

secondary distribution to DoD Components, such as a Special Access Program guide revealing the nature of the Program. Each classification guide forwarded to DTIC must bear distribution statement B, C, D, E, F, or X from DoD Directive 5230.24⁶ on its front cover or first page if there is no cover.

(g) *Index of Security Classification Guides.* (1) All security classification guides, except as provided in paragraph (g)(2) of this section, issued under this part shall be listed in DoD 5200.1-I⁷, on the basis of information provided on DD Form 2024, “DoD Security Classification Guide Data Elements.” The originator of each guide shall execute DD Form 2024 when the guide is approved, changed, revised, reissued, or canceled, and when its biennial review is accomplished. The original copy of each executed DD Form 2024 shall be forwarded to the Director of Security Plans and Programs, ODUSD(P) who will maintain the Index. Report Control Symbol DD-POL (B&AR)1418 applies to this information collection system.

(2) Any classification guide that because of classification considerations is not listed in accordance with paragraph (g)(1) of this section, shall be reported by the originator to the Director of Security Plans and Programs, ODUSD(P). The report shall include the title of the guide, its date, the classification of the guide, and identification of the originating activity. A separate classified list of such guides will be maintained. Report Control Symbol DD-POL(B&AR)1418 applies to this information collection system.

§ 159a.18 Resolution of conflicts.

(a) *General.* When two or more offices, headquarters, or activities disagree concerning a classification, declassification, or regrading action, the disagreement must be resolved promptly.

(b) *Procedures.* If agreement cannot be reached by informal consultation, the matter shall be referred for decision to the lowest superior common to the disagreeing parties. If agreement cannot be reached at the major command (or equivalent) level, the matter

shall be referred for decision to the headquarters office having overall classification management responsibilities for the Component. That office shall also be advised of any disagreement at any echelon if prompt resolution is not likely to occur.

(c) *Final Decision.* Disagreements between DoD Component headquarters, if not resolved promptly, shall be referred for final resolution to the ODUSD(P).

(d) *Timing.* Action under this section at each level of consideration shall be completed within 30 days. Failure to reach a decision within 30 days shall be cause for referral to the next level for consideration.

§ 159a.19 Obtaining classification evaluations.

Procedures. If a person not authorized to classify originates or develops information that he or she believes should be safeguarded, he or she shall:

(a) Safeguard the information in the manner prescribed for the intended classification.

(b) Mark the information (or cover sheet) with the intended classification designation prescribed in §159a.11;

(c) Transmit the information under appropriate safeguards to an appropriate classification authority for evaluation. The transmittal shall state that the information is tentatively marked to protect it in transit. If such authority is not readily identifiable, the information should be forwarded to a headquarters activity of a DoD Component, to the headquarters office having overall classification management responsibilities for a DoD Component, or to the DUSD(P). A determination whether to classify the information shall be made within 30 days of receipt;

(d) Upon decision by the classifying authority, the tentative marking shall be removed. If a classification is assigned, appropriate markings shall be applied; but

(e) In an emergency requiring immediate communication of the information, after taking the action prescribed by paragraphs (a) and (b) of this section transmit the information and then proceed in accordance with paragraph (c) of this section.

⁶See footnote 1 to § 159a.3.

⁷Controlled distribution.