

automatic declassification under section 3.4(c) of the Order until the individual document is removed from the file.

§ 2001.22 Derivative classification [2.2].

(a) *General.* Information classified derivatively on the basis of source documents or classification guides shall bear all markings prescribed in § 2001.20 and § 2001.21, except as provided in this section. Information for these markings shall be carried forward from the source document or taken from instructions in the appropriate classification guide.

(b) *Source of derivative classification.*

(1) The derivative classifier shall concisely identify the source document or the classification guide on the "Derived From" line, including the agency and, where available, the office of origin, and the date of the source or guide. An example might appear as:

Derived From: Memo, "Funding Problems,"
October 20, 1995, Ofc. of Admin., Department
of Good Works or

Derived From: CG No. 1, Department of Good
Works, dated October 20, 1995

(i) When a document is classified derivatively on the basis of more than one source document or classification guide, the "Derived From" line shall appear as:

Derived From: Multiple Sources

(ii) The derivative classifier shall maintain the identification of each source with the file or record copy of the derivatively classified document. When practicable, this list should be included in or with all copies of the derivatively classified document.

(2) A document derivatively classified on the basis of a source document that is itself marked "Multiple Sources" shall cite the source document on its "Derived From" line rather than the term "Multiple Sources." An example might appear as:

Derived From: Report entitled, "New Weapons," dated October 20, 1995, Department of
Good Works, Office of Administration

(c) *Reason for classification.* The reason for the original classification decision, as reflected in the source document(s) or classification guide, is not required to be transferred in a deriva-

tive classification action. If included, however, it shall conform to the standards in § 2001.21(a)(3).

(d) *Declassification instructions.* (1) The derivative classifier shall carry forward the instructions on the "Declassify On" line from the source document to the derivative document, or the duration instruction from the classification guide.

(2) When a document is classified derivatively on the basis of more than one source document or more than one element of a classification guide, the "Declassify On" line shall reflect the longest duration of any of its sources.

(i) When a document is classified derivatively from a source document(s) or classification guide that contains the declassification instruction, "Originating Agency's Determination Required," or "OADR," unless otherwise instructed by the original classifier, the derivative classifier shall carry forward:

(A) The fact that the source document(s) was marked with this instruction; and

(B) The date of origin of the most recent source document(s), classification guide, or specific information, as appropriate to the circumstances.

(ii) An example might appear as:

Declassify On: Source marked "OADR", Date
of source: October 20, 1990

(iii) This marking will permit the determination of when the classified information is 25 years old and, if permanently valuable, subject to automatic declassification under section 3.4 of the Order.

(e) *Overall marking.* The derivative classifier shall conspicuously mark the classified document with the highest level of classification of information included in the document, as provided in § 2001.21(b).

(f) *Portion marking.* Each portion of a derivatively classified document shall be marked in accordance with its source, and as provided in § 2001.21(c).

§ 2001.23 Additional requirements [1.7].

(a) *Marking prohibitions.* Markings other than "Top Secret," "Secret," and "Confidential," such as "For Official Use Only," or "Limited Official

Use,” shall not be used to identify classified national security information. No other term or phrase shall be used in conjunction with these markings, such as “Secret Sensitive” or “Agency Confidential,” to identify classified national security information. The terms “Top Secret,” “Secret,” and “Confidential” should not be used to identify non-classified executive branch information.

(b) *Agency prescribed special markings.* Agencies shall refrain from the use of special markings when they merely restate or emphasize the principles and standards of the Order and this part. Upon request, the senior agency official shall provide the Director of ISOO with a written explanation for the use of agency special markings.

(c) *Transmittal documents.* A transmittal document shall indicate on its face the highest classification level of any classified information attached or enclosed. The transmittal shall also include conspicuously on its face the following or similar instructions, as appropriate:

Unclassified When Classified Enclosure Removed or Upon Removal of Attachments,
This Document is (Classification Level)

(d) *Foreign government information.* Documents that contain foreign government information shall include the marking, “This Document Contains (indicate country of origin) Information.” The portions of the document that contain the foreign government information shall be marked to indicate the government and classification level, e.g., “(UK-C).” If the identity of the specific government must be concealed, the document shall be marked, “This Document Contains Foreign Government Information,” and pertinent portions shall be marked “FGI” together with the classification level, e.g., “(FGI-C).” In such cases, a separate record that identifies the foreign government shall be maintained in order to facilitate subsequent declassification actions. When classified records are transferred to the National Archives and Records Administration for storage or archival purposes, the accompanying documentation shall, at

a minimum, identify the boxes that contain foreign government information. If the fact that information is foreign government information must be concealed, the markings described in this paragraph shall not be used and the document shall be marked as if it were wholly of U.S. origin.

(e) *Working papers.* A working paper is defined as documents or materials, regardless of the media, which are expected to be revised prior to the preparation of a finished product for dissemination or retention. Working papers containing classified information shall be dated when created, marked with the highest classification of any information contained in them, protected at that level, and destroyed when no longer needed. When any of the following conditions applies, working papers shall be controlled and marked in the same manner prescribed for a finished document at the same classification level:

- (1) Released by the originator outside the originating activity;
- (2) Retained more than 180 days from the date of origin; or
- (3) Filed permanently.

(f) *Other material.* Bulky material, equipment and facilities, etc., shall be clearly identified in a manner that leaves no doubt about the classification status of the material, the level of protection required, and the duration of classification. Upon a finding that identification would itself reveal classified information, such identification is not required. Supporting documentation for such a finding must be maintained in the appropriate security facility and in any applicable classification guide.

(g) *Unmarked materials.* Information contained in unmarked records, or presidential or related materials, and which pertains to the national defense or foreign relations of the United States and has been maintained and protected as classified information under prior orders shall continue to be treated as classified information under the Order, and is subject to its provisions regarding declassification.