

# **Office of the United States Trade Representative**

**Executive Office of the President**



**Fiscal Year 2022 Fundamental  
Classification Guidance Review  
(FCGR)**

# Table of Contents

- Purpose ..... 3
- Authorities ..... 3
- SECTION A: Identifying Information ..... 3
- SECTION B: Consolidated Classification Guides (CCG)..... 3
- SECTION C: Security Classification Guide (SCG)..... 3
- SECTION D: Security Classification Elements ..... 3
- SECTION E: Shared or Multi-Agency Guides ..... 4
- SECTION F: Classification Guides in Electronic Format..... 4
- SECTION G: FGCR Review Process ..... 4
- SECTION H: Training ..... 4
- FY 2022 Fundamental Classification Guidance Review (FCGR)..... 5

## **Purpose**

The purpose of this report is to provide a summary of Office of the United States Trade Representative's (USTR) FY 2022 Fundamental Classification Guidance Review to the Information Security Oversight Office, as required per Executive Order 13526.

## **Authorities**

Executive Order 13526, Classified National Security Information (Order) and 32 C.F.R. Part 2001, the Information Security Oversight Office (ISOO) implementing rules. The USTR Office of Security is responsible for management of the USTR CNSI program.

### **SECTION A: Identifying Information**

Fred Ames is the Assistant to the United States Trade Representative for Administration. Victor Aqueche is the Director of Security at USTR and is the point of contact for USTR FY 2022 Fundamental Classification Guidance Review.

### **SECTION B: Consolidated Classification Guides (CCG)**

The United States Trade Representative's Office has one classification guide that is applicable to all staff and detailees; therefore, a consolidation of guides was not necessary.

### **SECTION C: Security Classification Guide (SCG)**

Classification Guide Reporting Summary: As a result of the current FY 2022 FCGR, it was determined that new classification guides are not required, however, the current guide dated April 2018 is being updated.

The total number of classification guides at the beginning of the current FY 2022 FCGR: 1

Number of classification guides cancelled: 0

Number of classification guides consolidated or superseded: 0

Total number of classification guides at the end of the current FY 2022 FCGR: 1

### **SECTION D: Security Classification Elements**

Pursuant to E.O. 13526, Sec. 3.3, (b) (1-9), there have been no modifications made regarding exemptions from automatic declassification. There were also no modifications made to increase the duration of classifications, nor to decrease the duration of classifications.

## **SECTION E: Shared or Multi-Agency Guides**

USTR does not use shared or multi-agency classification guidelines. Should the need occur to do so, the agency will develop the guidelines pursuant to Executive Order 13526, Classified National Security Information (Order) and 32 C.F.R. Part 2001, the Information Security Oversight Office (ISOO) implementing rules.

## **SECTION F: Classification Guides in Electronic Format**

USTR maintains one classification guide in an HTML machine-readable electronic format. USTR uses a Classification Management Tool (CMT) to facilitate correctly formatted classification markings on electronic documents.

## **SECTION G: FGCR Review Process**

USTR formed a working group consisting of subject matter experts (SME). During the review, experts considered all aspects of questions G4. – G4e. The SMEs then verified that the information required by 32 CFR 2001.15 and identified in questions G-4f(2) - G-4f(9) were implemented into guide through the FGCR review process.

## **SECTION H: Training**

USTR has eight personnel designated to serve as Original Classification Authorities (OCA). All OCAs have completed their annual training. USTR personnel who are granted security clearances were required to complete two training courses; National Security Information refresher course and Derivative Classification. By the end of FY22 USTR's completion rate for both trainings was at 98 percent.

## FY 2022 Fundamental Classification Guidance Review (FCGR)

<b>Section A: Identifying Information</b>			
Agency:	The Office of the United States Trade Representative (USTR)	Date:	10/13/2022
Name and Title/Position of Senior Agency Official:	Fred Ames, Assistant to USTR for Administration		
Name, Title/Position, Phone Number, and E-Mail Address of FCGR Point of Contact:	Victor Aqueche, Director of Security, (202) 395-7048, <a href="mailto:Victor.A.Aqueche@ustr.eop.gov">Victor.A.Aqueche@ustr.eop.gov</a>		

<b>Section B: Consolidated Classification Guides (CCG)</b>	
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.	Yes and None
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.	No
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.	N/A
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.	N/A

<b>Section C: Security Classification Guides (SCG)</b>	
C-1. Total number of classification guides at the beginning of the current FY 2022 FCGR. <b><i>DO NOT COUNT DECLASSIFICATION GUIDES.</i></b>	1
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.	No
C-5. Total number of classification guides at the end of the current FY 2022 FCGR.	1

<b>Section D: Security Classification Elements</b>	
D-1. Total number of modifications made to increase the duration of classifications.	None
D-2. Total number of modifications made to decrease the duration of classifications.	None

D-3. Total number of exemptions from automatic declassification added to guides, pursuant to <a href="#">E.O. 13526, Sec. 3.3, (b)(1-9)</a> .	None
D-4. Total number of exemptions from automatic declassification removed from guides, pursuant to <a href="#">E.O. 13526, Sec. 3.3, (b)(1-9)</a> .	None
<b>Section E: Shared or Multi-agency Guides</b>	
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

<b>Section F: Classification Guides in Electronic Format</b>	
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.	Yes
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.	1
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.	1
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 – CMT
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 Narrative
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.	Yes

<b>Section G: FGCR Review Process</b>	
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.	See Narrative

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?	N/A
G-4e(1). If so, what is your process for confirming the exemption(s)? Please describe in your attached narrative.	N/A
G-4f. Does each guide contain the following information: (as required by <a href="#">32 CFR 2001.15</a> ):	
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 <a href="#">E.O. 13256, Sec. 1.4</a> .	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 Narrative
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.	Yes
<b>Section H: Training</b>	
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.	Yes
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.	No
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.	No
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.	No