

§ 1045.1

- 1045.34 Designation of restricted data classifiers.
- 1045.35 Training requirements.
- 1045.36 Reviews of agencies with access to restricted data and formerly restricted data.
- 1045.37 Classification guides.
- 1045.38 Automatic declassification prohibition.
- 1045.39 Challenging classification and declassification determinations.
- 1045.40 Marking requirements.
- 1045.41 Use of classified addendums.
- 1045.42 Mandatory and Freedom of Information Act reviews for declassification of restricted data and formerly restricted data documents.
- 1045.43 Systematic review for declassification.
- 1045.44 Classification review prior to public release.
- 1045.45 Review of unmarked documents with potential restricted data or formerly restricted data.
- 1045.46 Classification by association or compilation.

Subpart D—Executive Order 12958: “Classified National Security Information” Requirements Affecting the Public

- 1045.50 Purpose and scope.
- 1045.51 Applicability.
- 1045.52 Mandatory declassification review requests.
- 1045.53 Appeal of denial of mandatory declassification review requests.

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Subpart A—Program Management of the Restricted Data and Formerly Restricted Data Classification System

§ 1045.1 Purpose and scope.

This subpart establishes responsibilities associated with this part, describes the Openness Advisory Panel, defines key terms, describes sanctions related to violation of the policies and procedures in this part, and describes how to submit suggestions or complaints concerning the Restricted Data classification and declassification program, and how to request procedural exceptions.

§ 1045.2 Applicability.

This subpart applies to—

10 CFR Ch. X (1–1–06 Edition)

- (a) Any person with authorized access to RD or FRD;
- (b) Any agency with access to RD or FRD; and
- (c) Any person who might generate information determined to be RD or FRD.

§ 1045.3 Definitions.

As used in this part:

Agency means 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 possession of RD or FRD information or documents.

Atomic Energy Act means the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Authorized Holder means a person with the appropriate security clearance required to have access to classified information and the need to know the information in the performance of Government-approved activities.

Automatic Declassification means the declassification of information or documents based solely upon:

- (1) The occurrence of a specific date or event as determined by the classifier; or
- (2) The expiration of a maximum time frame for duration of classification established under Executive Order 12958.

Classification means the act or process by which information is determined to be classified information.

Classification Guide means a written record of detailed instructions as to whether specific information is classified, usually concerning a system, plan, project, or program. It identifies information to be classified and specifies the level (and duration for NSI only) of classification assigned to such information. Classification guides are the primary basis for reviewing documents to determine whether they contain classified information.

Classification Level means one of three designators:

- (1) *Top Secret* is applied to information (RD, FRD, or NSI), the unauthorized disclosure of which reasonably