

Management System: Safeguards and Security

Subject Area: Program Management and Support

Procedure: Addressing and Identifying Foreign Ownership, Control & Influence

**Issue Date and
Revision Number:**
08/23/2012 0

Lead Subject Matter Expert:
Pat Vent or Shaun Meadows

Management System Owner:
John Sattler

1.0 Applicability

This procedure applies to Environmental Management Consolidated Business Center (EMCBC) and small sites personnel responsible for ensuring that contractor organizations requiring access to classified information or matter or to Special Nuclear Material are not under Foreign Ownership, Control, or Influence (FOCI) to such a degree that it would pose an unacceptable risk to the national security.

2.0 Required Procedure

Step 1	The Procurement Request Originator (PRO) identifies and documents the security requirements of the classified contract.
Step 2	The PRO completes DOE F 470.1, Contract Security Classification Specification (CSCS), and forwards it to the Contracting Officer (CO).
Step 3	The CO incorporates the required security clauses in the solicitation.
Step 4	The CO, through an EMCBC security specialist, requests verification from the Cognizant Security Authority (CSA)/Cognizant Security Office (CSO) of the Facility Clearance (FCL) status of all offerors within the competitive range and preliminary selection criteria for the proposed contract.
Step 5	If a FCL exists, the CO submits a CSCS, through an EMCBC security specialist, to the CSA/CSO for review and approval. NOTE: Once the CSA/CSO signs and registers the CSCS in the Safeguards and Security Information Management System (SSIMS), the CO can award the contract.
Step 6	If a FCL does not exist, the CO must obtain a complete FOCI package from the offerors, which is submitted electronically by the offeror or in hardcopy.
Step 7	The CSA/CSO reviews the submission and if the data does not exceed the local decision rendering threshold, makes a determination as to whether or not the

	FOCI status is acceptable. NOTE: Exclusion procedures may be invoked when the offeror is controlled by a parent company.
Step 8	If the CSA/CSO cannot render a decision based on threshold limitations, the FOCI submission is referred to HS-70.
Step 9	The CSA/CSO provides written notification stating whether the FOCI submission will or will not prevent contract award. NOTE: A favorable FOCI determination is one element required to obtain an FCL. Department of Energy Acquisition Regulations (DEAR) prohibits the award of a classified contract until an FCL has been granted and issued.

3.0 References – Forms/Attachments/Exhibits

Forms –

- DOE F 470.1, Contract Security Classification Specification
- DOE F 470.2, Facility Data and Approval Record

Website –

- FOCI Electronic Submission Web site

4. Records Generated

Records generated through implementation of this procedure are identified as follows, and are maintained by the Office of Technical Support and Asset Management in accordance with the EMCBC Organizational File Plan:

Records Category Code	Records Title	Responsible Organization	QA Classification (Lifetime, Non-Permanent or N/A)
ADM 18-08.7-B	Foreign Ownership, Control, or Influence (FOCI) Files	Office of Technical Support & Asset Management	N/A
ADM 03-03-A1A	Routine Procurement Files – Transactions above the Simplified Threshold	Office of Contracting	N/A

EMCBC RECORD OF REVISION

DOCUMENT TITLE: Addressing and Identifying Foreign Ownership, Control & Influence

If there are changes to the controlled document, the revision number increases by one. Indicate changes by one of the following:

- I Placing a vertical black line in the margin adjacent to sentence or paragraph that was revised.
- I Placing the words GENERAL REVISION at the beginning of the text.

Rev. No.	Description of Changes	Revision on Pages	Date
0	Initial Document on MSD		8/23/12