FOCI DATA SHEET

COMPANY NAME: _____

Documents common to ALL business structures:

- ✓ SF-328, CERTIFICATE PERTAINING TO FOREIGN INTEREST _____
- ✓ OWNERS, OFFICERS, DIRECTORS, AND EXECUTIVE PERSONNEL (OODEP) Form _____
- ✓ REPRESENTATIVE FOR FOREIGN INTEREST (RFI) Statement *(if applicable)* _____
- ✓ Internet Web Site and/or E-mail Address *(if applicable)* _____

Additional documents required from PUBLICLY TRADED CORPORATIONS:

- ✓ Articles Of Incorporation _____
- ✓ SEC 10K Report _____
- ✓ Proxy Statement _____
- ✓ SEC Schedules 13D & 13G _____
- ✓ Corporate By-Laws _____
- ✓ IRS Form 5471 _____
- ✓ Annual Report With Financial Information _____

Additional documents required from PRIVATELY OWNED CORPORATIONS:

- ✓ Articles of Incorporation _____
- ✓ Corporate By-Laws _____
- ✓ IRS Form 5471 *(if applicable)* _____
- ✓ Latest Annual Report With Financial Information ***OR*** Audited Financial Information
  (If unaudited, submit a certification attesting to the unavailability of audited information) _____

Additional documents required from PARTNERSHIPS:

- ✓ Partnership Agreement _____
- ✓ SEC 10K Report _____
- ✓ Proxy Statement _____
- ✓ SEC Schedules 13D & 13G _____
- ✓ IRS Forms 5471 & 1065 _____
- ✓ Most Current Board Meeting Minutes Identifying Executive Appointments/Changes _____
- ✓ Latest Annual Report With Financial Information ***OR*** Audited Financial Information
  (If unaudited, submit a certification attesting to the unavailability of audited information) _____

Additional documents required from PROPRIETORSHIPS:

- ✓ Tax ID Number/State Registration Certificate _____
- ✓ IRS Form 1040 _____
- ✓ Annual Report ***OR*** Audited Financial Information For Most Recent Fiscal Year
  (If audited report is not available, CFO/Treasurer must sign and date the financial statement certifying that it is current and correct) _____
- ✓ Spousal Information ***IF*** Community Property State (AZ, CA, ID, LA, NV, NM, TX, WA, WI)
  (If proprietor is single, please so state.) _____

Additional documents required from LIMITED LIABILITY COMPANY:

- ✓ Certificate Of Organization _____
- ✓ Operating Agreement _____
- ✓ Audited Financial Information For Most Recent Fiscal Year
  (If unaudited, the CFO/Treasurer must sign and date the financial statement certifying that it is current and correct) _____

Additional documents required from COLLEGES/UNIVERSITIES

- ✓ University Charter _____
- ✓ Latest Annual Report _____
- ✓ Most Current Board Meeting Minutes Identifying Executive Appointments/Changes _____

CERTIFICATE PERTAINING TO FOREIGN INTERESTS

(Type or print all answers)

Form Approved
OMB No. 0704-0194
Expires Jun 30, 2004

The public reporting burden for this collection of information is estimated to average 70 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0194), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS. RETURN COMPLETED FORM TO YOUR RESPECTIVE COGNIZANT SECURITY OFFICE.

PENALTY NOTICE

Failure to answer all questions or any misrepresentation (by omission or concealment, or by misleading, false or partial answers) may serve as a basis for denial of clearance for access to classified information. In addition, Title 18, United States Code 1001, makes it a criminal offense, punishable by a maximum of five (5) years imprisonment, $15,000 fine or both, knowingly to make a false statement or representation to any Department or Agency of the United States, as to any matter within the jurisdiction of any Department or Agency of the United States. This includes any statement made herein which is knowingly incorrect, incomplete or misleading in any important particular.

PROVISIONS

1. This report is authorized by the Secretary of Defense, as Executive Agent for the National Industrial Security Program, pursuant to Executive Order 12829. While you are not required to respond, your eligibility for a facility security clearance cannot be determined if you do not complete this form. The retention of a facility security clearance is contingent upon your compliance with the requirements of DoD 5220.22-M for submission of a revised form as appropriate.

2. When this report is submitted in confidence and is so marked, applicable exemptions to the Freedom of Information Act will be invoked to withhold it from public disclosure.

3. Complete all questions on this form. Mark "Yes" or "No" for each question. If your answer is "Yes" furnish in full the complete information under "Remarks."

QUESTIONS AND ANSWERS

	YES	NO
1. *(Answer 1a. or 1b.)* a. *(For entities which issue stock)*: Do any foreign person(s), directly or indirectly, own or have beneficial ownership of 5 percent or more of the outstanding shares of any class of your organization's equity securities?		
b. *(For entities which do not issue stock)*: Has any foreign person directly or indirectly subscribed 5 percent or more of your organization's total capital commitment?		
2. Does your organization directly, or indirectly through your subsidiaries and/or affiliates, own 10 percent or more of any foreign interest?		
3. Do any non-U. S. citizens serve as members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials?		
4. Does any foreign person(s) have the power, direct or indirect, to control the election, appointment, or tenure of members of your organization's board of directors (or similar governing body) or other management positions of your organization, or have the power to control or cause the direction of other decisions or activities of your organization?		
5. Does your organization have any contracts, agreements, understandings, or arrangements with a foreign person(s)?		
6. Does your organization, whether as borrower, surety, guarantor or otherwise have any indebtedness, liabilities or obligations to a foreign person(s)?		
7. During your last fiscal year, did your organization derive: a. 5 percent or more of its total revenues or net income from any single foreign person?		
b. In the aggregate 30 percent or more of its revenues or net income from foreign persons?		
8. Is 10 percent or more of any class of your organization's voting securities held in "nominee" shares, in "street names" or in some other method which does not identify the beneficial owner?		
9. Do any of the members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials hold any positions with, or serve as consultants for, any foreign person(s)?		
10. Is there any other factor(s) that indicates or demonstrates a capability on the part of foreign persons to control or influence the operations or management of your organization?		

REMARKS *(Attach additional sheets, if necessary, for a full detailed statement.)*

CERTIFICATION

I CERTIFY that the entries made by me above are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

WITNESSES:

_____ *(Date Certified)*

_____

By _____
(Signature of Authorized Contractor Representative)

_____

_____
(Typed Name of Contractor)

NOTE: In case of a corporation, a witness is not required but the certificate below must be completed. Type or print names under all signatures.

_____
(Title of Authorized Contractor Representative)

_____
(Address)

NOTE: Contractor, if a corporation, should cause the following certificate to be executed under its corporate seal, provided that the same Officer shall nor execute both the Agreement and the Certificate.

CERTIFICATE

I, _____, certify that I am the _____

of the corporation names as Contractor herein; that _____

who signed this certificate on behalf of the Contractor, was then _____

of said corporation; that said certificate was duly signed for and in behalf of said corporation by authority of its governing body, and is Within the scope of its corporate powers.

_____

(Corporate Seal) *(Signature and Date*

SF-328, *CERTIFICATE PERTAINING TO FOREIGN INTERESTS*

Completion Guidance

A. LEGAL REQUIREMENTS

As required by DEAR 904.7003, eligibility for a DOE contract that requires access authorizations depends in part on the degree of any foreign ownership, control, or influence (FOCI) to which an offeror is subject. DOE bases FOCI determinations on information obtained from a variety of sources, including SF-328, *Certificate Pertaining to Foreign Interests*, and other documents requested in the *FOCI Data Sheet* that accompanies these instructions. The following solicitation notices prescribed by DEAR 952-703 summarize the legal requirements for the submission of this information by all bidders.

FACILITY CLEARANCE (MAY 2002)

NOTICES

Section 2536 of title 10, United States Code, prohibits the award of a contract under a national security program to an entity controlled by a foreign government if it is necessary for that entity to be given access to information in a proscribed category of information in order to perform the contract unless a waiver is granted by the Secretary of Energy. In addition, a Facility Clearance and foreign ownership, control and influence (FOCI) information are required when the contract or subcontract to be awarded is expected to require employees to have access authorizations.

Offerors who have either a Department of Defense or a Department of Energy Facility Clearance generally need not resubmit the following foreign ownership information unless specifically requested to do so. Instead, provide your DOE Facility Clearance code or your DOD assigned commercial and government entity (CAGE) code. If uncertain, consult the office which issued this solicitation.

(a) Use of Certificate Pertaining to Foreign Interests, Standard Form 328

(1) The contract work anticipated by this solicitation will require access to classified information or special nuclear material. Such access will require a Facility Clearance for the Contractor organization and access authorizations (security clearances) for Contractor personnel working with the classified information or special nuclear material. To obtain a Facility Clearance the offeror must submit a Certificate Pertaining to Foreign Interests, Standard Form 328, and all required supporting documents to form a complete Foreign Ownership, Control or Influence (FOCI) Package.

(2) Information submitted by the offeror in response to the Standard Form 328 will be used solely for the purposes of evaluating foreign ownership, control or influence and will be treated by DOE, to the extent permitted by law, as business or financial information submitted in confidence.

(3) Following submission of a Standard Form 328 and prior to contract award, the Contractor shall immediately submit to the Contracting Officer written notification of any changes in the extent and nature of FOCI which could affect the offeror's answers to the questions in Standard Form 328. Following award of a contract, the Contractor must immediately submit to the cognizant security office written notification of any changes in the extent and nature of FOCI which could affect the offeror's answers to the questions in Standard Form 328. Notice of changes in ownership or control which are required to be reported to the Securities and Exchange Commission, the Federal Trade Commission, or the Department of Justice must also be furnished concurrently to the cognizant security office.

(b) Definitions

(1) Foreign Interest means any of the following:

(i) A foreign government, foreign government agency, or representative of a foreign government;

(ii) Any form of business enterprise or legal entity organized, chartered or incorporated under the laws of any country other than the United States or its possessions and trust territories; and

(iii) Any person who is not a citizen or national of the United States.

(2) Foreign Ownership, Control, or Influence (FOCI) means the situation where the degree of ownership, control, or influence over a Contractor by a foreign interest is such that a reasonable basis exists for concluding that compromise of classified information or special nuclear material may result.

(c) Facility Clearance means an administrative determination that a facility is eligible to access, produce, use or store classified information, or special nuclear material. A Facility Clearance is based upon a determination that satisfactory safeguards and security measures are carried out for the activities being performed at the facility. It is DOE policy that all Contractors or Subcontractors requiring access authorizations be processed for a Facility Clearance at the level appropriate to the activities being performed under the contract. Approval for a Facility Clearance shall be based upon:

(1) A favorable foreign ownership, control, or influence (FOCI) determination based upon the Contractor's response to the ten questions in Standard Form 328 and any required, supporting data provided by the Contractor;

(2) A contract or proposed contract containing the appropriate security clauses;

(3) Approved safeguards and security plans which describe protective measures appropriate to the activities being performed at the facility;

(4) An established Reporting Identification Symbol code for the Nuclear Materials Management and Safeguards Reporting System if access to nuclear materials is involved;

(5) A survey conducted no more than 6 months before the Facility Clearance date, with a composite facility rating of satisfactory, if the facility is to possess classified matter or special nuclear material at its location;

(6) Appointment of a Facility Security Officer, who must possess or be in the process of obtaining an access authorization equivalent to the Facility Clearance; and, if applicable, appointment of a Materials Control and Accountability Representative; and

(7) Access authorizations for key management personnel who will be determined on a case-by-case basis, and must possess or be in the process of obtaining access authorizations equivalent to the level of the Facility Clearance.

(d) A Facility Clearance is required prior to the award of a contract requiring access to classified information and the granting of any access authorizations under a contract. Prior to award of a contract, the DOE must determine that award of the contract to the offeror will not pose an undue risk to the common defense and security as a result of its access to classified information or special nuclear material in the performance of the contract. The Contracting Officer may require the offeror to submit such additional information as deemed pertinent to this determination.

(e) A Facility Clearance is required even for contracts that do not require the Contractor's corporate offices to receive, process, reproduce, store, transmit, or handle classified information or special nuclear material, but which require DOE access authorizations for the Contractor's employees to perform work at a DOE location. This type facility is identified as a non-possessing facility.

(f) Except as otherwise authorized in writing by the Contracting Officer, the provisions of any resulting contract must require that the contractor insert provisions similar to the foregoing in all subcontracts and purchase orders. Any Subcontractors requiring access authorizations for access to classified information or special nuclear material shall be directed to provide responses to the questions in Standard Form 328, Certificate Pertaining to Foreign Interests, directly to the prime contractor or the Contracting Officer for the prime contract.

NOTICE TO OFFERORS - CONTENTS REVIEW

(PLEASE REVIEW BEFORE SUBMITTING)

Prior to submitting the Standard Form 328, required by paragraph (a)(1) of this clause, the offeror should review the FOCI submission to ensure that:

(1) The Standard Form 328 has been signed and dated by an authorized official of the company;

(2) If publicly owned, the Contractor's most recent annual report, and its most recent proxy statement for its annual meeting of stockholders have been attached; or, if privately owned, the audited, consolidated financial information for the most recently closed accounting year has been attached;

(3) A copy of the company's articles of incorporation and an attested copy of the company's by-laws, or similar documents filed for the company's existence and management, and all amendments to those documents;

(4) A list identifying the organization's owners, officers, directors, and executive personnel, including their names, social security numbers, citizenship, titles of all positions they hold within the organization, and what clearances, if any, they possess or are in the process of obtaining, and identification of the government agency(ies) that granted or will be granting those clearances; and

(5) A summary FOCI data sheet.

NOTE: A FOCI submission must be attached for each tier parent organization (i.e. ultimate parent and any intervening levels of ownership). If any of these documents are missing, award of the contract cannot be completed.

B. Specific Instructions

SF-328 Question #1: ***(Answer 1a. or 1b.)***

a. ***(For entities which issue stock)*: "Do any foreign person(s), directly or indirectly, own or have beneficial ownership of 5 percent or more of the outstanding shares of any class of your organization's equity securities?"** If yes:

- Identify the percentage of any class of stock or other securities issued, which are owned by foreign persons, broken down by country. Include indirect ownership through one or more intermediate level(s) of subsidiaries. Indicate voting rights of each class of stock.
- Are there shareholder agreements? If yes, attach a copy(ies), and if none, so state.
- Indicate whether a copy of SEC Schedule 13D/13G report has been received from any investor. If yes, attach a copy(ies).

NOTE: Ownership of less than 5% should be included if the holder is entitled to control the appointment and tenure of any management position.

b. ***(For entities which do not issue stock)*: "Has any foreign person directly or indirectly subscribed 5 percent or more of your organization's total capital commitment?"** If yes:

- Identify the percentage of total capital commitment which is subscribed by foreign persons.
- Is there an agreement (s) with the subscriber (s)? If yes, attach a copy(ies), and if none, so state.

SF-328 Question #2 — "Does your organization directly, or indirectly through your subsidiaries and/or affiliates, own 10 percent or more of any foreign interest?" If yes:

- Identify the foreign interest by name, country, percentage owned, and personnel who occupy management positions with the organizations.

- If there are personnel from your organization who occupy management positions with the foreign *firm(s),* identify the name(s), title, and extent of involvement in the operations of the organizations (to include access to classified information).

SF-328 Question #3 — "Do any non-U. S. citizens serve as members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials?" If yes:

- Identify the foreign person(s) by name, title, citizenship, immigration status and clearance or exclusion status.
- Attach copies of applicable by-laws or articles of incorporation which describe the affected position(s). However, if you have already provided such copies to the Cognizant Security Agency Industrial Security Representative, so state.

SF-328 Question #4 — "Does any foreign person(s) have the power, direct or indirect, to control the election, appointment, or tenure of members of your organization's board of directors (or similar governing body) or other management positions of your organization, or have the power to control or cause the direction of other decisions or activities of your organization?" If yes:

- Identify the foreign person(s) by name, title, citizenship, and all details concerning the control or influence.

NOTE: If any foreign person(s) have such power, this question shall be answered in the affirmative even if such power has not been exercised, and whether or not it is exercisable through ownership of your facility's securities, if such power may be invoked by contractual arrangements or by other means.

SF-328 Question #5 — "Does your organization have any contracts, agreements, understandings, or arrangements with a foreign person(s)?" If yes:

- For each instance, provide the name of the foreign person, country, percentage of gross income derived, and nature of involvement, including:
  - whether defense/nuclear related or not,
  - involvement with classified or export controlled technology, and
  - compliance with export control requirements
- Where the organization has a large number of involvements and where these involvements are not defense nuclear related and represent a small percentage of gross income, the explanation can be a generalized statement addressing the totals by country.

NOTE: We do not expect and will not require the contractor to ask every customer if he/she falls within the NISPOM definition of a foreign person. We will ask the contractor to provide ongoing security education to those individuals who negotiate and/or administer such agreements regarding their responsibilities to report agreements with a foreign person(s) to the best of their knowledge. The contractor will be certifying the response to this question to "the best of his/her knowledge" or "through his/her best efforts".

SF-328 Question #6 — "Does your organization, whether as borrower, surety, guarantor or otherwise have any indebtedness, liabilities or obligations to a foreign person(s)?" If yes:

NOTE: This question should be answered in the affirmative if the debt is with a U. S. entity that is owned or controlled either directly or indirectly by a foreign person. If unknown, so state.

- Provide your overall debt-to-equity ratio (in percentage).
- With respect to indebtedness or liability to a foreign person, indicate to whom indebted or liable, what collateral has been furnished or pledged, and any conditions or covenants of the loan agreement. If stock or assets have been furnished or pledged as collateral, provide a copy of the loan agreement or pertinent extracts thereof (to include procedures to be followed in the event of default).
- If any debentures are convertible, provide specifics.
- If loan payments are in default, provide details.

NOTE: As stated above, we do not expect and will not require the contractor to ask every lender if he/she qualifies as a foreign person. We will ask the contractor to provide ongoing security education to those employees who handle lending arrangements regarding their responsibilities to report any such arrangements with a foreign person lender, to the best of their knowledge. The contractor will be certifying the response to this question as being to "the best of his/her knowledge" or "through his/her best efforts".

SF-328 Question #7 — "During your last fiscal year, did your organization derive:

"a. 5 percent or more of its total revenues or net income from any single foreign person?

"b. In the aggregate 30 percent or more of its revenues or net income from foreign persons?"

If you answer yes to either part of the question:

- Provide the overall percentage of income derived from foreign sources by country, nature of involvement, and type of services or products.
- Indicate if any single foreign source represents in excess of 5% or total revenues or net income.
- Indicate whether any classified information is involved.
- State whether the facility is in compliance with applicable export control requirements.

NOTE: As previously stated, we do not expect and will not require the contractor to ask every customer if he/she qualifies as a foreign person. We will ask the contractor to provide ongoing security education to those employees who handle information about company revenues regarding their responsibility to report revenues derived from a foreign person(s) to the best of their knowledge. The contractor will be certifying the response to this question as being to "the best of his/her knowledge" or "through his/her best effort".

SF-328 Question #8 — "Is 10 percent or more of any class of your organization's voting securities held in "nominee" shares, in "street names" or in some other method which does not identify the beneficial owner?" If yes:

- Identify each foreign institutional investor holding 10% or more of the voting stock by name and address and the percentage of stock held.
- Indicate whether any investor has attempted to, or has, exerted any control or influence over appointments to management positions or influenced the policies of the organization.
- Include copies of SEC Schedule 13D/13G.

SF-328 Question #9 — "Do any of the members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials hold any positions with, or serve as consultants for, any foreign person(s)?" If yes:

- Provide the name, title, citizenship, immigration status and clearance or exclusion status on all such persons.
- Identify, by name and address, each foreign organization with which such persons serve and indicate the capacity in which they are serving.
- Include a Statement of Full Disclosure of Foreign Affiliations for every cleared individual who is a representative of a foreign interest

NOTE: We expect the contractor to be able to answer this question fully for those individuals holding such positions with his/her foreign subsidiaries and any foreign interests. However, we do not expect and will not require the contractor to ask every individual to ascertain if he/she is serving as a director, officer or manager of a foreign person. We will ask the contractor to provide ongoing security education to all key management personnel of their responsibilities to report serving as an interlocking director or in any other type of positions with a foreign person to the best of their knowledge. The contractor will be certifying the response to this question as being to "to best of his/her knowledge" or "through his/her best efforts".

SF-328 Question #10 — "Is there any other factor(s) that indicates or demonstrates a capability on the part of foreign persons to control or influence the operations or management of your organization?" If yes:

- Describe the foreign involvement in detail, including why the involvement would not be reportable in the preceding questions.

C. Additional Definitions

Affiliate — Any entity effectively owned or controlled by another entity.

Beneficial Owner — The true owner of a security who may, for convenience, be recorded under the name of a nominee. Such ownership entitles the owner to the power to vote or direct the voting of a security or to impose or direct the disposition of a security.

Bond — A certificate which is evidence of a debt in which the issuer promises to repay a specific amount of money to the bondholder, plus a certain amount of interest, within a fixed period of time.

Convertible Debentures — Bonds which the holder can exchange for shares of voting stock.

Covenant — A detailed clause in a lending agreement designed to protect the lender.

Debenture — A general debt unsecured by a pledge of any specific piece of property. Like any other general creditor claims, a debenture is secured by any property not otherwise pledged.

Debt-to-Equity Ratio — Total liabilities divided by total shareholders' equity (total assets minus total liabilities of a corporation; also called stockholders' equity, equity, and net worth). This shows to what extent owners' equity can cushion creditors' claims in the event of liquidation.

Equity Security — An ownership interest in a company, most often taking the form of corporate stock.

Foreign Interest — Any foreign government, agency of a foreign government, or representative of a foreign government; any form of business enterprise or legal entity organized, chartered or incorporated under the laws of any country other than the U.S. or its possessions and trust territories, and any person who is not a citizen or national of the United States.

Foreign Person — Any foreign interest and any U.S. person effectively owned or controlled by a foreign interest.

Guarantor — One who makes the guaranty (an agreement or promise to answer for the debt, default or miscarriage of another).

Immigration Status — Legal basis for a non-U. S. citizen's residence in the United States (e.g., work visa, admission for permanent residence). Note: Immigration and Naturalization Service Form I-9 is an excellent source for this information.

Joint Venture — A partnership or cooperative agreement between two or more persons or firms, usually restricted to a single specific undertaking. Normally the undertaking is of short duration, such as for the design and construction of a dam.

Liability — Claim on the assets of a company or individual.

Licensing Agreement — A permit granted by one business to another which permits duplication of processes and production of similar items.

Management Positions — For the purposes of the questions on this form, management positions shall include owners, officers, directors, partners, regents, trustees, senior management officials, other executive personnel and the facility security.

Nominee Share — A share of stock or registered bond certificate which has been registered in a name other than the actual owner.

Proxy — One who acts for another. Also, the document by which such a representative is authorized to act.

Representative of ***a Foreign Interest (RFI)*** — A citizen or national of the U.S., who is acting as a representative of a foreign interest (see Foreign Interest).

S.E.C. Schedule 13D — This schedule discloses beneficial ownership of certain registered equity securities. Any person or group of persons who acquire a beneficial ownership of more than 5 percent of a class of registered equity securities of certain issuers must file a Schedule 13D reporting such acquisition with certain other information.

S.E.C. Schedule 13G — This schedule is a much abbreviated version of Schedule 13D that is only available for use by a limited category of "persons" (such as banks, broker/dealers, and insurance companies) and even then only when the securities were acquired in the ordinary course of business — and not with the purpose or effect of changing or influencing the control of the issuer.

Sales Agreement — An agreement between two parties for the sale of goods or services on a continuing basis.

Stock Option — An option is the right to buy or sell at some point in the future.

Street Name — The common practice of registering publicly traded securities in the name of one or more brokerage firms.

Subordinated Debenture — A bond having a claim on assets only after the senior debt has been paid off in the event of liquidation.

Surety — One who is immediately liable for the debt of another if that other person or entity fails to pay.

Total Capital Commitment — The sum of money and other property an enterprise uses in transacting its business.

U. S. Person — Any form of business enterprise or entity organized, chartered or incorporated under the laws of the United States or its possessions and trust territories and any person who is a citizen or national of the United States.

SAMPLE FORMAT

REPRESENTATIVE FOR FOREIGN INTEREST STATEMENT

This form is to be initially submitted, as part of the FOCI package, by the contractor or subcontractor. The form should be completed and executed by each employee who holds a position with a foreign interest and who possesses or is being processed for a DOE security clearance who becomes an RFI or whose status as an RFI changes in a manner that would make him/her ineligible for a security clearance.)

Name and address of the foreign firm:

Nature of business of foreign firm:

Details of ownership of foreign firm:

The specific relationship between the foreign firm and the United States firm:

Percentage of time devoted to foreign firm:

Summary of duties with the United States firm. Provide detailed information as well as title of position:

Summary of duties with the foreign firm. Provide detailed information as well as title of position:

Have you ever registered as an Agent of a foreign government as detailed in 18 U.S.C. 219? If so, provide details:

Communist affiliation; if none, so state:

CERTIFICATION

I recognize my special responsibility to protect classified information from disclosure to any unauthorized person, foreign or domestic.

Typed or Printed Name: _____

Full Name: _____ Date: _____
(Signature)

SSN: _____

Facility: _____

OWNERS, OFFICERS, DIRECTORS AND EXECUTIVE PERSONNEL (OODEP) FORM

1. Identifying Data:

a. For the company's current principal executive offices, list:

Legal Name: _____

Legal Address: _____

_____

_____

_____

Phone Number: _____

Tax Identification Number: _____

Other Name(s) Used — e.g., "*doing business as*" (D/B/A):

_____

_____

b. Provide the following information if the company's legal name and/or address changed during the past ten (10) years:[1]

(1) From _____ To _____ :

Legal Name: _____

Legal Address: _____

_____

_____

_____

(2) From _____ To _____ :

Legal Name: _____

Legal Address: _____

_____

_____

_____

2. Form of Organization:

a. If the company is incorporated, provide the following information:

Type: ☐ Privately-Owned ☐ Publicly-Traded ☐ Subsidiary of: _____

Incorporation Date: _____ Incorporation State: _____

b. If the company is not incorporated, check the applicable block below:

☐ Sole Proprietorship ☐ General Partnership ☐ Limited Partnership

☐ Limited Liability Company: ☐ Other (*specify*): : _____

[1] Attach additional sheets if necessary.

OWNERS, OFFICERS, DIRECTORS AND EXECUTIVE PERSONNEL (OODEP) FORM

3. Company Management.

a. If the company is incorporated, provide the information in the following table for the Facility Security Officer and all individuals who manage the business and security affairs of the corporation.[2]

b. If the company is not incorporated, provide the information in the following table for the Facility Security Officer and all individuals who share in the ownership of the company.

POSITION TITLE(S)[3]	NAME *(First/M.I./Last)*	SOCIAL SECURITY NUMBER	COUNTRY OF CITIZENSHIP	OWNERSHIP PERCENTAGE[4]	SECURITY CLEARANCE		
					Level	*Status*[5]	*Agency*
Facility Security Officer						☐ A ☐ R	
						☐ A ☐ R	
						☐ A ☐ R	
						☐ A ☐ R	
						☐ A ☐ R	
						☐ A ☐ R	
						☐ A ☐ R	

4. Certification.[6]

On behalf of _____ *(Company Name)*, I hereby certify that all of the information provided on this form and on any attached documents is accurate and complete to the best of my knowledge.

Typed/Printed Name: _____ **Title:** _____ **Signature:** _____ **Date:** _____

---

[2] In addition to the Facility Security Officer, this list must include the President, the Secretary, the Treasurer, members of the Board of Directors, and/or any other management officials identified in the Articles of Incorporation and/or the Corporate By-Laws.
[3] Attach additional sheets if necessary.
[4] Enter "*None*" for any listed individual(s) who do not possess any type of ownership interest in the company.
[5] Specify whether the listed clearance is active ("*A*") or merely requested ("*R*").
[6] This form must be signed by an individual authorized to provide official company information to the Government.

COMPANY'S PRINCIPAL EXECUTIVE OFFICE

Name/Address Changes

Previous Name & Address:	New Name & Address:	Date of Change