

## § 95.41

## 10 CFR Ch. I (1–12 Edition)

(iii) A cleared commercial messenger service engaged in the intracity/local area delivery (same day delivery only) of classified material.

(iv) A commercial delivery company, approved by the CSA, that provides nationwide, overnight service with computer tracing and reporting features. These companies need not be security cleared.

(v) Other methods as directed, in writing, by the CSA.

(2) Confidential matter may be transported by one of the methods set forth in paragraph (c)(1) of this section, by U.S. express or certified mail. Express or certified mail may be used in transmission of Confidential documents to Puerto Rico or any United States territory or possession.

(d) *Telecommunication of classified information.* Classified information may not be telecommunicated unless the telecommunication system has been approved by the CSA. Licensees, certificate holders or other persons who may require a secure telecommunication system shall submit a telecommunication plan as part of their request for facility clearance, as outlined in § 95.15, or as an amendment to their existing Standard Practice Procedures Plan for the protection of classified information.

(e) *Security of classified information in transit.* Classified matter that, because of its nature, cannot be transported in accordance with § 95.39(c), may only be transported in accordance with procedures approved by the CSA. Procedures for transporting classified matter are based on a satisfactory transportation plan submitted as part of the licensee's, certificate holder, or other person's request for facility clearance or submitted as an amendment to its existing Standard Practice Procedures Plan.

[62 FR 17696, Apr. 11, 1997, as amended at 64 FR 15652, Apr. 1, 1999; 72 FR 49564, Aug. 28, 2007]

### § 95.41 External receipt and dispatch records.

Each licensee, certificate holder or other person possessing classified information shall maintain a record that reflects:

(a) The date of the material;

(b) The date of receipt or dispatch;

(c) The classification;

(d) An unclassified description of the material; and

(e) The identity of the sender from which the material was received or recipient to which the material was dispatched. receipt and dispatch records must be retained for 2 years.

[62 FR 17697, Apr. 11, 1997]

### § 95.43 Authority to reproduce.

(a) Each licensee, certificate holder, or other person possessing classified information shall establish a reproduction control system to ensure that reproduction of classified material is held to the minimum consistent with operational requirements. Classified reproduction must be accomplished by authorized employees knowledgeable of the procedures for classified reproduction. The use of technology that prevents, discourages, or detects the unauthorized reproduction of classified documents is encouraged.

(b) Unless restricted by the CSA, Secret and Confidential documents may be reproduced. Reproduced copies of classified documents are subject to the same protection as the original documents.

(c) All reproductions of classified material must be conspicuously marked with the same classification markings as the material being reproduced. Copies of classified material must be reviewed after the reproduction process to ensure that these markings are visible.

[62 FR 17697, Apr. 11, 1997, as amended at 72 FR 49564, Aug. 28, 2007]

### § 95.45 Changes in classification.

(a) Documents containing classified National Security Information must be downgraded or declassified as authorized by the NRC classification guides or as determined by the NRC. Requests for downgrading or declassifying any NRC classified information should be forwarded to the NRC's Division of Security Operations, Nuclear Security and Incident Response, using an appropriate method listed in § 95.9. Requests for downgrading or declassifying of Restricted Data will be forwarded to the NRC Division of Security Operations