewed with Requesting Department. Copies are submitted electronically to the GC and Requesting Department.
9.b	ORA	If the license application is denied, the Requesting Department and GC will be contacted to discuss next steps.
10	ORA	Files all correspondence and documentation electronically. Process complete.

Records retention: The official record of EXPORT-F-009 is maintained with the office that is responsible for processing the documentation related to the business transaction per the policy for that office. ORA will retain an electronic copy for 5 years per federal regulations³.

Documentation

Restricted Party Screening Results	Maintained by Amber Road RPS On-Demand system and is available for review as deemed necessary.
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References

- Bureau of Industry and Security: [“How Do I Avoid Dealing with Unauthorized Parties?”](#)
- Department of Homeland Security: [“Restricted Party Screening”](#)

Templates / Forms

EXPORT-F-009: Restricted Party Screening Form: Required for all persons and entities not captured under other UM processes.

History

Effective Date	Revision Date	Authors	Description
2014-Oct-01	N/A	Epley, Wendy	Establish procedures for restricted party screening.
	27-Oct-2016	Perrin-Steinberg Michelle	Updated to reflect Office name change and website.

³ Export Administration Regulations 15 CFR §762.2; International Traffic in Arms Regulations 22 CFR §123.22 and 123.26.