



Information Security Oversight Office

National Archives and Records Administration

700 Pennsylvania Avenue, NW Washington, DC 20408



January 27, 2011

Memorandum for: Selected Senior Agency Officials Designated Under Section 5.4(d) of Executive Order 13526, "Classified National Security Information"

From: William J. Bosanko, Director

Subject: Fundamental Classification Guidance Review

In accordance with section 1.9 of Executive Order 13526, "Classified National Security Information," (the Order) and 32 C.F.R. Part 2001.16, agencies with original classification authority are required to complete a comprehensive review of their classification guidance, particularly classification guides, to ensure the guidance reflects current circumstances and to identify classified information that no longer requires protection and can be declassified. The initial review shall be completed no later than June 27, 2012. Under the Order, agency heads with original classification authority shall provide a final report summarizing the results of the review to the Information Security Oversight Office (ISOO). Agencies shall also release an unclassified version of this report to the public except when the existence of the guide or program is itself classified.

Please be advised that a review conducted only by the pertinent original classification authority is not sufficient. The agency head or senior agency official shall direct the conduct of a fundamental classification guidance review and shall ensure the appropriate agency subject matter experts participate to obtain the broadest possible range of perspectives. To the extent practicable, input should also be obtained from external subject matter experts and external users of the reviewing agency's classification guidance and decisions.

The scope of this review needs to be systematic, comprehensive, and conducted with thoughtful scrutiny involving detailed data analysis. In accordance with 32 C.F.R. Part 2001.16(b), reviews shall include, at a minimum, the following regarding content and use of guidance:

- determining if the guidance conforms to current operational and technical circumstances;
- determining if the guidance meets the standards for classification under section 1.4 of the Order and an assessment of likely damage under section 1.2 of the Order;
- determining if the dissemination and availability of the guidance is appropriate, timely, and effective; and
- an examination of recent classification decisions that focuses on ensuring that classification decisions reflect the intent of the guidance as to what is classified, the appropriate level, the duration, and associated markings.

Additional suggestions for agencies to consider include the following:

- Creation of working groups led by subject matter experts to evaluate specific topics or subject areas. Classification and declassification experts, as well as users of the guides, should be included in the working group(s).
 - Working groups must have enough authority to obtain the information they require and formality to enforce deadlines and compliance, while having enough flexibility to adapt to the unforeseeable outcomes of research and discussion.
- Contributions of subject matter experts with sufficient expertise in narrow specializations must be balanced by the participation of managers and planners who have broader organizational vision and relationships.
- Consideration should be given to whether information should retain its current level of classification or if it should be downgraded or declassified.
- Consideration should be given to whether the duration of classification is appropriate and, for information currently exempted from automatic declassification, whether the exemption should still apply.
- Past declassification decisions (under automatic declassification as well those in response to FOIA and MDR requests) should be reflected in updated classification/declassification guidance.
- Agencies should be specific in their determinations as to what no longer requires protection. An example would be a specific part of a weapon system versus the weapon system as a whole. The user of the guide must be able to identify the specific element of information that does or does not require protection.
- Cross-reference information with other guides, both within and outside your agency. Is it possible that information in your guides is also in other agencies' guides? If so, are the instructions the same? If there is a difference, is the distinction readily known and apparent? Do the guides contain cross-reference information?
- Consider recent original classification decisions and incorporate in appropriate security classification guides.

Agencies should plan to provide a status on their efforts in this area through the end of June 2011 no later than July 29, 2011, and again on their efforts through the end of December 2011 no later than January 31, 2012. I appreciate your cooperation and your personal commitment to this initiative, which furthers the President's goals for greater openness while protecting legitimate national security interests. Please contact either William Cira, Associate Director, at 202-357-5323, Greg Pannoni, Associate Director, at 202-357-5047, or me at 202-357-5205, if you have any questions.