

doubt about the correct markings, users should contact the database originating agency for guidance.

(f) *Marking classified bulletin board postings and blogs.* (1) A blog, an abbreviation of the term “web log,” is a Web site consisting of a series of entries, often commentary, description of events, or other material such as graphics or video, created by the same individual as in a journal or by many individuals. While the content of the overall blog is dynamic, entries are generally static in nature.

(2) The overall classification marking string for every bulletin board or blog shall reflect the overall classification markings for the highest level of information allowed in that space. Linear text appearing on both the top and bottom of the page is acceptable.

(3) Subject lines of bulletin board postings, blog entries, or comments shall be portion marked to reflect the sensitivity of the information in the subject line itself, not the content of the post.

(4) The overall classification marking string for the bulletin board posting, blog entry, or comment shall reflect the classification markings for the subject line, the text of the posting, and any other information in the posting. These strings shall be entered manually or utilizing an electronic classification tool in the first line of text and at the end of the body of the posting. These strings may appear as single linear text.

(5) Bulletin board postings, blog entries, or comments shall be portion marked. Each portion shall be marked to reflect the highest level of information contained in that portion.

(g) *Marking classified wikis.* (1) Initial wiki submissions shall include the overall classification marking string, portion marking, and the classification authority block string in the same manner as mentioned above for bulletin boards and blogs. All of these strings may appear as single line text.

(2) When users modify existing entries which alter the classification level of the content or add new content, they shall change the required markings to reflect the classification markings for the resulting information. Systems shall provide a means to

log the identity of each user, the changes made, and the time and date of each change.

(3) Wiki articles and entries shall be portion marked. Each portion shall be marked to reflect the highest level of information contained in that portion.

(h) *Instant messaging, chat, and chat rooms.* (1) Instant messages and chat conversations generally consist of brief textual messages but may also include URLs, images, or graphics. Chat discussions captured for retention or printing shall be marked at the top and bottom of each page with the overall classification reflecting all of the information within the discussion and, for classified discussions, portion markings and the classification authority block string shall also appear.

(2) Chat rooms shall display system-high overall classification markings and shall contain instructions informing users that the information may not be used as a source for derivative classification unless it is portion marked, contains an overall classification marking, and a classification authority block.

(i) *Attached files.* When files are attached to another electronic message or document, the overall classification of the message or document shall account for the classification level of the attachment and the message or document shall be marked in accordance with § 2001.24(b).

(ii) *Reserved.*

#### § 2001.24 Additional requirements.

(a) *Marking prohibitions.* Markings other than “Top Secret,” “Secret,” and “Confidential” shall not be used to identify classified national security information.

(b) *Transmittal documents.* A transmittal document shall indicate on its face the highest classification level of any classified information attached or enclosed. The transmittal shall also include conspicuously on its face the following or similar instructions, as appropriate:

Unclassified When Classified Enclosure Removed or  
Upon Removal of Attachments, This Document is (Classification Level)

(c) *Foreign government information.* Unless otherwise evident, documents

that contain foreign government information should include the marking, “This Document Contains (indicate country of origin) Information.” Agencies may also require that the portions of the documents that contain the foreign government information be marked to indicate the government and classification level, using accepted country code standards, *e.g.*, “(Country code—C).” If the identity of the specific government must be concealed, the document shall be marked, “This Document Contains Foreign Government Information,” and pertinent portions shall be marked “FGI” together with the classification level, *e.g.*, “(FGI—C).” In such cases, a separate record that identifies the foreign government shall be maintained in order to facilitate subsequent declassification actions. If the fact that information is foreign government information must be concealed, the markings described in this paragraph shall not be used and the document shall be marked as if it were wholly of U.S. origin. When classified records are transferred to NARA for storage or archival purposes, the accompanying documentation shall, at a minimum, identify the boxes that contain foreign government information.

(d) *Working papers.* A working paper is defined as documents or materials, regardless of the media, which are expected to be revised prior to the preparation of a finished product for dissemination or retention. Working papers containing classified information shall be dated when created, marked with the highest classification of any information contained in them, protected at that level, and if otherwise appropriate, destroyed when no longer needed. When any of the following conditions applies, working papers shall be controlled and marked in the same manner prescribed for a finished document at the same classification level:

- (1) Released by the originator outside the originating activity;
- (2) Retained more than 180 days from the date of origin; or
- (3) Filed permanently.

(e) *Other material.* Bulky material, equipment, and facilities, etc., shall be clearly identified in a manner that leaves no doubt about the classifica-

tion status of the material, the level of protection required, and the duration of classification. Upon a finding that identification would itself reveal classified information, such identification is not required. Supporting documentation for such a finding must be maintained in the appropriate security facility.

(f) *Unmarked materials.* Information contained in unmarked records, or presidential or related materials, and which pertains to the national defense or foreign relations of the United States, created, maintained, and protected as classified information under prior orders shall continue to be treated as classified information under the Order, and is subject to its provisions regarding declassification.

(g) *Classification by compilation/aggregation.* Compilation of items that are individually unclassified may be classified if the compiled information meets the standards established in section 1.2 of the Order and reveals an additional association or relationship, as determined by the original classification authority. Any unclassified portions will be portion marked (U), while the overall markings will reflect the classification of the compiled information even if all the portions are marked (U). In any such situation, clear instructions must appear with the compiled information as to the circumstances under which the individual portions constitute a classified compilation, and when they do not.

(h) *Commingling of Restricted Data (RD) and Formerly Restricted Data (FRD) with information classified under the Order.* (1) To the extent practicable, the commingling in the same document of RD or FRD with information classified under the Order should be avoided. When it is not practicable to avoid such commingling, the marking requirements in the Order and this Directive, as well as the marking requirements in 10 CFR part 1045, *Nuclear Classification and Declassification*, must be followed.

(2) Automatic declassification of documents containing RD or FRD is prohibited. Documents marked as containing RD or FRD are excluded from the automatic declassification provisions of the Order until the RD or FRD

designation is properly removed by the Department of Energy. When the Department of Energy determines that an RD or FRD designation may be removed, any remaining information classified under the Order must be referred to the appropriate agency in accordance with the declassification provisions of the Order and this Directive.

(3) For commingled documents, the “Declassify On” line required by the Order and this Directive shall not include a declassification date or event and shall instead be annotated with “Not Applicable (or N/A) to RD/FRD portions” and “See source list for NSI portions.” The source list, as described in § 2001.22(c)(1)(ii), shall include the declassification instruction for each of the source documents classified under the Order and shall not appear on the front page of the document.

(4) If an RD or FRD portion is extracted for use in a new document, the requirements of 10 CFR part 1045 must be followed.

(5) If a portion classified under the Order is extracted for use in a new document, the requirements of the Order and this Directive must be followed. The declassification date for the extracted portion shall be determined by using the source list required by § 2001.22(c)(1)(ii), the pertinent classification guide, or consultation with the original classification authority with jurisdiction for the information. However, if a commingled document is not portion marked, it shall not be used as a source for a derivatively classified document.

(6) If a commingled document is not portion marked based on appropriate authority, annotating the source list with the declassification instructions and including the “Declassify on” line in accordance with paragraph (h)(3) of this section are not required. The lack of declassification instructions does not eliminate the requirement to process commingled documents for declassification in accordance with the Order, this Directive, the Atomic Energy Act, or 10 CFR part 1045 when they are requested under statute or the Order.

(i) *Transclassified Foreign Nuclear Information (TFNI)*. (1) As permitted under 42 U.S.C. 2162(e), the Department

of Energy shall remove from the Restricted Data category such information concerning the atomic energy programs of other nations as the Secretary of Energy and the Director of National Intelligence jointly determine to be necessary to carry out the provisions of 50 U.S.C. 403 and 403-1 and safeguarded under applicable Executive orders as “National Security Information” under a process called transclassification.

(2) When Restricted Data information is transclassified and is safeguarded as “National Security Information,” it shall be handled, protected, and classified in conformity with the provisions of the Order and this Directive. Such information shall be labeled as “TFNI” and with any additional identifiers prescribed by the Department of Energy. The label “TFNI” shall be included on documents to indicate the information’s transclassification from the Restricted Data category and its declassification process governed by the Secretary of Energy under the Atomic Energy Act.

(3) Automatic declassification of documents containing TFNI is prohibited. Documents marked as containing TFNI are excluded from the automatic declassification provisions of the Order until the TFNI designation is properly removed by the Department of Energy. When the Department of Energy determines that a TFNI designation may be removed, any remaining information classified under the Order must be referred to the appropriate agency in accordance with the declassification provisions of the Order and this Directive.

(j) *Approved dissemination control and handling markings*. (1) Dissemination control and handling markings identify the expansion or limitation on the distribution of the information. These markings are in addition to, and separate from, the level of classification.

(2) Only those external dissemination control and handling markings approved by ISOO or, with respect to the Intelligence Community by the Director of National Intelligence for intelligence and intelligence-related information, may be used by agencies to control and handle the dissemination of classified information pursuant to

## § 2001.25

agency regulations and to policy directives and guidelines issued under section 5.4(d)(2) and section 6.2(b) of the Order. Such approved markings shall be uniform and binding on all agencies and must be available in a central registry.

(3) If used, the dissemination control and handling markings will appear at the top and bottom of each page after the level of classification.

(k) *Portion marking waivers.* (1) An agency head or senior agency official may request a waiver from the portion marking requirement for a specific category of information. Such a request shall be submitted to the Director of ISOO and should include the reasons that the benefits of portion marking are outweighed by other factors. The request must also demonstrate that the requested waiver will not create impediments to information sharing. Statements citing administrative burden alone will ordinarily not be viewed as sufficient grounds to support a waiver.

(2) Any approved portion marking waiver will be temporary with specific expiration dates.

(3) Requests for portion marking waivers from elements of the Intelligence Community (to include pertinent elements of the Department of Defense) should include a statement of support from the Director of National Intelligence or his or her designee. Requests for portion marking waivers from elements of the Department of Defense (to include pertinent elements of the Intelligence Community) should include a statement of support from the Secretary of Defense or his or her designee. Requests for portion marking waivers from elements of the Department of Homeland Security should include a statement of support from the Secretary of Homeland Security or his or her designee.

(4) A document not portion marked, based on an ISOO-approved waiver, must contain a warning statement that it may not be used as a source for derivative classification.

(5) If a classified document that is not portion marked, based on an ISOO-approved waiver, is transmitted outside the originating organization, the document must be portion marked un-

## 32 CFR Ch. XX (7-1-10 Edition)

less otherwise explicitly provided in the waiver approval.

(1) *Marking information that has been reclassified.* Specific information may only be reclassified if all the conditions of section 1.7(d) of the Order and its implementing directives have been met.

(1) When taking this action, an original classification authority must include the following markings on the information:

- (i) The level of classification;
- (ii) The identity, by name and position, or by personal identifier of the original classification authority;
- (iii) Declassification instructions;
- (iv) A concise reason for classification, including reference to the applicable classification category from section 1.4 of the Order; and
- (v) The date the reclassification action was taken.

(2) The original classification authority shall notify all known authorized holders of this action.

(m) *Marking of electronic storage media.* Classified computer media such as USB sticks, hard drives, CD ROMs, and diskettes shall be marked to indicate the highest overall classification of the information contained within the media.

### § 2001.25 Declassification markings.

(a) *General.* A uniform security classification system requires that standard markings be applied to declassified information. Except in extraordinary circumstances, or as approved by the Director of ISOO, the marking of declassified information shall not deviate from the following prescribed formats. If declassification markings cannot be affixed to specific information or materials, the originator shall provide holders or recipients of the information with written instructions for marking the information. Markings shall be uniformly and conspicuously applied to leave no doubt about the declassified status of the information and who authorized the declassification.

(b) The following markings shall be applied to records, or copies of records, regardless of media:

- (1) The word, "Declassified;"
- (2) The identity of the declassification authority, by name and position, or by personal identifier, or the title