

## PART 2000—ADMINISTRATIVE PROCEDURES [RESERVED]

## PART 2001—CLASSIFIED NATIONAL SECURITY INFORMATION

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AUTHORITY: Sections 5.1(a) and (b), E.O. 13526, (75 FR 707, January 5, 2010).

SOURCE: 75 FR 37254, June 28, 2010, unless otherwise noted.

### Subpart A—Scope of Part

#### § 2001.1 Purpose and scope.

(a) This part is issued under Executive Order. (E.O.) 13526, *Classified National Security Information* (the Order). Section 5 of the Order provides that the Director of the Information Security Oversight Office (ISOO) shall develop and issue such directives as are necessary to implement the Order.

(b) The Order provides that these directives are binding on agencies. Section 6.1(a) of the Order defines “agency” to mean any “Executive agency” as defined in 5 U.S.C. 105; any “Military department” as defined in 5 U.S.C. 102; and any other entity within the executive branch that comes into the possession of classified information.

(c) For the convenience of the user, the following table provides references between the sections contained in this part and the relevant sections of the Order.

CFR section	Related section of E.O. 13526
2001.10 Classification standards .....	1.1, 1.4

## § 2001.10

CFR section	Related section of E.O. 13526
2001.11 Original classification authority .....	1.3
2001.12 Duration of classification .....	1.5
2001.13 Classification prohibitions and limitations.	1.7
2001.14 Classification challenges .....	1.8
2001.15 Classification guides .....	2.2
2001.16 Fundamental classification guidance review.	1.9
2001.20 General .....	1.6
2001.21 Original classification .....	1.6(a)
2001.22 Derivative classification .....	2.1
2001.23 Classification marking in the electronic environment.	1.6
2001.24 Additional requirements .....	1.6
2001.25 Declassification markings .....	1.5, 1.6, 3.3
2001.26 Automatic declassification exemption markings.	3.3
2001.30 Automatic declassification .....	3.3, 3.7
2001.31 Systematic declassification review ..	3.4
2001.32 Declassification guides .....	3.3, 3.7
2001.33 Mandatory review for declassification.	3.5, 3.6
2001.34 Referrals .....	3.3, 3.6, 3.7
2001.35 Discretionary declassification .....	3.1
2001.36 Classified information in the custody of private organizations or individuals.	none
2001.37 Assistance to the Department of State.	none
2001.40 General .....	4.1
2001.41 Responsibilities of holders .....	4.1
2001.42 Standards for security equipment ...	4.1
2001.43 Storage .....	4.1
2001.44 Reciprocity of use and inspection of facilities.	4.1
2001.45 Information controls .....	4.1, 4.2
2001.46 Transmission .....	4.1, 4.2
2001.47 Destruction .....	4.1, 4.2
2001.48 Loss, possible compromise, or unauthorized disclosure.	4.1, 4.2
2001.49 Special access programs .....	4.3
2001.50 Telecommunications, automated information systems, and network security.	4.1, 4.2
2001.51 Technical security .....	4.1
2001.52 Emergency authority .....	4.2
2001.53 Open storage areas .....	4.1
2001.54 Foreign government information .....	4.1
2001.55 Foreign disclosure of classified information.	4.1(i)(2)
2001.60 Self-Inspections, General .....	5.4
2001.70 Security Education and Training, General.	5.4
2001.71 Coverage .....	1.3(d), 2.1(d), 3.7(b), 4.1(b), 5.4(d)(3)
2001.80 Prescribed standard forms .....	5.2(b)(7)
2001.90 Agency annual reporting requirements.	1.3(c), 5.2(b)(4), 5.4(d)(4), 5.4(d)(8)
2001.91 Other agency reporting requirements.	1.3(d), 1.7(c)(3), 1.9(d), 2.1(d), 5.5
2001.92 Definitions .....	6.1

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### Subpart B—Classification

#### § 2001.10 Classification standards.

*Identifying or describing damage to the national security.* Section 1.1(a) of the Order specifies the conditions that must be met when making classification decisions. Section 1.4 specifies that information shall not be considered for classification unless its unauthorized disclosure could reasonably be expected to cause identifiable or describable damage to the national security. There is no requirement, at the time of the decision, for the original classification authority to prepare a written description of such damage. However, the original classification authority must be able to support the decision in writing, including identifying or describing the damage, should the classification decision become the subject of a challenge or access demand pursuant to the Order or law.

#### § 2001.11 Original classification authority.

(a) *General.* Agencies shall establish a training program for original classifiers in accordance with subpart G of this part.

(b) *Requests for original classification authority.* Agencies not possessing such authority shall forward requests to the Director of ISOO. The agency head must make the request and shall provide a specific justification of the need for this authority. The Director of ISOO shall forward the request, along with the Director's recommendation, to the President through the National Security Advisor within 30 days. Agencies wishing to increase their assigned level of original classification authority shall forward requests in accordance with the procedures of this paragraph.

(c) *Reporting delegations of original classification authority.* All delegations of original classification authority shall be reported to the Director of ISOO. This can be accomplished by an initial submission followed by updates on a frequency determined by the senior agency official, but at least annually.