***FY 2022***

***Fundamental Classification Guidance Review (FCGR)***

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|  **Section A: Identifying Information**  |
| Agency: | Department of Justice | Date:  | 10/18/2022 |
| Name and Title/Position of Senior Agency Official: | Jolene A. Lauria, Acting Assistant Attorney General for Administration |
| Name, Title/Position, Phone Number, and E-Mail Address of FCGR Point of Contact: | Lori R. Ellison, Supervisory Security Specialist(202) 514-0480Lori.R.Ellison@usdoj.gov  |

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| **Section B: Consolidated Classification Guides (CCG)** |
| B-1. Does your agency have a CCG that consolidates classification guidance that applies for all components within the agency? If so, how many separate Security Classification Guides (SCGs) did your agency consolidate into the CCG? Please explain in your attached narrative. | No |
| B-2. Whether or not your agency has a CCG that applies for all components within the agency, does your agency have guides that consolidate classification guidance for specific activities, programs, or topics (including Special Access Programs [SAPs]) within the agency? Please explain in your attached narrative. | See comments |
|  B-2a. If so, how many classification guides does your agency have that apply to the specific activities, programs, or topics (including Special Access Programs [SAPs])? When was (were) the consolidation(s) implemented? Please explain in your attached narrative. | See comments |
| B-3. In the absence of a current CCG that applies for all components within the agency, does your agency have a plan to develop one? In your attached narrative, please explain your agency’s plan. If your agency has no plan for a CCG that applies for all components within the agency, please explain why not. | No |

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| **Section C: Security Classification Guides (SCG)** |
| C-1. Total number of classification guides at the beginning of the current FY 2022 FCGR. ***DO NOT COUNT DECLASSIFICATION GUIDES*.** | 8 |
| C-2. Number of classification guides cancelled as a result of this FCGR review. | 0 |
| C-3. Number of classification guides consolidated or superseded as a result of the current FY 2022 FCGR. Please explain in your attached narrative. | 0 |
| C-4. As a result of the current FY 2022 FCGR, was there a determination that new classification guides are required? Please explain in your attached narrative. | No |
|  C-4a. If there was a determination that new classification guides are required as a result of the FY 2022 FCGR, how many are required? Please explain in your attached narrative. | 0 |
| C-5. Total number of classification guides at the end of the current FY 2022 FCGR. | 8 |

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| **Section D: Security Classification Elements** |
| D-1. Total number of modifications made to increase the duration of classifications. | 0 |
| D-2. Total number of modifications made to decrease the duration of classifications. | 0 |
| D-3. Total number of exemptions from automatic declassification added to guides, pursuant to [E.O. 13526, Sec. 3.3, (b)(1-9)](https://www.archives.gov/isoo/policy-documents/cnsi-eo.html#three). | 0 |
| D-4. Total number of exemptions from automatic declassification removed from guides, pursuant to [E.O. 13526, Sec. 3.3, (b)(1-9)](https://www.archives.gov/isoo/policy-documents/cnsi-eo.html#three). | 0 |

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| **Section E: Shared or Multi-agency Guides** |
| E-1. Does your agency use any shared or multi-agency classification guides? | No |
|  E-1a. If so, how has your agency conducted the review of such shared or multi-agency classification guides for purposes of the FY 2022 FCGR? Please describe in your attached narrative. | N/A |
|  E-1b. If not, is your agency considering the development of any shared or multi-agency classification guides? Please explain in your attached narrative. | No |

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| **Section F: Classification Guides in Electronic Format** |
| F-1. Does your agency maintain classification guides in electronic format? | Yes |
|  F-1a. If so, are your agency’s classification guides provided to users in a machine-readable electronic format? Please explain in your attached narrative. | See comments |
|  F-1b. If all of your agency’s classification guides are not maintained in a machine-readable electronic format, do you plan to put them in a machine-readable electronic format as part of the FCGR process? Please explain in your attached narrative. | N/A |
|  F-1c. What is the total number of classification guides currently maintained by your agency in an electronic format at the end of the current FY 2022 FCGR, expressed as a raw number and as a percentage of the total number of classification guides? Please explain in your attached narrative. | 8 |
|  F-1d. What is the total number of classification guides currently maintained by your agency in a machine-readable electronic format at the end of the current FY 2022 FCGR, expressed as a raw number and as a percentage of the total number of electronic classification guides? Please explain in your attached narrative. | 8 |
| F-2. Does your agency use an electronic marking tool to mark classified information in accordance with the appropriate classification guide? Please identify the electronic marking tool(s) used by your agency. | Yes |
|  F-2a. If so, what metadata standard does your electronic marking tool use to mark classified information in accordance with the appropriate classification guide? Please explain in your attached narrative. | See comments |
|  F-2b. If your agency uses an electronic marking tool, does the electronic marking tool apply electronic markings in a machine-readable electronic format? Please explain in your attached narrative. | See comments |

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| **Section G: FGCR Review Process** |
| G-1. Was a working group formed to conduct the review? | Yes |
| G-2. If yes, did the working group include subject matter experts, classification and declassification experts, technical experts, and users of the guides? Please describe the process in your attached narrative. | Yes |
| G-3. If no, please describe the process used to conduct the review in your attached narrative. | N/A |
| G-4. During the review process, did your agency consider the following: |  |
|  G-4a. Should the information retain its current level of classification? | Yes |
|  G-4b. Should any information be downgraded? | Yes |
|  G-4c. Should any information be declassified? | Yes |
|  G-4d. Is the current duration of classification appropriate? | Yes |
|  G-4e. Are current exemptions from automatic declassification valid? | Yes |
|  G-4e(1). If so, what is your process for confirming the exemption(s)? Please describe in your attached narrative. | See comments |
|  G-4f. Does each guide contain the following information: (as required by [32 CFR 2001.15](https://www.archives.gov/isoo/policy-documents/isoo-implementing-directive.html)): |  |
|  G-4f(1). Identification of the subject matter. | Yes |
|  G-4f(2). Approval and signature by the appropriate OCA by name or personal identifier, and position. | Yes |
|  G-4f(3). Agency point of contact (and contact information) for questions regarding the guide. | Yes |
|  G-4f(4). Date of issuance or last review. | Yes |
|  G-4f(5). Precise statement of each element of information that requires protection. | Yes |
|  G-4f(6). The level of classification for each element of information. | Yes |
|  G-4f(7). If applicable, handling caveats. | Yes |
|  G-4f(8). The concise reason for classification as described in [E.O. 13256, Sec. 1.4](https://www.archives.gov/isoo/policy-documents/cnsi-eo.html#three). | Yes |
|  G-4f(9). A specific date or event for declassification. | Yes |
| G-5. Have past and recent classification and declassification decisions been incorporated? | Yes |
|  G-5a. If so, please describe the process in your attached narrative.  If not, please describe why not.  | See comments |
| G-6. Has your FY 2022 FCGR process included cross-referencing information with other classification guides (internal and external) and coordinated the cross-referencing of classification guides with the appropriate OCAs to ensure consistency? Please explain in your attached narrative. | See comments |
| **Section H: Training** |
| H-1. For the period under review, did agency personnel receive any training in the use of your SCGs, CCG, and all classification guides for specific activities, programs, or topics (including SAPs)? If so, describe the training in your attached narrative. | See comments |
| H-2. For the period under review, did agency personnel receive any training in the use of electronic classification marking tools? If so, describe the training in your attached narrative. | See comments |
| H-2. For the period under review, did agency personnel receive any training in the development of your SCGs, CCG, and all classification guides for specific activities, programs, or topics (including SAPs)? If so, please describe the training in your attached narrative. | See comments |
| H-3. For the period under review, were OCAs involved in the process of developing your CCG, SCGs, and all classification guides for specific activities, programs, or topics (including SAPs)? Please explain in your attached narrative.  | Yes |

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| **Section I: Comments** |
| Although the 2022 Fundamental Classification Guidance Review (FCGR) officially commenced in December 2021, efforts to ensure that security classification guides (SCG), training, and policies are regularly evaluated and updated have been ongoing since the last FCGR was completed in 2017. All SCGs are signed by designated and trained Original Classification Authorities (OCA), who receive initial and annual training on their responsibilities in the decision-making process. The Department and the Drug Enforcement Administration (DEA) both have one SCG each. The FBI currently has six active SCGs under its purview. In August 2021, the FBI National Security Information Classification Guide (NSICG), which governs much of the information that is classified by the FBI, was updated to be much more “FVEY” friendly by increasing, wherever possible, the amount of classified information marked as “FVEY” as opposed to NOFORN by default. In all 23 citations were changed to permit more “FVEY” sharing. Of the FBI’s six SCGs, four are currently undergoing administrative changes and two substantive changes. Upon conclusion of this review, the FBI will ensure that classification guidance is up-to-date, accurate, reflects current conditions, and is properly classified. Approved SCGs will be distributed via email and available to cleared personnel through the Internal Policy Office’s Policy Library SharePoint site. Also, embedded within the Classification Management Tool (CMT) is a hyperlink to the SCGs. **Section B: Consolidated Classification Guides (CCG)**DOJ (including the FBI and DEA) has a total of 8 SCGs. All DOJ SCGs (including FBI and DEA) are activity, program and/or topic specific. SCGs are not numerous enough to make consolidation necessary and there are no plans to develop a CCG. **Section C: Security Classification Guides (SCG)**DOJ (including FBI and DEA) maintains 8 guides. No guides were cancelled, consolidated, or superseded because of the FY22 FCGR. No new classification guides were determined to be necessary. **Section D: Security Classification Elements**No modifications were determined to be necessary to increase/decrease durations of classification, and no exemptions from automatic declassification were added or removed from guides. **Section E: Shared or Multi-Agency Guides**DOJ (including the FBI and DEA) does not utilize shared or multi-agency classification guides. **Section F: Classification Guides in Electronic Format**DOJ’s SCG is provided in PDF format and hosted on the Justice Security Management and Resource Tool (JSMART), a SharePoint based website. The DEA’s SCG is listed in the DEA policy portal in PDF format. Within the FBI, classification guides are considered official FBI policy. FBI SCGs are maintained and provided to users through the FBI Policy Library in the form of PDFs. As part of the policy review process, FCGR, the SCGs are provided to subject matter experts (SMEs) in the form of a Word document. The Word document allows the SMEs to easily review and edit the information.DOJ (including the FBI and DEA) utilizes the Classification Management Tool (CMT) as an electronic marking tool to mark classified information in accordance with the appropriate classification guide. The CMT implements classification markings consistent with the Intelligence Community (IC) Markings System Register and Manual, which is the basis for the IC technical standards as well as automated classification and control marking systems. Per the IC Markings System Register and Manual, documents transmitted over IC automated systems, including networks and telecommunications systems that collect, create, communicate, compute, disseminate, process, and store classified information must conform to E.O. 13526 and 32 CFR 2001 for marking electronic information and to IC standards and technical specifications on machine-readable classification and control markings. In IC Standard (ICS) 2008-500-05, the IC Chief Information Officer identified the CMT as the required automated system for IC classifiers to use to create, apply, store, and reuse classification and control markings in Top Secret (TS)/SCI email and Microsoft Office products (e.g., Word, Excel, and PowerPoint).**Section G: FCGR Review Process**All guides underwent significant review and coordination during the FY17 FCGR. DOJ’s SCG was circulated amongst Security Programs Managers (SPMs) with OCA for internal review and comment. The DEA working group consisted of security personnel that worked on the FY17 FCGR as well as the training of the SCG. In 2020, the working group consisted of representatives from Chief Council’s Office, Intelligence Division, and Special Operations Division. DEA also considered the last three years of OCA decisions to determine if additional classification line items should be added to the SCG. As a result of SCGs being treated as FBI policy, the FCGR is conducted via a formal tasking utilizing the Internal Policy Office (IPO), Resource Planning Office, policy workflow structure. By utilizing this process, the FBI ensures classification guide reviews are initiated, reviewed, and processed via common templates that delivers standardized classification guides; any administrative and substantive edits will be tracked and adjudicated; classification guides are portion marked according to the appropriate classification level and dissemination controls; and the classification guides if changed will be republished electronically in the FBI Policy Library, which is centrally located and easily accessible by FBI personnel. The FCGR review process includes subject matter experts, classification and declassification experts, technical experts, as well as users of the guides. Attached as separate PDF, you will find the FBI IPO’s process for reviewing classification guides.**Section H: Training**FBI personnel received training and resources on the use and updates of SCGs, policy guides and policy directives for specific activities, programs, or topics. For example, trainings were offered on the updates to the National Security Information Classification Guide. Training and resources covering the use of electronic classification marking tools were also provided to agency personnel. Furthermore, the Security Division information security program managers revamped and enhanced the material of several courses to assist in educating personnel. DOJ training is provided as requested by SPMs if they do not provide their own training. DOJ plans to develop improved overarching SCG and CMT training during FY23. DEA is in the process of adding Security Classification Guide Training. As of September 2022, it is about 80% complete and should be completed within the next nine months. The respective Original Classification Authority for each SCG will review and approve the substantive and administrative changes made as a result of the FCGR. |