

INSTRUCTIONS FOR COMPLETION OF THE CERTIFICATE PERTAINING TO FOREIGN INTERESTS

Question #1: a. Do any foreign person(s), directly or indirectly, own or have beneficial ownership of 5% or more of the outstanding shares of any class of your organization's equity securities? If yes:

Are there shareholder agreements? If yes, attach a copy(ies), and if none, so state.

Indicate whether a copy of the 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% 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.

Question #2: Does your organization directly, or indirectly through your subsidiaries and/or affiliates, own 10% 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).

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 or Cognizant Security Office, so state.

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) has 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.

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

*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 National Industrial Security Program Operating Manual (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".

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:

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.

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.

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”.

Question #7: During your last fiscal year, did your organization derive:

- a. Five percent or more of its total revenues or net income from any single foreign person?
- b. In the aggregate 30% or more of its revenues or net income from foreign persons?

If yes to either part of the question:

Provide 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% of total revenues or net income.

Indicate whether any classified information is involved.

State whether 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 efforts”.

Question #8: Is 10% or more of your organization’s securities held in “nominee shares,” in “street names” or in some other method which does not disclose 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.

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 Representative of Foreign Interest Statement 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 interest. 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 “the best of his/her knowledge” or “through his/her best efforts”.

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.

GLOSSARY OF TERMS FOR COMPLETION OF THE CERTIFICATE PERTAINING TO FOREIGN INTERESTS

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 stockholder's 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 US 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-US 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 agreement to cooperate 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 officer.

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 an 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.

US Person: Any form of business enterprise or entity organized.

CONTENTS REVIEW CHECKLIST TO BE USED BY OFFEROR/BIDDER

Prior to forwarding a FOCI submission to DOE, the offeror should review the FOCI documentation to ensure that:

If the offeror is owned by a parent organization(s), the Certificate Pertaining to Foreign Interests have been attached for all tier parents, i.e., ultimate parent and any intervening levels of ownership. Each certification must be signed and dated by an authorized official of the respective organization. [i.e., a person authorized to represent and sign for the organization as officially recorded by the organization (that is, in the document which sets forth the terms & conditions for its operation & management by laws, operating agreement, partnership agreement, etc.)]

The following Check List is provided as a tool to ensure you are submitting a complete FOCI package.

DOCUMENTS REQUIRED FOR PRIVATELY OWNED CORPORATION

SF 328 – Certificate Pertaining to Foreign Interests and supporting documentation for “Yes” answered questions.

NOTE: SF 328 must be executed under the corporate seal, dated and signed by a person legally authorized to represent the business (this person must be included on the KMP List).

KMP List (Format Follows)

Representative of Foreign Interest Statement (If applicable/Format Follows)

Summary FOCI Data Sheet (Format Follows)

Shareholders Agreement (If Available)

Certificate of Incorporation (Also Known As Corporate Charter)

Articles of Incorporation (with all amendments)

ByLaws (attested copy with all amendments)

Consolidated Financial Information, including notes, for the most recently closed accounting year. (If audited report is not available, entity must certify to the unavailability of audited information.)

NOTE: If the company stock is not publicly traded but the company has publicly-traded debt, submit the Form 10-K filed with the Securities and Exchange Commission (SEC) for the company’s most recently closed accounting year.

DOCUMENTS REQUIRED FOR PUBLICLY TRADED CORPORATION

SF 328 – Certificate Pertaining to Foreign Interests and supporting documentation for “Yes” answered questions.

NOTE: SF 328 must be executed under the corporation’s seal, dated and signed by a person legally authorized to represent the business (this person must be included on the KMP List).

KMP List (Format Follows)

NOTE: Include any authorizing resolutions of governing body that spell out authorities of the KMP.

Representative of Foreign Interest Statement (If applicable/Format Follows)

Summary FOCI Data Sheet (Format Follows)

Certificate of Incorporation (also known as Corporate Charter)

Articles of Incorporation (with all amendments)

ByLaws (attested copy with all amendments)

Consolidated Annual Report to shareholders for the most recently closed accounting year.

Form 10-K report, and all Form 10-Q reports for financial quarters filed (with the SEC) since the last annual report (Form 10-K)

DOCUMENTS REQUIRED FOR SOLE PROPRIETORSHIP

SF 328 – Certificate Pertaining to Foreign Interests and supporting documentation for “Yes” answered questions.

NOTE: SF 328 must be dated and signed by a person legally authorized to represent the business (this person must be included on the KMP List).

KMP List (Format Follows)

NOTE: In community property States, spousal information is also required on the KMP list. If single, so state.

Representative of Foreign Interest Statement (If applicable/Format Follows)

Summary FOCI Data Sheet (Format Follows)

State Registration to do business/Tax ID Number

Lastest financial report or a copy of the 1040 for he previous year (including Schedule C)
 NOTE: The most recent IRS tax return may ONLY be submitted if the tax return includes the information required being included on a balance sheet and income statement, and the tax return is a copy of the entire return.

DOCUMENTS REQUIRED FOR PARTNERSHIPS

SF 328 – Certificate Pertaining to Foreign Interests and supporting documentation for “Yes” answered questions.

NOTE: SF 328 must be dated and signed by a person legally authorized to represent the partnership (this person must be included on the KMP List).

KMP List (Format Follows)

NOTE: Stock ownership form (shareholders’ form) MUST be provided if partnership has public stock.

Representative of Foreign Interest Statement (If applicable/Format Follows)

Summary FOCI Data Sheet (Format Follows)

Partnership Agreement

State Registration

For General Partnership – Similar to a sole proprietorship; may only be able to provide Certificate of Fictitious Business Name.

For Limited Partnership – Certificate of Limited Partnership

For Limited Liability Partnership – Certificate of Limited Liability Partnership

Financial Information – **If publicly traded**, submit consolidated annual report to shareholders for most recently closed accounting year; also Form 10-K and Form 10-Q reports for financial quarters filed (with SEC) since the last annual report (Form 10-K).

If not publicly traded, submit latest consolidated annual report or audited financial information, including notes, for most recently closed accounting year. (If audited report is not available, entity must certify to the unavailability of audited information.)

DOCUMENTS REQUIRED FOR LIMITED LIABILITY COMPANY

SF 328 – Certificate Pertaining to Foreign Interests and supporting documentation for “Yes” answered questions.

NOTE: SF 328 must be dated and signed by a person legally authorized to represent the business (this person must be included on the KMP List).

KMP List (Format Follows)

NOTE: Any authorizing resolutions of the governing body that spell out the authorities of the KMP must be provided.

Representative of Foreign Interest Statement (If applicable/Format Follows)

Summary FOCI Data Sheet (Format Follows)

Articles of Organization

Operating Agreement

Consolidated financial information, including notes, for the most recently closed accounting year. (If audited report is not available, entity must certify to the unavailability of audited information.)

DOCUMENTS REQUIRED FOR A COLLEGE/UNIVERSITY

SF 328 – Certificate Pertaining to Foreign Interests and supporting documentation for “Yes” answered questions.

NOTE: SF 328 must be dated and signed by a person legally authorized to represent the college/university (this person must be included on the KMP List).

KMP List (Format Follows)

NOTE: Any authorizing resolutions of the governing body that spell out the authorities of the KMP must be provided.

Representative of Foreign Interest Statement (If applicable/Format Follows)

Summary FOCI Data Sheet (Format Follows)

College/university charter (similar to articles of incorporation).

Charter (or similar document to company’s bylaws).

Consolidated financial information, including notges, for the most recently closed accounting year. (If audited report is not available, entity must certify to the unavailability of audited information.)

QUESTIONS - Call the DOE Headquarters FOCI Operations Manager at 301-903-9983.

REPRESENTATIVE OF FOREIGN INTEREST STATEMENT

Name of the foreign interest:

Address of the foreign interest:

Nature of business of foreign interest and the products/services involved. If the products/services are strictly commercial in nature or if there can be military application:

Full details of ownership or affiliation with the foreign interest:

The specific relationship between the foreign interest and the United States organization:

Your job titles and specific duties with the foreign interest:

Percentage of time devoted to foreign interest:

Percentage of U.S. organization's revenues and net income derived from foreign firm during the U.S. organization's most recently closed accounting year:

Name and address of all U.S. facilities where you hold or are in process for an access authorization:

The nature of business of all U.S. organizations and the products/services involved:

Summary of duties with the United States organization. Provide detailed information, as well as position title(s):

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

CERTIFICATION:

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

TYPE OR PRINT FULL NAME: _____

SIGNATURE: _____ **DATE:** _____

SOCIAL SECURITY NUMBER: _____

LEGAL NAME OF CONTRACTOR FACILITY: _____

SUMMARY FOCI DATA SHEET

PROVIDE RESPONSES TO THE QUESTIONS IDENTIFIED BELOW: (SUPPLEMENTAL PAGES MAY BE ATTACHED TO PROVIDE COMPLETE AND ACCURATE RESPONSES.)

1. Type of business structure: ☐ corporation; ☐ college/university; ☐ limited liability company; ☐ sole proprietorship; ☐ limited partnership; ☐ general partnership; ☐ other.
2. Exact name as specified in charter (articles of incorporation, bylaws, partnership agreement, etc.):

3. All other names used (i.e. dba [doing business as], aka [also known as]):

4. State or other jurisdiction of incorporation or organization: _____
5. Date of incorporation or organization: _____
6. Stock ownership: ☐ Privately Held ☐ Publicly Traded
 - a.) Class(es) of stock: _____
 - b.) Number of shares authorized of each class of stock: _____
 - c.) Number of shares issued of each class of stock: _____
 - d.) Explain difference(s) between each class of stock, to include voting rights _____
 - e.) Is cumulative voting authorized? ☐ YES ☐ NO ☐ Not Applicable
 - f.) If your organization has filed information with the Security and Exchange Commission (SEC), please enter your CIK (Central Index Key): _____
7. Current physical address for the principal executive offices, individual point of contact and phone number for FOCI matters and the organization's facility security officer and phone number.

Physical Address _____

Web Site Address _____

FOCI Point of Contact: _____

Telephone: _____ Fax: _____

E-Mail: _____

Facility Security Officer: _____

Telephone: _____ Fax: _____

E-Mail: _____
8. List the details of the contract under consideration where applicable:

Name of Contracting Officer: _____

Telephone: _____ Fax: _____

E-Mail: _____

Prime Contractor: _____

Contract Number: _____

Facility Name: _____

Location: _____

Contract Time Period: _____

1. List all company names and/or address changes, and the date(s) of such change(s), for the principal executive offices during the past 10 years.

2. Legal name(s) of all tier parent organizations, if applicable: _____

3. Provide the current number o positions of the company's Board of Directors as stated in the Articles of Incorporation and the Bylaws: _____

Name of Chairman of the Board, if applicable: _____

12. Will any parent organizations be performing work requiring access authorizations? () Yes () No() Not Applicable

13. Does your organization or any parent organization maintain DOD facility clearances? () Yes () No
If yes, please provide the DOD Cage Code(s):

LIST CERTIFIED CORRECT BY:

Typed or Printed Name and Signature

Date

Title

Tier Parent Listing

List each Tier Parent, starting with the Ultimate Parent:

Signature of Authorized Official

Date

Sensitive Countries List

Countries appear on this list for reasons of national security, nonproliferation, anti-terrorism, or economic security. Due to the dynamic nature of world events, other countries may, at any time, become sensitive. Therefore, caution should be exercised in dealing with citizens of all countries, including countries not listed to assure that sensitive information, although unclassified in nature, is not inadvertently disclosed. This would include information related to weapons of mass destruction and other proprietary information that could cause economic harm to the U.S. should it be improperly disclosed.

Algeria
Armenia
Azerbaijan
Belarus
China, People's Republic of (includes Hong Kong)
Cuba
Georgia
India
Iran
Iraq
Israel
Kazakhstan
Kyrgyzstan
Korea, Democratic People's Republic of (North Korea)
Libya
Moldova
Pakistan
Russia
Sudan
Syria
Taiwan
Tajikistan
Turkmenistan
Ukraine
Uzbekistan

OFFICIAL USE ONLY (WHEN COMPLETED)**LIST OF KEY MANAGEMENT PERSONNEL (KMP)**

LEGAL COMPANY NAME AND PHYSICAL ADDRESS OF FACILITY LOCATION:

ADDRESS OF COMPANY'S PRINCIPAL EXECUTIVE OFFICES IF DIFFERENT FROM THE PHYSICAL ADDRESS OF THE FACILITY LOCATION:

INDIVIDUAL'S COMPLETE NAME (First, Middle, Last)	ALL CURRENT COMPANY TITLES/ POSITIONS HELD BY IDENTIFIED INDIVIDUAL	% OF OWNERSHIP	DATE (Month, Day, Year) PLACE OF BIRTH (City, State, Country) CITIZENSHIP (U.S., Other, Dual)	SOCIAL SECURITY NUMBER	IDENTIFY INDIVIDUAL'S SECURITY CLEARANCE(S) LEVEL, ISSUING U.S. GOVERNMENT AGENCY(IES) OR EXCLUSION AND DATE (e.g. Q DOE; Top Secret DISCO)

LIST CERTIFIED CORRECT BY:

Type or Print Name and Signature of Authorized Official

Title

Date Certified

NOTE: SEE NEXT PAGE FOR INSTRUCTIONS REGARDING COMPLETING THIS FORM. IF NOT APPLICABLE, PLEASE STATE "NONE". INCOMPLETE INFORMATION WILL DELAY PROCESSING.

INSTRUCTIONS: Provide requested KMP information in accordance with the following instructions. In addition, the KMP listing must be certified as being accurate, current, and complete by an authorized official of the organization [i.e., a person authorized to represent and sign for the organization as officially recorded by the organization (that is, in the document which sets forth the terms and conditions for its operation and management--the bylaws, operating agreement, partnership agreement, etc.)] or any other employee, identified by name, of the organization, if designated in writing by such an authorized official as having been delegated authority to execute the Certification Pertaining to Foreign Interests on behalf of the organization:

Owners. The requested information on owners and representatives or agents of stockholders is to be attached to the organization's KMP listing:

1. **For privately-owned organizations:**

- a. Provide the following information for each person (i.e., human being) who directly or indirectly owns or has beneficial ownership of 5 percent or more of any class of the organization's securities or who has directly or indirectly subscribed 5 percent or more of the organization's total capital commitment:

(1) If the beneficial owner holds a position as an KMP in the organization and is identified on the KMP listing, provide the individual's name with the class and number of shares of capital stock he/she owns of the organization's securities or the capital commitment he/she has subscribed.

(2) If the beneficial owner does not hold a position as a KMP in the organization and is not identified on the KMP listing, provide the individual's name, address, and the class and number of shares of capital stock he/she owns of the organization's securities or the capital commitment he/she has subscribed. If known, information on the individual's citizenship should also be provided.

- b. Provide the following information for each legal entity which directly or indirectly owns or has beneficial ownership of 5 percent or more of any class of the organization's securities or which has directly or indirectly subscribed 5 percent or more of the organization's total capital commitment:

The legal name (i.e., as specified in charter) with the address of its principal executive offices and the class and number of shares of capital stock the entity owns of the organization's securities or the capital commitment the entity has subscribed. In addition, if the entity is controlled by another organization, the country of ultimate legal residence must be provided.

- c. Provide the name of any representative(s) or agent(s) of any owner (person or entity), if any, who hold positions, such as Board member (or similar type of governing body), officers, executive personnel, or general partners in your organization. Also identify the owner which the individual is representing.

2. **For publicly-traded organizations:**

- a. Provide the most recent copies of any Schedules 13D and/or 13G received from any beneficial owners (foreign or domestic) who hold 5 percent or more of the organization's securities.

- b. Provide the name of any representative(s) or agent(s) of any stockholder (person or entity), if any, who hold positions, such as Board member (or similar type of governing body), officers, executive personnel, or general partners in your organization. Also identify the stockholder which the individual is representing.

Officers: Identify and provide requested information (i.e., names, titles, etc.) for all of the organization's officers on the KMP listing.

The definition of officers is: Those persons in positions established as officers as officially recorded by the organization (that is, in the document filed for the organization's existence and the document which sets forth the terms and conditions for its operation and management--the articles of incorporation and bylaws; articles of organization and operating agreement; certificate of limited or general partnership and the partnership agreement; etc.). However, excluded from this definition are: (a) assistant vice presidents who have no management responsibilities related to performance on classified contracts; (ii) assistant secretaries; and (iii) assistant treasurers.

Directors: Identify and provide requested information (i.e., names, titles, etc.) for all of the organization's directors on the KMP listing, to include identification of the Chairman of the Board and any Vice Chairman. If the organization has no Chairman of the Board of Directors, identify the individual who performs those functions at board meetings.

The definition of directors is: Members of the board or similar governing body chosen to direct the affairs of a corporation or institution.

Executive Personnel: Identify and provide requested information (i.e., names, titles, etc.) for all of the organization's executive personnel on the KMP listing.

The definition of executive personnel is: Those individuals who perform policy making functions for the organization, or any other person in charge of a principal business unit, division, or function.

Facility Security Officer: Identify and provide requested information (i.e., name, title, etc.) for the organization's Facility Security Officer.

The definition of a Facility Security Officer is: The individual at the facility assigned the responsibility of administering the requirements of the Safeguards and Security Program within the facility.

Spouse of a sole proprietor: For those sole proprietorships operating in community property states, identify and provide requested information (i.e., all information required on the KMP listing) on a sole proprietor's spouse, if any. If there is no spouse, so state.

Vacant positions: If any KMP position is vacant, so state and include estimated date vacancy will be filled.