

(e) Third-country transfers. The release or disclosure of foreign government information to any third-country entity must have the prior consent of the originating government if required by a treaty, agreement, bilateral exchange, or other obligation.

Subpart E—Self-Inspections

§ 2001.60 General [5.4].

(a) *Purpose.* This subpart sets standards for establishing and maintaining an ongoing agency self-inspection program, which shall include the periodic review and assessment of the agency's classified product. "Self-inspection" means the internal review and evaluation of individual agency activities and the agency as a whole with respect to the implementation of the program established under the Order.

(b) *Applicability.* These standards are binding on all executive branch agencies that create or handle classified information. Pursuant to Executive Order 12829, the National Industrial Security Program Operating Manual (NISPOM) prescribes the security requirements, restrictions and safeguards applicable to industry, including the conduct of contractor self-inspections. The standards established in the NISPOM should be consistent with the standards prescribed in Executive Order 12958, as amended and this part.

(c) *Responsibility.* The senior agency official is responsible for the agency's self-inspection program. The senior agency official shall designate agency personnel to assist in carrying out this responsibility.

(d) *Approach.* The official(s) responsible for the program shall determine the means and methods for the conduct of self-inspections. These may include:

- (1) A review of relevant security directives, guides and instructions;
- (2) Interviews with producers and users of classified information;
- (3) A review of access and control records and procedures; and
- (4) A review of a sample of classified documents generated by agency activities.

(e) *Frequency.* The official(s) responsible for the program shall set the frequency of self-inspections on the basis of program needs and the degree of

classification activity. Activities that generate significant amounts of classified information should conduct at least one document review per year.

(f) *Reporting.* The format for documenting findings shall be set by the official(s) responsible for the program.

§ 2001.61 Coverage [5.4(d)(4)].

(a) *General.* These standards are not all-inclusive. Each agency may expand upon the coverage according to program and policy needs. Each self-inspection of an agency activity need not include all the elements covered in this section. Agencies without original classification authority need not include in their self-inspections those elements of coverage pertaining to original classification.

(b) *Elements of coverage.* (1) Original classification. (i) Evaluate original classification authority's general understanding of the process of original classification, including the:

(A) Applicable standards for classification;

(B) Levels of classification and the damage criteria associated with each; and

(C) Required classification markings.

(ii) Determine if delegations of original classification authority conform with the requirements of the Order, including whether:

(A) Delegations are limited to the minimum required to administer the program;

(B) Designated original classification authorities have a demonstrable and continuing need to exercise this authority;

(C) Delegations are in writing and identify the official by name or position title; and

(D) New requests for delegation of classification authority are justified.

(iii) Assess original classification authority's familiarity with the duration of classification requirements, including:

(A) Assigning a specific date or event for declassification that is less than 10 years when possible;

(B) Establishing ordinarily a 10 year duration of classification when an earlier date or event cannot be determined; and