

Department of Justice

§ 17.11

procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person. This part creates limited rights to administrative review of decisions pursuant to §§ 17.30, 17.31, and 17.47. This part does not, and is not intended to, create any right to judicial review of administrative action under §§ 17.14, 17.15, 17.18, 17.27, 17.30, 17.31 and 17.50.

§ 17.3 Definitions.

The terms defined or used in Executive Order 12958 and Executive Order 12968, and the implementing directives in 32 CFR 2001, are applicable to this part.

Subpart A—Administration

§ 17.11 Authority of the Assistant Attorney General for Administration.

(a) The Assistant Attorney General for Administration is designated as the senior agency official as required by § 5.6(c) of Executive Order 12958, and § 6.1(a) of Executive Order 12968 and, except as specifically provided elsewhere in this part, is authorized to administer the Department's national security information program pursuant to Executive Order 12958. The Assistant Attorney General for Administration shall appoint a Department Security Officer and may delegate to the Department Security Officer those functions under Executive Orders 12958 and 12968 that may be delegated by the senior agency official. The Department Security Officer may redelegate such functions when necessary to effectively implement this part.

(b) The Assistant Attorney General for Administration shall, among other actions:

- (1) Oversee and administer the Department's program established under Executive Order No. 12958;
- (2) Establish and maintain Department-wide security education and training programs;
- (3) Establish and maintain an ongoing self-inspection program including the periodic review and assessment of the Department's classified product;
- (4) Establish procedures to prevent unnecessary access to classified information, including procedures that:

- (i) Require that a need for access to classified information is established before initiating administrative procedures to grant access; and

- (ii) Ensure that the number of persons granted access to classified information is limited to the minimum necessary for operational and security requirements and needs;

- (5) Develop special contingency plans for the safeguarding of classified information used in or near hostile or potentially hostile areas;

- (6) Assure that the performance contract or other system used to rate personnel performance includes the management of classified information as a critical element or item to be evaluated in the rating of:

- (i) Original classification authorities;
- (ii) Security managers or security specialists; and

- (iii) All other personnel whose duties significantly involve the creation or handling of classified information;

- (7) Account for the costs associated with implementing this part and report the cost to the Director of the ISOO;

- (8) Assign in a prompt manner personnel to respond to any request, appeal, challenge, complaint, or suggestion concerning Executive Order 12958 that pertains to classified information that originated in a component of the Department that no longer exists and for which there is no clear successor in function;

- (9) Cooperate, under the guidance of the Security Policy Board, with other agencies to achieve practical, consistent, and effective adjudicative training and guidelines;

- (10) Conduct periodic evaluations of the Department's implementation and administration of Executive Orders 12958 and 12968;

- (11) Establish a plan for compliance with the automatic declassification provisions of Executive Order 12958 and oversee the implementation of that plan; and

- (12) Maintain a list of specific files series of records exempted from automatic declassification by the Attorney General pursuant to section 3.4(c) of Executive Order 12958.

- (c) The Department Security Officer may grant, deny, suspend, or revoke