

and date of the declassification guide. If the identity of the declassification authority must be protected, a personal identifier may be used or the information may be retained in agency files.

(3) The date of declassification; and

(4) The overall classification markings that appear on the cover page or first page shall be lined with an "X" or straight line. An example might appear as:

SECRET

Declassified by David Smith, Chief, Division
5, August 17, 2008

§ 2001.26 Automatic declassification exemption markings.

(a) *Marking information exempted from automatic declassification at 25 years.* (1) When the Panel has approved an agency proposal to exempt permanently valuable information from automatic declassification at 25 years, the "Declassify On" line shall be revised to include the symbol "25X" plus the number(s) that corresponds to the category(ies) in section 3.3(b) of the Order. Except for when the exemption pertains to information that should clearly and demonstrably be expected to reveal the identity of a confidential human source, or a human intelligence source, or key design concepts of weapons of mass destruction, the revised "Declassify On" line shall also include the new date for declassification as approved by the Panel, not to exceed 50 years from the date of origin of the record. Records that contain information, the release of which should clearly and demonstrably be expected to reveal the identity of a confidential human source or a human intelligence source, or key design concepts of weapons of mass destruction, are exempt from automatic declassification at 50 years.

(2) The pertinent exemptions, using the language of section 3.3(b) of the Order, are:

25X1: reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign government or international organization, or a non-human intelligence source; or impair the effectiveness of an intelligence method currently in use, available for use, or under development.

25X2: reveal information that would assist in the development, production, or use of weapons of mass destruction;

25X3: reveal information that would impair U.S. cryptologic systems or activities;

25X4: reveal information that would impair the application of state-of-the-art technology within a U.S. weapon system;

25X5: reveal formally named or numbered U.S. military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans;

25X6: reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States;

25X7: reveal information that would impair the current ability of United States Government officials to protect the President, Vice President, and other protectees for whom protection services, in the interest of the national security, are authorized;

25X8: reveal information that would seriously impair current national security emergency preparedness plans or reveal current vulnerabilities of systems, installations, or infrastructures relating to the national security; or

25X9: violate a statute, treaty, or international agreement that does not permit the automatic or unilateral declassification of information at 25 years.

(3) The pertinent portion of the marking would appear as:

Declassify On: 25X4, 20501001

(4) Documents should not be marked with a "25X" marking until the agency has been informed that the Panel concurs with the proposed exemption.

(5) Agencies need not apply a "25X" marking to individual documents contained in a file series exempted from automatic declassification under section 3.3(c) of the Order until the individual document is removed from the file and may only apply such a marking as approved by the Panel under section 3.3(j) of the Order.

(6) Information containing foreign government information will be marked with a date in the "Declassify On" line that is no more than 25 years from the date of the document unless the originating agency has applied for and received Panel approval to exempt foreign government information from declassification at 25 years. Upon receipt of Panel approval, the agency

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may use either the 25X6 or 25X9 exemption markings, as appropriate, in the “Declassify On” followed by a date that has also been approved by the Panel. An example might appear as: 25X6, 20600129, or 25X9, 20600627. The marking “subject to treaty or international agreement” is not to be used at any time.

(b) *Marking information exempted from automatic declassification at 50 years.* Records exempted from automatic declassification at 50 years shall be automatically declassified on December 31 of a year that is no more than 75 years from the date of origin unless an agency head, within five years of that date, proposes to exempt specific information from declassification at 75 years and the proposal is formally approved by the Panel.

(1) When the information clearly and demonstrably could be expected to reveal the identity of a confidential human source or a human intelligence source, the marking shall be “50X1–HUM.”

(2) When the information clearly and demonstrably could reveal key design concepts of weapons of mass destruction, the marking shall be “50X2–WMD.”

(3) In extraordinary cases in which the Panel has approved an exemption from declassification at 50 years under section 3.3(h) of the Order, the same procedures as those under §2001.26(a) will be followed with the exception that the number “50” will be used in place of the “25.”

(4) Requests for exemption from automatic declassification at 50 years 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 automatic declassification exemptions 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 automatic declassification exemptions from elements of the Department of Homeland Security should include a statement of support from the Secretary of the Department

of Homeland Security or his or her designee.

(c) *Marking information exempted from automatic declassification at 75 years.* Records exempted from automatic declassification at 75 years shall be automatically declassified on December 31 of the year that has been formally approved by the Panel.

(1) Information approved by the Panel as exempt from automatic declassification at 75 years shall be marked “75X” with the appropriate automatic declassification exemption category number followed by the approved declassification date or event.

(2) Requests for exemption from automatic declassification at 75 years 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 automatic declassification exemptions 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.

Subpart D—Declassification

§ 2001.30 Automatic declassification.

(a) *General.* All departments and agencies that have original classification authority or previously had original classification authority, or maintain records determined to be permanently valuable that contain classified national security information, shall comply with the automatic declassification provisions of the Order. All agencies with original classification authority shall cooperate with NARA in managing automatic declassification of accessioned Federal records, presidential papers and records, and donated historical materials under the control of the Archivist.

(b) *Presidential papers, materials, and records.* The Archivist shall establish procedures for the declassification of presidential, vice-presidential, or White House materials transferred to the legal custody of NARA or maintained in the presidential libraries.