

Contractors with Access to Classified Information Now Subject to Heightened Reporting Requirements

Article By:

Ryan H Hutzler

Effective June 12, 2017, executive branch agency employees, contractors and subcontractors who have access to classified information or hold sensitive positions must report personal trips abroad as well as a wide range of foreign contacts. This new security [directive](#), “Reporting Requirements for Personnel With Access to Classified Information or Who Hold a Sensitive Position,” was issued by the Office of the Director of National Intelligence and establishes fundamental reporting requirements while still allowing agency heads to impose additional reporting requirements in accordance with their respective authorities.

Specifically, under the directive, contractors who hold sensitive positions or have access to classified information must report all unofficial foreign travel and substantive foreign contacts to their agency head or designee. Contractors must receive approval prior to their foreign travel, with some exceptions, including:

- Travel to Puerto Rico, Guam or other U.S. possessions and territories is not considered foreign travel and need not be reported; and
- Unplanned day trips to Canada or Mexico must only be reported upon return, and such reporting must be within five business days.

Contractors with access to classified information must also report “unofficial contact with a known or suspected foreign intelligence entity” and any “[c]ontinuing association with known foreign nationals that involve bonds of affection, personal obligation, or intimate contact.” Contact with a foreign national that “involves the exchange of personal information” must also be reported.

In addition, the directive requires that contractors with access to secret and confidential information and/or top secret information report certain activities, such as:

- Application for and receipt of foreign citizenship;
- Application for, possession or use of a foreign passport or identity card for travel;

- Attempted elicitation, exploitation, blackmail, coercion or enticement to obtain classified information; and
- Media requests for classified information.

Finally, under the directive, contractors must alert agency heads of their coworkers' actions in certain situations that touch security or counterintelligence concerns, including when a colleague:

- Is unwilling to comply with agency rules;
- Has unexplained affluence or excessive indebtedness;
- Has apparent or suspected mental health issues that may impact the individual's ability to protect classified information; or
- Misuses government property or information systems.

These reporting requirements were approved in December as part of the Insider Threat Program initiated by then-President Barack Obama after several high-profile leaks of classified information.

© 2025 Proskauer Rose LLP.

National Law Review, Volume VII, Number 179

Source URL: <https://natlawreview.com/article/contractors-access-to-classified-information-now-subject-to-heightened-reporting>