

Department of Justice

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§ 16.301 Limitations.

(a) The Department may deny or limit access under this subpart where providing the requested access would be unduly burdensome.

(b) Access under this subpart to classified information is governed by Executive Order 12958 and 28 CFR 17.46. Requests for access to classified information must be submitted to (or will be referred to) the Department Security Officer and may be granted by the Department Security Officer in consultation with the appropriate component head.

(c) Nothing in this subpart shall be construed to supplant the operation of other applicable prohibitions against disclosure.

(d) This subpart is not intended to, does not, and may not be relied upon to, create any right or benefit, substantive or procedural, enforceable at law by a party against the United States.

APPENDIX I TO PART 16—COMPONENTS OF THE DEPARTMENT OF JUSTICE

Unless a separate address is listed below, the address for each component is: [component name], U.S. Department of Justice, 950 Pennsylvania Avenue, NW., Washington, DC 20530-0001. For all components marked by an asterisk, FOIA and Privacy Act requests should be sent to the Office of Information and Privacy, U.S. Department of Justice, Flag Bldg., Suite 570, Washington, DC 20530-0001. The components are:

A

Office of the Attorney General *
Office of the Deputy Attorney General *
Office of the Associate Attorney General *
Office of the Solicitor General

B

Office of Information and Privacy *
Office of the Inspector General
Office of the Intelligence Policy and Review
Office of Intergovernmental Affairs *
Office of Investigative Agency Policies
Office of Legal Counsel
Office of Legislative Affairs *
Office of Policy Development *
Office of Professional Responsibility
Office of Public Affairs *

C

Antitrust Division, U.S. Department of Justice, LPB Bldg., Suite 200, Washington, DC 20530-0001

Civil Division, U.S. Department of Justice, 901E Bldg., Room 808, Washington, DC 20530-0001

Civil Rights Division, U.S. Department of Justice, NYAV Bldg., Room 8000B, Washington, DC 20530-0001

Criminal Division, U.S. Department of Justice, WCTR Bldg., Suite 1075, Washington, DC 20530-0001

Environment and Natural Resources Division, U.S. Department of Justice, Post Office Box 4390, Washington, DC 20044-4390

Justice Management Division
Tax Division, U.S. Department of Justice, JCB Bldg., Room 6823, Washington, DC 20530-0001

Bureau of Alcohol, Tobacco, Firearms, and Explosives, U.S. Department of Justice, Washington, DC 20226

Bureau of Prisons, U.S. Department of Justice, HOLC Bldg., Room 738, 320 First Street, NW., Washington, DC 20534-0001

Community Relations Service, U.S. Department of Justice, BICN Bldg., Suite 2000, Washington, DC 20530-0001

Drug Enforcement Administration, U.S. Department of Justice, Washington, DC 20537-0001

Executive Office for Immigration Review, U.S. Department of Justice, Suite 2400, 5107 Leesburg Pike, Falls Church, VA 22041-0001

Executive Office for United States Attorneys, U.S. Department of Justice, BICN Bldg., Room 7100, Washington, DC 20530-0001

Executive Office for United States Trustees, U.S. Department of Justice, 901E Bldg., Room 780, Washington, DC 20530-0001

Federal Bureau of Investigation, U.S. Department of Justice, 935 Pennsylvania Avenue, NW., Washington, DC 20535-0001 (for field offices, consult your telephone book)

Foreign Claims Settlement Commission, U.S. Department of Justice, BICN Bldg., Room 6002, 600 E Street, NW., Washington, DC 20579-0001

Immigration and Naturalization Service, U.S. Department of Justice, CAB Bldg., 425 Eye Street, NW., Washington, DC 20536-0001 (for field offices, consult your telephone book)

INTERPOL-U.S. National Central Bureau, U.S. Department of Justice, Washington, DC 20530-0001

National Drug Intelligence Center, U.S. Department of Justice, Fifth Floor, 319 Washington Street, Johnstown, PA 15901-1622

Office of Community Oriented Policing Services, U.S. Department of Justice, VTI Bldg., Twelfth Floor, Washington, DC 20530-0001

Office of Justice Programs, U.S. Department of Justice, Room 5337, 810 Seventh Street, NW., Washington, DC 20531-0001

Pardon Attorney, U.S. Department of Justice, FRST Bldg., Fourth Floor, Washington, DC 20530-0001

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United States Marshals Service, U.S. Department of Justice, Lincoln Place, Room 1250, CSQ3, 600 Army Navy Drive, Arlington, VA 22202-4210

[Order No. 2156-98, 63 FR 29604, June 1, 1998; 63 FR 34965, June 26, 1998; 63 FR 51401, Sept. 25, 1998; Order No. 2650-2003, 68 FR 4928, Jan. 31, 2003]

AUTHORITY: 28 U.S.C. 501, 509, 510, 515-519; 5 U.S.C. 301; E.O. 12958, 60 FR 19825, 3 CFR, 1995 Comp., p. 333; E.O. 12968, 60 FR 40245, 3 CFR, 1995 Comp., p. 391; 32 CFR part 2001.

SOURCE: Order No. 2091-97, 62 FR 36984, July 10, 1997, unless otherwise noted.

PART 17—CLASSIFIED NATIONAL SECURITY INFORMATION AND ACCESS TO CLASSIFIED INFORMATION

§ 17.1 Purpose.

Sec.

- 17.1 Purpose.
- 17.2 Scope.
- 17.3 Definitions.

The purpose of this part is to ensure that information within the Department of Justice (the “Department”) relating to the national security is classified, protected, and declassified pursuant to the provisions of Executive Orders 12958 (3 CFR, 1995 Comp., p. 333) and 12968 (3 CFR, 1995 Comp., p. 391) and implementing directives from the Information Security Oversight Office of the National Archives and Records Administration (“ISOO”). Executive Orders 12958 and 12968 made numerous substantive changes in the system of classification, declassification, and downgrading of classified National Security Information and the criteria for access to this information. Accordingly, this part is a revision of the Department’s classified information security rules.

Subpart A—Administration

- 17.11 Authority of the Assistant Attorney General for Administration.
- 17.12 Component head responsibilities.
- 17.13 National Security Division; interpretation of Executive Orders.
- 17.14 Department Review Committee.
- 17.15 Access Review Committee.
- 17.16 Violations of classified information requirements.
- 17.17 Judicial proceedings.
- 17.18 Prepublication review.

(a) Subpart A of this part prescribes the implementation of Executive Orders 12958 and 12968 within the Department through the Assistant Attorney General for Administration, as the senior responsible agency official. Subpart A of this part also provides for certain relationships within the Department between the Assistant Attorney General for Administration, other component heads, and the National Security Division.

Subpart B—Classified Information

- 17.21 Classification and declassification authority.
- 17.22 Classification of information; limitations.
- 17.23 Emergency classification requests.
- 17.24 Duration of classification.
- 17.25 Identification and markings.
- 17.26 Derivative classification.
- 17.27 Declassification and downgrading.
- 17.28 Automatic declassification.
- 17.29 Documents of permanent historical value.
- 17.30 Classification challenges.
- 17.31 Mandatory review for declassification requests.
- 17.32 Notification of classification changes.

(b) Subpart B of this part prescribes an orderly and progressive system for ensuring that every necessary safeguard and procedure is in place to assure that information is properly classified and that classified information is protected from unauthorized disclosure. Subpart B of this part requires original classification authorities to make classification decisions based on specific criteria; provides that most newly created classified information be considered for declassification after 10 years; provides that historically valuable information that is more than 25 years old (including information classified under prior Executive Orders) be

Subpart C—Access to Classified Information

- 17.41 Access to classified information.
- 17.42 Positions requiring financial disclosure.
- 17.43 Reinvestigation requirements.
- 17.44 Access eligibility.
- 17.45 Need-to-know.
- 17.46 Access by persons outside the Executive Branch.
- 17.47 Denial or revocation of eligibility for access to classified information.