



# DSS Improved Facility Clearance and Excluded Entity Process





# Current FCL Requirements and Process

- Overview of FCL requirements
- Overview of current FCL process
- FCL Timelines
- Discussion on pain points within the current FCL process – ***why are we improving the process?***



# *Improved FCL and Excluded Entity Process*

## **Goals:**

- Increase transparency amongst stakeholders
- Improve communication to outline Industry expectations and FCL discontinuation decision points
- Streamline the FCL process
- Restructure the Excluded Entity process and eliminate Initial Assessments to address efficiency and reduce risk



**Objective: provide FSOs an educational, user friendly, and informative guide to start the FCL process**

### **FCL Action Items:**

- Vet company for initial requirement to access classified
- Provide company with FCL Orientation Handbook and discontinuation points
- Build ISFD/e-FCL record and notify Field Office
- Schedule Telephonic Survey with POC (via email or phone)
- Contact Facility's Sponsor (GCA or prime contractor)

### **FSO Action Items:**

- Review FCL Orientation Handbook
- Identify preliminary KMPs
- Identify company business structure
- Log into e-FCL
- Apply for CAGE Code if they do not already have one



**Objective: FCB will guide FSOs through FCL process, e-FCL system, explain Discontinuation Points, and help identify documents and forms required per company's business structure**

### FCB Action Items:

- Provide FSO overview of FCL process
  - Review FCL Orientation Handbook with FSO
- Review CDSE FSO Toolkit with FSO
- Explain Discontinuation Points to FSO
- Review potential KMPs with FSO
- Assist FSO to identify required documentation and forms to upload into e-FCL per business structure. Discuss potential excluded entities.
- Recommend FSO register and begin CDSE FSO training

### FSO Action Items:

- Review preliminary KMP list with FCB
- Review company business structure with ISR
- Ask FCB outstanding questions
- Apply for CAGE Code (if applicable)
- Review e-FCL submission process
- Review CDSE FSO Toolkit



## Objective: FSOs to upload all documents and forms per its company's business structure into e-FCL

### ISR Action Items:

- Advise and assist FSO on e-FCL package submission as needed. If submitted review company's status of completion of e-FCL package
- If e-FCL package not complete by Day 20, proceed to Discontinue company's FCL process

### FSO Action Items:

- Submit all documents per business structure into e-FCL
- Submit all forms per business structure into e-FCL
- Upload all Excluded Entity information into e-FCL, if applicable
- Upload verification of U.S. Citizenship for KMP into e-FCL



**Objective: ISRs to review company's e-FCL package and prepare for Initial FCL Orientation meeting. FSOs to submit KMP e-QIPs and fingerprints and prepare for meeting**

### ISR Action Items:

- Review e-FCL package and compare against open source resources
- Schedule and prepare for Initial FCL Orientation meeting
- Provide FSO appropriate documents from CDSE FSO Toolkit
- Review the following during Initial FCL Orientation meeting:

- Adverse Information reporting
- CI trends and reporting (Targeting U.S. Technologies)
- Changed Conditions reporting
- SCR reporting
- Ratings Matrix

- Security Brief
- NISP Self-Inspection Handbook
- FSO Brochure
- DSS Stakeholder Report

### FSO Action Items:

- Submit KMP e-QIPs
- Submit KMP fingerprints
- Prepare for Initial FCL Orientation meeting
- Review appropriate documents from CDSE FSO Toolkit



## *Post FCL Initiatives First Year Under NISP*

**Objective: ISR reaches out to facilities residing in NISP under a year to determine compliance with NISPOM, implementation of a facility security program, and assess the facility's potential risk to National Security**

### Assessment Action Items:

- ISR to perform Assessment 12-15 months after FCL issued
- Review facility's compliance with NISPOM requirements per its business structure
- Facility required to be NISPOM compliant from Day 1 of the granting of the FCL
- Review facility's security program
- Review any questions from FSO

### Initial Compliance Contact (ICC)

- Conduct tailored Telephonic Outreach 120 days after facility receives its FCL

### FSO Action Items:

- Comply with NISPOM requirements day 1 of the FCL
- Implement facility security program aligned to NISPOM requirements
- Complete FSO training





# *New Excluded Entity Process*

- Excluded Entities will provide the required documentation to the highest cleared facility.
- Highest cleared entity's e-FCL package will contain all required Excluded Entities information in the *Excluded Entities* tab.
- FCB will maintain a record of the highest excluded entity and highest cleared entity in ISFD.
- A consolidated exclusion resolution will define excluded entity reporting requirements through the highest cleared entity.



# *New Excluded Entity Process*

- Monitoring and oversight of the Excluded Entities' legal structure will be conducted through the highest cleared entity. If issues arise, the ISR can conduct telephonic reviews of the ultimate excluded entity and first tiered entity as part of the highest cleared entity's pre-assessment research or SVA.
- Additional oversight will be through the DSS FOCI Analytic Division and Assessments and Evaluation Division



# *Key Take Aways*

- This process establishes strict timelines for industry to provide the required information to DSS in a timely manner.
- The FCL Orientation Meeting is conducted at the facility prior to issuance of the FCL.
- The ICC is a telephonic outreach to the facility 120 day after the FCL is issued to further assist the company in establishing and maintaining an effective security program.
- Facility is expected to comply with NISPOM requirements and implement a Facility Security Program once the facility clearance is issued.
- The highest cleared entity will be responsible for providing information regarding excluded entities and any changes in legal structure.



- 400+ facilities have followed this improved process via a pilot program
- DSS determined that the average time to issue an FCL was decreased by 23% for those pilot offices following the improved process
- 85% of facilities who were IP through the 20 day deadline MET the 20 day deadline
- 91% of facilities who were IP through the 45 day deadline MET the 45 day deadline
- 51 Facilities have been discontinued and re-sponsored overall since pilot started



# Questions?

[occ.facilities@dss.mil](mailto:occ.facilities@dss.mil)