

< K7129 - RL Test Facility K7129 - Submitted 📄 🗑️

K7129	RL Test Facility K7129	No FCL
FOCI Adjudication Pending	12345 Test St Suite 123, Quantico, VA 22134	None
TEST	Category IP	Richard Lawton (ISR)
		No Safeguarding

- Basic Information
- SAM
- SF-328**
- Supporting Documents
- KMP List
- Internal Notes and Comments
- Industry-DCSA Package Comments

Check this box if your organization is a branch/division or your tier parent is submitting a consolidated SF328 (checking this box will delete the SF328 and its attachments from this package)

[Click here for SF-328 Definitions](#)

Consolidated SF-328 Parent CAGE Code

Consolidated SF-328 Parent Facility Name

Does your company issue stock? *

No Yes

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 section 1001, makes it a criminal offense to knowingly make false statements or representations to any Department or Agency of the United State, as to any matter within the jurisdiction of any Department or Agency of the United States. This includes any statement made here in which knowingly incorrect, incomplete, or misleading in any important particular.

Provisions

1. The collection of this information is authorized by the Secretary of Defense, as Executive Agent for the NISP pursuant to Executive Order 12829, further amended by Section 6, of Executive Order 13691 to include the CIIPP. While you are not required to respond, your entity's eligibility determination cannot be adjudicated if you do not complete the form. The retention of an entity eligibility determination is contingent upon your compliance with the requirements of DoD 5220.22-M or equivalent, for submission of an accurate initial or revised form, as appropriate. This collection of information is also authorized by the Secretary of Defense for use in connection with the DESP for the Department of Defense Innovation Initiative in accordance with subsection 951(c) of Public Law 114-328 (10 USC 1564 note). While you are not required to respond, your eligibility to participate in the DESP cannot be determined if you do not complete this form accurately. Participation in the DESP is contingent, among other things, upon your compliance with the requirements of the DESP for submission of an initial or revised form, as appropriate.

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

3. Complete all questions on this form. Mark "Yes" or "No" for each question. If your answer is "Yes" furnish complete supporting documentation, to include, but not limited to, company or entity charter documents, board meeting minutes, stock or securities information, descriptions of organizational structures, contracts, sales, leases, and/or loan agreements, and revenue documents, annual reports, and income statements, etc.

QUESTIONS and ANSWERS

1. (Answer 1a or 1b)

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.

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?

Yes No

2. Does your organization directly, or indirectly through your subsidiaries and/or affiliates, own 10 percent or more of any foreign interest? *

< K7129 - RL Test Facility K7129 - Submitted 🗨️ 📄

Yes No

2. Does your organization directly, or indirectly through your subsidiaries and/or affiliates, own 10 percent or more of any foreign interest? *

Yes No

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? *

Yes No

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?

(4) Foreign Person(s) Control

Yes No

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.

5. Does your organization have any contracts, agreements, understandings, or arrangements with a foreign person(s)? *

Yes No

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 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".

6. Does your organization, whether as borrower, surety, guarantor or otherwise have any indebtedness, liabilities or obligations to a foreign person(s)? *

Yes No

If yes, 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).

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".

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? *

Yes No

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





< K7129 - RL Test Facility K7129 - Submitted 🗨️ 🗑️

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? *

Yes No



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

Yes No



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".

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? *

Yes No



If yes, include copies of SEC Schedule 13D 13G.

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)?

(9) Positions With or Consultants for Foreign Person(s) *

Yes No



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 "the best of his/her knowledge" or "through his/her best efforts".

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? *

Yes No



Remarks



Certification Information

Witness Name *

Authorized Contractor Representative Name *

Authorized Contractor Representative Title *



< K7129 - RL Test Facility K7129 - Submitted 🗨️ 📄

Remarks

Certification Information

Witness Name *

Witness Name

Authorized Contractor Representative Name *

COR Name

Authorized Contractor Representative Title *

COR Title

Business Name of Contractor *

TPG, Inc.

Date SF-328 Certified *

04/01/2024

Street 1 *

12345 Test St

Street 2

Suite 123

City *

Quantico

State *

VA

Zip Code *

22134

WHEN READY TO SIGN COMPLETED SF-328:

When you've completed and validated the information on this page, you can generate a PDF of this SF-328 information by clicking the 'Print SF-328 to PDF' button below and save the PDF to your desktop. (The 'Print SF-328 to PDF' button will only appear when all required fields on the SF-328 have been populated.)

Once generated, print the PDF, sign and certify it as indicated, scan the signed printout, and attach the scan to this form as an 'SF-328' Supporting Document attachment. Then you should be able to Save and Submit your completed FCL Package.

Note: be sure to Save your changes to this form before generating your PDF.



< K7129 - RL Test Facility K7129 - Submitted [] []

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Document Template Links

- A sample Legal Organization Chart PDF is available here: [Click here for Sample_Org_Chart.pdf](#)
- A fillable PDF version of the Ownership and Control Worksheet is available here: [Click here for Contractor_Ownership_and_Control.pdf](#)

Links to current DD 441 and DD 441-1

- DD Form 441
- DD Form 441-1

The following documents are REQUIRED for your type of FCL package. Additional documents may be uploaded.

- KMP List - see KMP List tab
- (Uploaded) SF-328
- (Uploaded) Meeting Minutes*
- (Uploaded) DD Form 441

* Include the most recent Meeting Minutes and any Meeting Minutes to reflect changes to address, name, KMPs, etc.

Upload Supporting Documents

1 - 4 of 4 [] < Page 1 of 1 > [] [] Items per page 50 []

Document Type ↑	Description	Actions
DD Form 441		Edit
DD Form 441		Edit
Meeting Minutes		Edit
SF-328		Edit

Related information