

DIRECTOR OF NATIONAL INTELLIGENCE  
WASHINGTON, DC 20511

ES 2016-00158

MEMORANDUM FOR: Distribution

SUBJECT: Addendum to the FY 2017 Fundamental Classification Guidance Review

REFERENCE: ISOO Memo, FY 2017 Fundamental Classification Guidance Review, 17 March 2016

The referenced memorandum provides guidance on the FY 2017 Fundamental Classification Guidance Review (FCGR) as required by §1.9 of Executive Order 13526 *Classified National Security Information*. The memorandum also requires status updates in October 2016 and February 2017, with a final report due to Information Security Oversight Office (ISOO) by 30 June 2017.

This periodic review provides an ideal platform for the Intelligence Community (IC), as stewards of the nation's most sensitive information, to take a leading role in reducing targeted classification activities that could extend to the larger Federal government. In addition to the scope and reporting requirements addressed in the referenced memorandum, I am requesting your personal involvement in conducting the following four feasibility studies to determine if these initiatives can be achieved within your agencies and also possibly apply to the rest of the Federal government.

1. Reducing the Number of Original Classification Authorities (OCA): Please comment on the feasibility of reducing the number of OCAs in your agency to the minimum number required and any negative impacts this might have on mission capabilities. The Office of the Director of National Intelligence (ODNI) undertook a similar initiative last year and reduced those with OCA from 24 to 10 by implementing a "use it or lose it" criterion. This did not negatively impact operations and actually saved time that had previously been spent ensuring the completion of annual training.
2. Increasing discretionary declassification decisions: Please comment on what would be required to implement a proactive discretionary declassification program distinct from the systematic, automatic, and mandatory declassification review programs outlined in 32 CFR Part 2001, §2001.35. Would this require additional resources or could it be accomplished, for example, by better aligning existing resources, and revising policies and procedures?

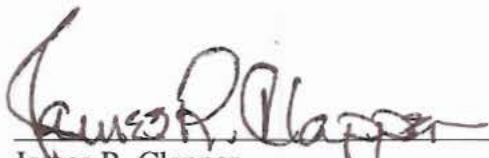
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3. Creating an IC-wide Classification Guide: Please comment on the benefits and drawbacks of implementing an IC-wide guide in the non-operational and more common areas of the IC. If adopted, how might this benefit the IC enterprise?
4. Eliminating CONFIDENTIAL from Agency Guides: Please comment on whether the CONFIDENTIAL classification level can be eliminated from your agencies' guides and the negative impacts this might have on mission success. This action could promote transparency by:
  - a. simplifying agency classification practices;
  - b. focusing personnel more directly on only marking items that would cause significant and demonstrable harm to national security if improperly released;
  - c. reflecting the fact that few, if any, personnel security clearances, or facility or network accreditations, are issued at the CONFIDENTIAL level; and
  - d. aligning our marking levels to those of the United Kingdom, whose classification system successfully eliminated CONFIDENTIAL without impact in April 2014 (ISOO Notice 2014-03). Evaluating this proposal will involve taking a hard look at your CONFIDENTIAL OCA decisions with a view toward either lowering them to UNCLASSIFIED [or CUI (CONTROLLED UNCLASSIFIED INFORMATION)] or raising them to SECRET.

I appreciate your commitment and leadership on this important topic and value your input in determining if these initiatives are feasible. I believe your efforts will serve as a significant step forward in furthering our shared goals for greater openness and reduced classification activity while protecting legitimate national security interests.

Please provide copies of the ISOO status reports to ODNI's Information Management Division (IMD) in the Office of Policy and Strategy. In addition, please include your responses to the four areas above as part of your February 2017 update.

If you have any questions, please contact Ms. Jennifer Hudson, Director, IMD at [REDACTED]

  
James R. Clapper

23 MAR 2016  
Date

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