

# Reporting Requirements At A Glance

## Welcome

Reporting Requirements At A Glance

## Introduction

Individuals in the federal government with access to classified information or who hold a sensitive position must be aware of risks associated with foreign intelligence operations or possible terrorist activities directed against them and what to report.

This short will focus on requirements associated with SEAD 3. By the end of this short, you should be aware of established reporting requirements for all covered individuals who have access to classified information or hold a sensitive position.

- This short provides an overview of the Director of National Intelligence, Security Executive Agent Directive 3 (SEAD 3) policy
- SEAD 3 implementation may vary for industry, DoD departments, and agencies

Course Objective:

- Given scenarios involving covered employees, the learner will be able to recognize whether circumstances must be reported.

Details:

- Estimated completion: 15 minutes
- POC: [dcsa.cdsetraining@mail.mil](mailto:dcsa.cdsetraining@mail.mil)

Let's consider the following scenarios that you will later use to check your knowledge.

Francis

Francis is a DoD employee occupying a sensitive position who recently returned from a day trip to Mexico where she went shopping with friends.

Brent

Brent is a DoD employee with access to classified information who attended an international conference and has maintained social media contact with Hans, a foreign attendee.

Jennifer

Jennifer is an Information Technology Technician with access to classified information. She disclosed to a co-worker that she recently received a Driving Under the Influence, or DUI, charge with a summons to appear in court later in the month.

Gregory

Gregory is a DoD contractor with access to classified information. His roommate, Ivan, is a foreign exchange student from Ukraine.

Before we further examine their situations, we will discuss the importance of reporting requirements and whether the requirements apply based on the information found in SEAD 3.

### **Reporting Requirements Policy**

Security Executive Agent Directive 3, Reporting Requirements for Personnel with Access to Classified Information or Who Hold a Sensitive Position, establishes standardized reporting requirements across the federal government for all “covered” individuals with access to classified information or who hold a sensitive position.

SEAD 3 was designed to strengthen the safeguarding of national security equities, such as national security information, personnel, facilities, and technologies.

Sensitive positions are any positions within or in support of an agency in which the employee could potentially cause a material “adverse” effect on national security regardless of whether the occupant has access to classified information and regardless of whether the occupant is a civilian employee, military service member, or contractor based on the nature of the position.

Federal employees are informed by the security officer at their department or agency, or (D/A), if their position is designated as sensitive.

The designation levels of Noncritical-sensitive, Critical-sensitive, and Special-sensitive determine the degree to which any person in the position could cause a “material adverse” effect on national security.

Contractors are informed whether their position is sensitive for the performance of their duties by their Facility Security Officer, also known as FSO.

All individuals with eligibility for access to classified information or who hold a sensitive position have a continuing obligation and responsibility to recognize, avoid, and report personal behaviors which may adversely impact their continued national security eligibility. Any involvement should be reported to their security official or designees.

Individuals obligated by the policy to report these incidents are under an ongoing assessment to determine whether they are an acceptable risk to national security. Individuals who do not report these incidents to the appropriate official, or who fail to comply with reporting requirements outlined in SEAD 3, may undergo administrative action that includes, but is not limited to, revocation of their national security eligibility.

Reportable circumstances could raise a “red flag” during periodic record checks, and officials could implement further investigation.

You must report any planned or actual involvement in behaviors or activities outlined in SEAD 3 to the security officer at your department or agency prior to participation or as soon as possible.

Reporting requirements for **ALL** covered individuals include Foreign Travel, Foreign Contacts, and Reportable Actions By Others.

## **Foreign Travel**

Now that we have discussed what activities you are required to report, let's look at Francis's scenario.

Francis, a DoD employee, is currently in a Non-critical sensitive position. Francis recently returned from an impromptu shopping trip to Mexico with her girlfriends on Saturday. Francis returned to work as planned on Monday morning.

Once Francis returns to work, what is she required to do next under SEAD 3 reporting requirements?

- Nothing. It was only a day shopping trip.
- Report the unofficial travel outside of the U.S.
- Nothing. Foreign travel is not reportable.
- Report the shopping trip to Human Resources.

**Answer: Report the unofficial travel outside of the U.S.**

Francis is required to report all unofficial travel outside of the U.S. to her designated security official, within five days of her return. This includes unofficial travel—planned and unplanned—to Mexico, Canada, and other foreign countries. Normally prior to travel, covered employees should submit an itinerary for unofficial travel to their designated security official. SEAD 3 recognizes itineraries may change and allows for post-travel reporting of changes.

## **Foreign Contacts**

Brent, a DoD employee with SECRET access, attended an international conference eight months ago and has maintained personal social media contact with Hans, a foreign attendee from Germany.

Brent is unsure if his contact with Hans should be reported since the contact has remained on social media.

Is Brent required to report this contact under SEAD 3 reporting requirements?

- No, the contact is from an ally country.
- Yes, the contact is continuous and with a foreign national.
- No, Brent has made no physical contact since the conference.
- Yes, all social media contacts are reportable.

**Answer: Yes, the contact is continuous and with a foreign national.**

Brent must report the continuing contact with Hans to his designated security official because he is from a foreign country. SEAD 3 requires that unofficial contacts be reported if the contact is continuing; involves bonds of affection, personal obligation, or intimate contact; or any contact that involves the exchange of personal information. This reporting requirement is based on the continuing association with the foreign national, regardless of whether the relationship has continued in person, online, or via mail. If the foreign individual is trying to obtain sensitive or classified information or pose specific work-related questions, that issue should be reported to the security office.

Your agency may provide additional guidance.

### **Reportable By Others**

Jennifer received a DUI charge last weekend and informed her close colleague, Kate, that she received a summons to appear in court later this month. Jennifer and Kate are information technology technicians, working in positions which require them to obtain and maintain SECRET eligibility.

Is **Kate** required to alert a security official of Jennifer's DUI?

- No, it was only one time.
- No, only Jennifer is required to report her behavior.
- Yes, criminal conduct is "Reportable Actions By Others."
- No, Kate assumes Jennifer has already reported the incident.

**Answer: Yes, criminal conduct is "Reportable Actions By Others."**

Kate should report the DUI charge and not assume that Jennifer has already reported. Covered employees should alert agency heads of any activity that raises doubt whether another covered employee's continued national security eligibility is clearly consistent with the interests of national security. This includes an unwillingness to comply with rules and criminal conduct.

Excessive alcohol consumption is a specific concern because it can frequently lead an individual to make questionable judgements and impulsive decisions, which raise questions about their reliability and trustworthiness. The following activities of other covered individuals must also be reported:

- Unexplained affluence or excessive indebtedness
- An unwillingness to comply with rules and regulations
- Suspected mental health issues
- Illegal use of drugs
- Criminal conduct, or
- Any activity that raises doubt whether another covered employee's continued national security eligibility is clearly inconsistent with the interests of national security.

In addition to “Reportable Actions By Others”, employees with SECRET eligibility or who hold Non-critical sensitive positions must also report foreign citizenship to include applying for and possessing a foreign passport, exploitation and coercion, media contacts (not for official purposes), arrests, bankruptcy, or delinquent over 120 days, and alcohol and drug-related treatment.

### **Access to TOP SECRET Information, Critical-Sensitive, or Special-Sensitive Positions**

Gregory is a DoD contractor with TOP SECRET eligibility. His roommate, Ivan, is a foreign exchange student from Ukraine. After participating in a security awareness briefing, he is uncertain if he should alert his FSO.

Once Gregory returns to work, should he report the circumstance to his FSO?

- No, this is not reportable for TOP SECRET eligibility.
- No, but Gregory should report to his training manager.
- Yes, Gregory should report to his FSO.
- No, student roommates are not reportable.

**Answer: Yes, Gregory should report to his FSO.**

Gregory is obligated to report this information to his FSO. Covered employees are required to report any foreign national who co-occupies their residence for more than 30 calendar days. This includes individuals whom you reside with for convenience, or roommates, and cohabitants whom you share bonds of affection, obligation, or commitment.

If Gregory fails to self-report, he may be subject to administrative action.

Additionally, reportable actions for TOP SECRET eligibility, Critical-sensitive, or Special-sensitive positions include foreign business and bank accounts; foreign citizenship and passports; adoption of non-U.S. children; media contacts (not for official purposes); and foreign roommates and marriage.

Reportable actions for TOP SECRET eligibility, Critical-sensitive, or Special-sensitive positions include:

- Foreign Business and bank accounts
- Foreign citizenship/foreign passport
- Adoption of non-U.S. children
- Media contacts (not for official purposes)
- Foreign roommates
- Marriage

Additional reportable actions:

- Ownership of foreign property

- Voting in foreign elections
- Exploitation and coercion
- Arrests
- Bankruptcy
- Alcohol and drug-related treatment

The reporting requirements vary depending on your level of access to national security information or position sensitivity level.

No matter your access level, you must report any criminal conduct, foreign cohabitants, suspected mental health issues, and activity that raises doubt of an individual's loyalty, reliability, or trustworthiness and ability to protect classified information.

For more information on all the reporting requirements outlined in SEAD 3, visit the Course Resources, or speak with your FSO or security manager.

### **Course Summary**

This short addressed the importance of reporting requirements, how it applies to you, and what you must report. Remember, if you are an individual with eligibility to access classified information or who holds a sensitive position, you have a continuing obligation to report potential security concerns.

All covered individuals have a responsibility for recognizing, avoiding, and reporting personal behaviors of potential security, counterintelligence, and/or insider threat concern. Alert the security officer at your department or agency, or your FSO, to reportable activities of other covered individuals.

Lastly, failure to self-report to your designated security official will adversely affect your national security eligibility.

For more information on reporting requirements or to access SEAD 3, please visit the Course Resources. The Course Resources provides a Job Aid on reporting requirements for you to save or print.

### **Course Completion**

Congratulations!

You have completed Reporting Requirements At A Glance.