

(2) The operational military capability of the United States revealed by the information no longer constitutes a limitation on the effectiveness of the Armed Forces.

(3) The information is pertinent to a system that no longer is used or relied on for the defense of the United States or its allies and does not disclose the capabilities or vulnerabilities of existing operational systems.

(4) The program, project, or system information no longer reveals a current weakness or vulnerability.

(5) The information pertains to an intelligence objective or diplomatic initiative that has been abandoned or achieved and will no longer damage the foreign relations of the United States.

(6) The information reveals the fact or identity of a U.S. intelligence source, method, or capability that no longer is employed and that relates to no current source, method, or capability that upon disclosure could cause damage to national security or place a person in immediate jeopardy.

(7) The information concerns foreign relations matters whose disclosure can no longer be expected to cause or increase international tension to the detriment of the national security of the United States.

(c) Declassification of information that reveals the identities of clandestine human agents shall be accomplished only in accordance with procedures established by the Director of Central Intelligence for that purpose.

(d) The NSA/CSS is the sole authority for the review and declassification of classified cryptologic information. The procedures established by the NSA/CSS to facilitate the review and declassification of classified cryptologic information are:

(1) *COMSEC documents and materials.*

(i) If records or materials in this category are found in agency files that are not under COMSEC control, refer them to the senior COMSEC authority of the agency concerned or by appropriate channels to the following address: Director, National Security Agency, Attn: Director of Policy (Q4), Fort George G. Meade, Maryland 20755.

(ii) If the COMSEC information has been incorporated into other documents by the receiving agency, referral

to the NSA/CSS is necessary before declassification.

(2) *SIGINT information.* (i) If the SIGINT information is contained in a document or record originated by a DoD cryptologic organization, such as the NSA/CSS, and is in the files of a noncryptologic agency, such material will not be declassified if retained in accordance with an approved records disposition schedule. If the material must be retained, it shall be referred to the NSA/CSS for systematic review for declassification.

(ii) If the SIGINT information has been incorporated by the receiving agency into documents it produces, referral to the NSA/CSS is necessary before any declassification.

§158.12 Department of State areas of interest.

(a) Statements of U.S. intent to defend, or not to defend, identifiable areas, or along identifiable lines, in any foreign country or region.

(b) Statements of U.S. intent militarily to attack in stated contingencies identifiable areas in any foreign country or region.

(c) Statements of U.S. policies or initiatives within collective security organizations (for example, North Atlantic Treaty Organization (NATO) and Organization of American States (OAS)).

(d) Agreements with foreign countries for the use of, or access to, military facilities.

(e) Contingency plans insofar as they involve other countries, the use of foreign bases, territory or airspace, or the use of chemical, biological, or nuclear weapons.

(f) Defense surveys of foreign territories for purposes of basing or use in contingencies.

(g) Reports documenting conversations with foreign officials, that is, foreign government information.

§158.13 Central Intelligence Agency areas of interest.

(a) Cryptologic, cryptographic, or SIGINT. (Information in this category shall continue to be forwarded to the NSA/CSS in accordance with §158.11(d). The NSA/CSS shall arrange for necessary coordination.)

- (b) Counterintelligence.
- (c) Special access programs
- (d) Information that identifies clandestine organizations, agents, sources, or methods.
- (e) Information on personnel under official or nonofficial cover or revelation of a cover arrangement.
- (f) Covertly obtained intelligence reports and the derivative information that would divulge intelligence sources or methods.
- (g) Methods or procedures used to acquire, produce, or support intelligence activities.
- (h) CIA structure, size, installations, security, objectives, and budget.
- (i) Information that would divulge intelligence interests, value, or extent of knowledge on a subject.
- (j) Training provided to or by the CIA that would indicate its capability or identify personnel.
- (k) Personnel recruiting, hiring, training, assignment, and evaluation policies.
- (l) Information that could lead to foreign political, economic, or military action against the United States or its allies.
- (m) Events leading to international tension that would affect U.S. foreign policy.
- (n) Diplomatic or economic activities affecting national security or international security negotiations.
- (o) Information affecting U.S. plans to meet diplomatic contingencies affecting national security.
- (p) Nonattributable activities conducted abroad in support of U.S. foreign policy.
- (q) U.S. surreptitious collection in a foreign nation that would affect relations with the country.
- (r) Covert relationships with international organizations or foreign governments.
- (s) Information related to political or economic instabilities in a foreign country threatening American lives and installations therein.
- (t) Information divulging U.S. intelligence collection and assessment capabilities.
- (u) U.S. and allies' defense plans and capabilities that enable a foreign entity to develop countermeasures.

- (v) Information disclosing U.S. systems and weapons capabilities or deployment.
- (w) Information on research, development, and engineering that enables the United States to maintain an advantage of value to national security.
- (x) Information on technical systems for collection and production of intelligence, and their use.
- (y) U.S. nuclear programs and facilities.
- (z) Foreign nuclear programs, facilities, and intentions.
- (aa) Contractual relationships that reveal the specific interest and expertise of the CIA.
- (bb) Information that could result in action placing an individual in jeopardy.
- (cc) Information on secret writing when it relates to specific chemicals, reagents, developers, and microdots.
- (dd) Reports of the Foreign Broadcast Information Service (FBIS) (— Branch, —Division) between July 31, 1946, and December 31, 1950, marked CONFIDENTIAL or above.
- (ee) Reports of the Foreign Documents Division between 1946 and 1950 marked RESTRICTED or above.
- (ff) Q information reports.
- (gg) FDD translations.
- (hh) U reports.

PART 159—DOD INFORMATION SECURITY PROGRAM

- Sec.
- 159.1 Purpose.
 - 159.2 Applicability and scope.
 - 159.3 Policy.
 - 159.4 Procedures.
 - 159.5 Responsibilities.

AUTHORITY: E.O. 12356 and 5 U.S.C. 301.

SOURCE: 53 FR 44877, Nov. 7, 1988, unless otherwise noted.

§ 159.1 Purpose.

- (a) This part updates policies and procedures of the DoD information Security Program, implements Executive Order 12356 and 32 CFR part 2001, delegates authority, and assigns responsibilities.
- (b) This part authorizes the development, publication, and maintenance of the following documents, consistent with DoD 5025.1-M.