

# Purpose

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The purpose of this brochure is to provide information on the operations of the FOCI electronic submissions process. If additional information about the FOCI Program is needed, see DOE O 470.1 *Safeguards and Security Program* (Chapter VI) and DOE G-470.1-3, *Foreign Ownership, Control, or Influence (FOCI) Implementation Guide*.

# Information

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Welcome to the FOCI Electronic Submission Site. The US Department of Energy (DOE) Office of Safeguards and Security has developed this new electronic system for contractors to submit FOCI information to DOE in an electronic format. This Internet-based system transitions FOCI operations from a paper-based process to an efficient electronic system that will streamline contractor and government efforts and improve efficiency.

The FOCI Electronic Submission Site can be accessed via your Internet browser at:  
<https://foci.td.anl.gov>

The Site is protected with 128-bit encryption to ensure your privacy. The Registration Page for Administrators is found under the New Users button on the main page of the Site. Contracting companies should have a designated FOCI Administrator log on to the Registration Page for Administrators to obtain a unique company identification number and password.

You will be prompted to fill out the electronic forms and to complete your submission package. You may go in and out of the package as many times as needed while you are filling in your information.

You can also review your progress by hitting the Review Forms button on the FOCI Submission Forms page. When you have completed your package, you will hit the Final Submission button to send your information to DOE.

# FAQ's

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## 1. What is FOCI?

FOCI is the acronym for Foreign Ownership, Control or Influence. FOCI Determinations are rendered by the US Government to ensure that entities under foreign ownership, control or influence are not given access to classified information or special nuclear material when such access may result in the compromise of U.S. national security interests.

## 2. When does a company require a FOCI Determination?

A FOCI Determination must be rendered on a prospective contractor that has been selected for the award of a contract with the Federal Government which will require access authorizations (security clearances) for access to classified matter, special nuclear material or unescorted access to security areas. The term contractor includes any industrial, educational, commercial or other entity, grantee or licensee, including an individual\*, subcontractors of any tier, consultants, agents, grantees and cooperative research and development agreements participants. If the contractor is owned or controlled by a parent organization(s), FOCI Determinations must also be rendered for all tier parents (i.e., ultimate parent and any intervening levels of ownership).

\*An individual that is performing activities requiring an access authorization under an agreement that has been executed directly with, and covers only that individual does not require a FOCI determination.

## 3. How does the FOCI process work?

A favorable FOCI Determination must be rendered on prospective contractors and, if applicable, its tier parents, prior to DOE granting a facility clearance and awarding a contract requiring access authorizations. While DOE may conduct a preliminary review of the FOCI submissions from firms in the competitive range in the procurement process, a FOCI Determination is only rendered for the successful bidder. The successful bidder is then granted a facility clearance. The contractor must resubmit a FOCI package once every five years or submit changes sooner if significant changes in ownership, control, or influence occur.

## 4. Which office I should submit my company's FOCI information to?

Companies that are new to the DOE FOCI system are processed by the DOE office awarding the contract. If a DOE prime contractor is awarding the contract, then the DOE office with oversight for the prime contractor would render FOCI Determinations for its subcontractors. Your DOE contracting office or the prime contractor's contracting office can help you determine where to submit your FOCI package.

## 5. My company already has a FOCI Determination. Can I use the system to submit updates?

Yes. Access the system as a New User and obtain a User ID and password. Then enter the FOCI Electronic Submission Site and complete the electronic forms for your five-year update or to report any significant changes.

## 6. Why should my company submit its FOCI information electronically?

The new electronic process will improve efficiency by disallowing the submission of FOCI packages that are incomplete. This will eliminate the time consuming process of having paper-based forms go back and forth between DOE and contractors in order to complete and correct forms.

Also, the electronic system will enable DOE to process FOCI applications faster and to return application results to contractors quickly, eliminating the time lags that have plagued the paper-based system.

**7. Who in my company should log on to the system and input our FOCI information?**

Each company will have one designated FOCI Administrator who will be assigned a unique User ID to access the system. The Administrator will have the ability to register others on the system if needed as well as the ability to print forms that require signature by company officials. It is up to your company to determine who your Administrator will be.

**8. If I don't have electronic copies of documents that must be submitted can I still use the system?**

Yes. You will fill out the forms needed for an electronic FOCI submission on line, and then mail your hard copy attachments to the DOE FOCI Operations Manager in a separate package. The system will ask that you submit articles of incorporation and financial documents on line as electronic attachments, but will allow you to indicate that you do not have electronic copies and will be sending hard copy documents in the mail.

**9. What documents will I need to submit my FOCI package?**

All companies must submit the following documents that are available to you in electronic format in the system:

- a) A completed Certificate Pertaining to Foreign Interests form, the SF 328.
- b) Explanations for affirmative answers on the SF 328.
- c) FOCI Summary Data Sheet.
- d) Owners, Officers, Directors, and Executive Personnel (OODEP) List.
- e) Representative of Foreign Interests Statements (if applicable).

Other documents that must be provided vary based on the company's business structure (e.g., proprietorship, partnership, etc.) These other documents may include articles of incorporation, by-laws, annual reports, board meeting minutes, and Securities and Exchange Commission (SEC) filings. The electronic site will provide you with more information on what documents are required based on the business structure of your company. The site will also request that you submit electronic copies of these documents as attachments if possible.

**10. How will I know when my FOCI determination has been completed?**

The FOCI Operations Manager will contact you with written documentation certifying the completion of the review of your FOCI submission.

**11. What software and hardware do I need to access the system?**

The system is accessed through the Internet. You will need either a network connection or an Internet service provider connection to access the Internet from your computer. You may use either the Netscape or Internet Explorer browsers to access the system on the Internet.

**12. Who do I call if I have trouble with the electronic submission of FOCI information?**

You may call the FOCI Electronic Submission System Hotline at 630-252-6347 for assistance, or use the special e-mail feature on the system to contact the system administrator directly.

# FOCI

## Foreign Ownership, Control, or Influence



## ELECTRONIC SUBMISSIONS