

TIPS FOR SUBMITTING A CHANGE CONDITION PACKAGE (CCP)

DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY

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Required Reporting of Changed Conditions to the Facility Outlined in CFR 117.8 (C)(7) (i-v)

Changes in:

Ownership

Legal Structure

Operating Name including Doing Business As (DBA)

Address

Key Management Personnel (KMP)

Business Termination & Bankruptcy

Foreign Ownership, Control or Influence (FOCI)



CHANGE OF OWNERSHIP

Legal Structure: Can refer to Corporation, Limited Liability Company (LLC), General Partnership, Limited Partnership (LP), College, University, Sole Proprietorship, etc.

- DCSA document review can include:
 - Business license
 - Fictitious name certificate
 - Articles of incorporation
 - By-laws
 - Stock ledgers
 - Meeting minutes
 - Organizational chart
 - Operating agreement



CHANGE OF LEGAL STRUCTURE



When there is a change in legal structure, you will be required to submit updated business documentation such as:



- Updated business governance documents
- Updated stock ledger, Shareholder's Agreement, or similar documents
- Updated organizational chart
- Meeting minutes
- Conversion documents



CHANGE OF OPERATING NAME

Legal Name of the Company: Name under which the company has registered with the State they were created in. Update your company records in your local state business registration elements, System for Award Management (SAM), and Defense Logistics Agency (DLA) databases

Required Business Documentation:

- Articles of Amendment/Resolution of Legal Name Change
- Amendment to Business Documentation noting legal name change (e.g. Amended Operating Agreement, Bylaws)
- DD441
- SF 328

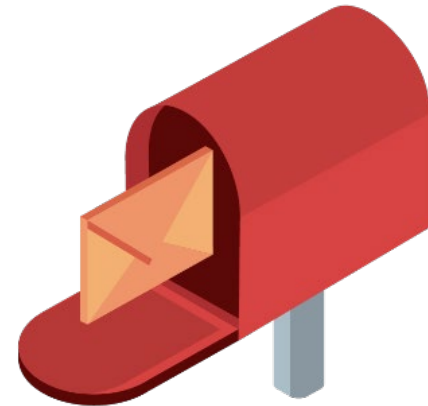




CHANGE OF ADDRESS

Facilities in the NISP are required to have a physical legal address where the facility is conducting business.

- Facility documentation filed with the state will show:
 - Where the company is legally registered
 - Where company physically does business
- Changes filed with the State and subsequently reported to DCSA and DLA. Required documentation:
 - Updated business documentation
 - DD441
 - SF 328





CHANGE OF KMP

Changes in essential and non-essential KMP are reportable.

- **KMP List includes:**
 - Officers
 - Directors
 - Partners
 - LLC members or managers
 - Regents
 - Trustees
 - Positions or roles identified in business documentation (By-Laws or Operating Agreements)
- **Examples of when to report a KMP Change:**
 - A change to the current KMP List
 - A new or updated company position which requires addition to the KMP List
 - Removal of a KMP





CHANGE OF FOCI

The following documents are required to be submitted in the database of record when reporting changes in FOCI:

- Detailed letter to DCSA when entering into discussions, consultations or agreements that may reasonably lead to effective ownership or control by a foreign interest
- Updated Certificate Pertaining to Foreign Interests (SF 328)

Supporting documentation can include:

- Organizational chart
- Updated KMP List
- Copy of Schedule 13D (if company is publically traded)
- Charter, governance, and operational documents





BANKRUPTCY



Facility shall report imminent adjudication or reorganization in bankruptcy to DCSA.

Facility shall provide (within five days of court deadline):

- Notice of Bankruptcy type filed
- Notice of anticipated organizational and management impacts
- Court Documents
- All active classified contracts (DD 254s)



BUSINESS TERMINATION

Reportable changes to DCSA for a cleared contractor:

- No longer has a valid need to access classified information in connection with a legitimate U.S. Government or foreign government requirement
- Has gone out of business
- Has ceased to operate the business under any circumstances





CONTACT US

- **NAESOC Knowledge Center:** 1(888) 282-7682, option 7 (NAESOC) and/or email and include Facility Name & CAGE Code on the Subject Line
- **For General Questions/Feedback:** dcsa.naesoc.generalmailbox@mail.mil
- **To report Changed Conditions:** Create a changed condition package in the database of record. If you have an upcoming changed condition or have questions regarding submitting a changed condition package, email the General Mailbox above.
- **FCL orientation handbook:** <https://www.dcsa.mil/mc/isd/fc/>
- **Mergers, Acquisitions, Restructures, and Spin-offs Job Aid:** [MARS Job Aid \(cdse.edu\)](http://cdse.edu)
- **NISS Overview – External User Guide:** [NISS Overview User Guide External.pdf \(dcsa.mil\)](#)