

GUPTA FAMILY FOUNDATION

200 President Plaza
198 Van Buren Street
Herndon, Virginia 20170-5336

GRANTEE AFFIDAVIT

The undersigned, in order to assist the Gupta Family Foundation in determining whether _____ (the "GRANTEE") is the equivalent of a public charity described in Section 509(a)(1), (2) or (3) of the United States Internal Revenue Code, makes the following statement:

1. I am the _____ [Title] of the GRANTEE.
2. The GRANTEE was created by _____ [*identify statute, charter, or other document*] in _____ [year], and is operated exclusively for [*check applicable box or boxes*]:

 charitable

 religious

 scientific

 literary

 educational

 fostering national or international amateur sports competition, or

 prevention of cruelty to children or animals

purposes under the laws of _____ [*the country in which the GRANTEE was formed*].
3. The activities of the grantee organization have included _____ [*describe past and current activities and operations of the GRANTEE; attach additional pages if necessary*] and will include _____ [*describe future activities and operations of the GRANTEE; attach additional pages if necessary*].
4. Copies of the charter, bylaws, and other documents pursuant to which the GRANTEE is governed, translated into English, are attached.
5. It is not possible under the laws and customs applicable to the GRANTEE for any of its income or assets to be distributed to, or applied for the benefit of, a private person or non-charitable

organization, other than as payment of reasonable compensation for services rendered or as payment representing the fair market value of property which it has purchased. GRANTEE affirms that it has complied, and will continue to comply, with all such laws and customs.

6. The grantee organization has no shareholders or members who have a proprietary interest in the income or assets of the organization.
7. If the GRANTEE were to be liquidated or dissolved, under the laws and customs applicable to it, or under the governing instruments, all its assets would be distributed to another not-for-profit organization for charitable, religious, scientific, literary, or educational purposes, or to a government instrumentality. A copy of the relevant statutory law or provisions in the governing instruments controlling the distribution of the organization's assets on liquidation is attached.
8. The laws and customs applicable to the GRANTEE do not permit the organization, other than as an insubstantial part of its activities:
 - A. to engage in activities that are not for religious, charitable, scientific, literary, or educational purposes; or
 - B. to attempt to influence legislation, by propaganda or otherwise.

The GRANTEE affirms that it has complied, and will continue to comply, with all such laws and customs.

9. The laws and customs applicable to the GRANTEE do not permit the organization directly or indirectly to participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office. The GRANTEE affirms that it has complied, and will continue to comply, with all such laws and customs.
10. The GRANTEE is not controlled by or operated in connection with any organization other than as follows [*describe*]: _____.
11. The GRANTEE certifies that it is in compliance, and will continue to be in compliance, with all laws, statutes, and regulations restricting persons from dealing with any individuals, entities or groups subject to sanctions by the United States Office of Foreign Assets Control (“OFAC”), and that the GRANTEE does not and will not deal with any individuals, entities or groups subject to OFAC sanctions or any other persons known to the GRANTEE to support terrorism or to have violated OFAC sanctions.
12. The most common way to demonstrate that the GRANTEE is the equivalent of a U.S. public charity is for the GRANTEE to show that it meets the Internal Revenue Code’s “public support test” by demonstrating that (a) at least one-third of the GRANTEE’s support comes from the general public (not including major donors) and (b) no more than one-third of the GRANTEE’s support comes from investment income or from business activities that are unrelated to the GRANTEE’s exempt purposes. Accordingly, a schedule of the GRANTEE’s support for the four most-recently-completed taxable years is attached, showing (for each year and in total):
 - (A) Gifts, grants, and contributions received;
 - (B) Membership fees received;

- (C) Gross receipts from any activity that is *not* a business unrelated to the GRANTEE's exempt purposes (*including* gross receipt from admissions, merchandise sold, services performed, and furnishing of facilities, *but not including* any such receipts from "disqualified persons" described in Section 4946 of the United States Internal Revenue Code other than governmental units and public charities);
- (D) Gross income consisting of interest, dividends, rents, and royalties;
- (E) Net income from business activities unrelated to the GRANTEE's exempt purposes;
- (F) The value of services or facilities furnished by a governmental unit without charge;
- (G) The total of lines (A) through (F);
- (H) Line (G) minus line (C);
- (I) Two percent (2%) of line (H);
- (J) A schedule of contributions for each donor whose support for the four-year period was greater than the amount on line (I) (a "major donor"), showing the amount by which each major donor's total contributions exceeded the amount on line (I) ("excess contributions");
- (K) The sum of all major donors' excess contributions;
- (L) The four-year total for line (H) minus the four-year totals of lines (D), (E), and (K) (the amount of public support);
- (M) Line (L) divided by the four-year total for line (H) (the percentage of the organization's support that is public support).

13. If the GRANTEE is a school, the GRANTEE has adopted and operates pursuant to a racially nondiscriminatory policy as to students.

The undersigned affirms that the foregoing statements and any documents attached hereto are complete and accurate.

Date: _____

Signature

Printed Name

Title