

Office of the Secretary of the Treasury

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AUTHORITY: 31 U.S.C. 321; E.O. 12958, 60 FR 19825, 3 CFR, 1995 Comp., p. 333.

SOURCE: 55 FR 1644, Jan. 17, 1990, unless otherwise noted.

Subpart A—Original Classification

§ 2.1 Classification levels [1.1(a)].¹

(a) National security information (hereinafter also referred to as “classified information”) shall be classified at one of the following three levels:

(1) *Top Secret* shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security.

(2) *Secret* shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security.

(3) *Confidential* shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security.

(b) *Limitations [1.1(b)]*. Markings other than “Top Secret,” “Secret,” and “Confidential,” shall not be used to identify national security information. No other terms or phrases are to be

used in conjunction with these markings to identify national security information, such as “Secret/Sensitive” or “Agency Confidential”. The terms “Top Secret,” “Secret,” and “Confidential” are not to be used to identify non-classified Executive Branch information. The administrative control legend, “Limited Official Use”, is authorized in Treasury Directive 71-02, “Safeguarding Officially Limited Information,” which requires that information so marked is to be handled, safeguarded and stored in a manner equivalent to national security information classified Confidential.

(c) *Reasonable Doubt [1.1(c)]*. When there is reasonable doubt about the need to classify information, the information shall be safeguarded as if it were “Confidential” information in accordance with subpart D of this regulation, pending a determination about its classification. Upon a final determination of a need for classification, the information that is classified shall be marked as provided in § 2.7. When there is reasonable doubt about the appropriate classification level, the information shall be safeguarded at the higher level in accordance with subpart D, pending a determination of its classification level. Upon a final determination of its classification level, the information shall be marked as provided in § 2.7.

§ 2.2 Classification Authority.

Designations of original classification authority for national security information are contained in Treasury Order (TO) 102-19 (or successor order), which is published in the FEDERAL REGISTER. The authority to classify inheres within the office and may be exercised by a person acting in that capacity. There may be additional delegations of original classification authority made pursuant to TO 102-19 (or successor order). Officials with original classification authority may derivatively classify at the same classification level.

[63 FR 14357, Mar. 25, 1998]

§ 2.3 Listing of original classification authorities.

Delegations of original Top Secret, Secret and Confidential classification

¹Related references are related to sections of Executive Order 12356, 47 FR 14874, April 6, 1982.