

§ 2400.32

or reconstruction of the classified information or material.

(b) All classified information to be destroyed will be provided to the ATSCO for disposition. Controlled documents will be provided whole so that accountability records may be corrected prior to destruction by the ATSCO.

§ 2400.32 Transmittal of classified information.

The transmittal of classified information outside of the Office of Science and Technology Policy shall be in accordance with procedures of §2001.44 of Directive No. 1. The Security Officer shall be responsible for resolving any questions relative to such transmittal.

§ 2400.33 Loss or possible compromise.

(a) Any person who has knowledge of the loss or possible compromise of classified information shall immediately report the circumstances to the Security Officer. The Security Officer shall notify the Director and the agency that originated the information as soon as possible so that a damage assessment may be conducted and appropriate measures taken to negate or minimize any adverse effect of the compromise.

(b) The Security Officer shall initiate an inquiry to:

- (1) Determine cause,
- (2) Place responsibility, and

(3) Take corrective measures and appropriate administrative, disciplinary, or legal action.

(c) The Security Officer shall keep the Director advised on the details of the inquiry.

Subpart F—Foreign Government Information

§ 2400.34 Classification.

(a) Foreign government information classified by a foreign government or international organization of governments shall retain its original classification designation or be assigned a United States classification designation that will ensure a degree of protection equivalent to that required by the government or organization that furnished the information. Original

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classification authority is not required for this purpose.

(b) Foreign government information that was not classified by a foreign entity but was provided with the expectation, expressed or implied, that it be held in confidence must be classified because Executive Order 12356 states a presumption of damage to the national security in the event of unauthorized disclosure of such information.

§ 2400.35 Duration of classification.

Foreign government information shall not be assigned a date or event for automatic declassification unless specified or agreed to by the foreign entity.

§ 2400.36 Declassification.

Officials shall respect the intent of this Regulation to protect foreign government information and confidential foreign sources.

§ 2400.37 Mandatory review.

Except as provided in this paragraph, OSTP shall process mandatory review requests for classified records containing foreign government information in accordance with §2400.21. The agency that initially received or classified the foreign government information shall be responsible for making a declassification determination after consultation with concerned agencies. If OSTP receives a request for mandatory review and is not the agency that received or classified the foreign government information, it shall refer the request to the appropriate agency for action. Consultation with the foreign originator through appropriate channels may be necessary prior to final action on the request.

§ 2400.38 Protection of foreign government information.

Classified foreign government information shall be protected as is prescribed by this regulation for United States classified information of a comparable level.