

## MISSILE END-USERS/END-USES &amp; PROJECTS CHECKLIST

CUSTOMER NAME: \_\_\_\_\_  
 COMPANY NAME: \_\_\_\_\_  
 COUNTRY OF DESTINATION: \_\_\_\_\_  
 ORDER #: \_\_\_\_\_  
 DATE SCREENED: \_\_\_\_\_ COMPLETED BY: \_\_\_\_\_  
 END-USE: \_\_\_\_\_

The purpose of this screen is to provide a step-by-step process to determine whether a license is required based on the missile end-user and end-use prohibitions of Part 744.3 of the U.S. Export Administration Regulations.

Step 1: End-Users
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<p><u>The Entity List</u> (Supplement No. 4 to Part 744; Section 744.10)          Have you been informed by the Bureau of Industry and Security (BIS) as described in Section 744.3(b) that a license is required or is a license required by the terms of the Entity List?  <a href="http://www.access.gpo.gov/bis/ear/wpd/744spir.wpd">http://www.access.gpo.gov/bis/ear/wpd/744spir.wpd</a></p>	YES ___ NO ___
<p>If the answer is "YES," a license is required. License Exceptions and NLR may not be used.          If the answer is "NO," then proceed to the next question.</p>	
<p><u>Specially Designated Global Terrorists</u> (Section 744.12)  <u>Specially Designated Terrorists</u> (Section 744.13)  <u>Designated Foreign Terrorist Organizations</u> (Section 744.14)  <u>Specially Designated Persons</u> (Section 744.16)          Is the customer/end-user listed on the Treasury Department's Office of Foreign Assets Control Listing of Specially Designated Nationals and Blocked Persons (Supplement No.3 to Part 764)?  <a href="http://www.treas.gov/offices/eotffc/ofac/sdn/index.html">http://www.treas.gov/offices/eotffc/ofac/sdn/index.html</a></p>	YES ___ NO ___
<p>If the answer is "YES," a license is required. License Exceptions and NLR may not be used. See <a href="http://www.treas.gov/offices/eotffc/ofac/faq/one_page.html">http://www.treas.gov/offices/eotffc/ofac/faq/one_page.html</a> to determine whether to call OFAC's Compliance hotline.          If the answer is "NO," then proceed to the next question.</p>	

**STEP 2: Focus on Countries of Concern**

<p>Do you know that the transaction involves a terrorist supporting country: Cuba, Iran, Iraq, Libya, North Korea, Syria, or Sudan.? (Country Group E:1, Supplement No. 1 to part 740.)</p> <p>Note: The Department of Treasury, administers a comprehensive embargo against Cuba, Iran and Sudan.</p> <p>If “ YES,” stop the transaction and contact your Export Administrator .</p>	<p>YES___ NO___</p>
<p>Do you know that the transaction is destined to Bahrain, China (PRC), Egypt, India, Iran, Iraq, Israel, Jordan, North Korea, Kuwait, Lebanon, Libya, Macau, Oman, Pakistan, Qatar, Saudi Arabia, Syria, United Arab Emirates, or Yemen? (See Country Group D:4 in Supplement No. 1 to Part 740 of the EAR.)</p>	<p>YES___ NO___</p>

If “NO,” you are finished with this screen. A license is not required under Section 744.3.  
If “YES,” proceed to STEP 3.

**STEP 3: Missile Projects of Concern**

<p>Do you know that your items are destined to China, India, Iran, North Korea, or Pakistan?</p> <p>If no, proceed to Diversion Risk question below. If yes, answer the next question.</p>	<p>YES___ NO___</p>															
<p>Do you know that your items are destined to or for a project listed below?</p> <table border="0"> <tr> <td>China</td> <td>M Series Missiles CSS-2</td> <td>YES___ NO___</td> </tr> <tr> <td>India</td> <td>Agni, Prithvi, SLV-3 Satellite Launch Vehicle, Augmented Satellite Launch Vehicle (ASLV), Polar Satellite Launch Vehicle (PSLV), Geostationary Satellite Launch Vehicle (GSLV).</td> <td>YES___ NO___</td> </tr> <tr> <td>Iran</td> <td>Surface-to-Surface Missile Project, Scud Development Project</td> <td>YES___ NO___</td> </tr> <tr> <td>North Korea</td> <td>No Dong I, Scud Development Project</td> <td>YES___ NO___</td> </tr> <tr> <td>Pakistan</td> <td>Haft Series Missiles</td> <td>YES___ NO___</td> </tr> </table> <p>(744.3(a)(1)); (Supplement No. 1 to Part 740)</p>	China	M Series Missiles CSS-2	YES___ NO___	India	Agni, Prithvi, SLV-3 Satellite Launch Vehicle, Augmented Satellite Launch Vehicle (ASLV), Polar Satellite Launch Vehicle (PSLV), Geostationary Satellite Launch Vehicle (GSLV).	YES___ NO___	Iran	Surface-to-Surface Missile Project, Scud Development Project	YES___ NO___	North Korea	No Dong I, Scud Development Project	YES___ NO___	Pakistan	Haft Series Missiles	YES___ NO___	
China	M Series Missiles CSS-2	YES___ NO___														
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North Korea	No Dong I, Scud Development Project	YES___ NO___														
Pakistan	Haft Series Missiles	YES___ NO___														

If “YES,” a license is required. You may not use License Exceptions or NLR.  
If “NO,” proceed to Step 4.

STEP 4: Potential Missile Applicability Questions
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The following activities and types of organizations should be considered with extra caution. Do you know that your items will be used in:

Any direct or indirect assistance in the design, fabrication, operation or maintenance of rocket systems (including ballistic missile systems, space launch vehicles and sounding rockets)?	YES ___ NO ___
Unmanned air vehicles systems (including cruise missile systems, target drones, remotely piloted vehicles and reconnaissance drones)?	YES ___ NO ___
Institutes of science and technology; satellite application centers; space research organizations; liquid propulsion entities; telemetry, tracking, and command networks; conventional weapons and armaments research and development establishments; or other military entities?	YES ___ NO ___
Does the end-user have any of the Diversion Risk “red flag” indicators? <a href="http://www.bis.doc.gov/Enforcement/redflags.htm">http://www.bis.doc.gov/Enforcement/redflags.htm</a>	YES ___ NO ___

If the answers to these are “NO,” or you were able to resolve the red flags, you have completed this checklist and a license is not required under Section 744.3.

If “YES,” a license may be required. Proceed to Step 5.

Step 5: Missile Activities of Concern
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Do you know that your items will be used in the design, development, production or use of missiles in or by a country listed in Step 2 (Country Group D:4), whether or not that use involves a listed project? (744.3(a)(2))	YES___ NO___
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Even if an export, reexport or transfer does not involve a restricted missile end-use of concern, a license may be required for U.S. persons (including foreign branches of U.S. companies) performing certain support activities.

Are you aware of any:

U.S. person involved in an export, reexport, or transfer of any item to be used in the design, development, production, or use of missiles in or by a country listed in Step 2 (Country Group D:4)? (744.6(a)(1)(i)(B))	YES___ NO___
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U.S. person involved in support activities including financing, transportation and freight forwarding, by which a person facilitates an export, reexport or transfer without being the actual exporter or reexporter? (744.6(a)(1)(ii))	YES___ NO___
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U.S. person performing any contract, service or employment activities knowing it will assist in the design, development, production, or use of missiles in or by destinations listed in Step 2 (Country Group D:4)? (744.6(a)(2)(i))	YES___ NO___
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If "YES," to any question in Step 5, contact your Export Administrator, a license is required and no License Exceptions apply.

If "NO," you have completed the missile end-uses/end-users & projects checklist. A license is not required under Section 744.3 or 744.6.