

§ 2001.31

referral determination. If other agencies' interests or equities are identified in the newly discovered records, those agencies will have three years from the date of notification to complete their review and make a declassification or exemption determination.

(n) *Redaction standard.* Agencies are encouraged but are not required to redact documents that contain information that is exempt from automatic declassification under section 3.3 of the Order, especially if the information that must remain classified comprises a relatively small portion of the document.

(o) *Restricted Data and Formerly Restricted Data.* (1) Records containing Restricted Data (RD) and Formerly Restricted Data (FRD) are excluded from the automatic declassification requirements in section 3.3 of the Order because they are classified under the Atomic Energy Act of 1954, as amended. Restricted Data concerns:

- (i) The design, manufacture, or utilization of atomic weapons;
- (ii) The production of special nuclear material, *e.g.*, enriched uranium or plutonium; or
- (iii) The use of special nuclear material in the production of energy.

(2) Formerly Restricted Data is information that is still classified but which has been removed from the Restricted Data category because it is related primarily to the military utilization of atomic weapons.

(3) Any document marked as containing Restricted Data or Formerly Restricted Data shall remain classified indefinitely or shall be referred to the Department of Energy for a classification review.

§ 2001.31 Systematic declassification review [3.4].

(a) *Listing of declassification authorities.* Agencies shall maintain a current listing of officials delegated declassification authority by name, position, or other identifier. If possible, this listing shall be unclassified.

(b) *Responsibilities.* Agencies shall establish systematic review programs for those records containing information exempt from automatic declassification. Agencies may also conduct systematic review of information con-

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tained in permanently valuable records that is less than 25 years.

§ 2001.32 Declassification guides [3.3].

(a) *Preparation of declassification guides.* Declassification guides shall be prepared to facilitate the declassification of information contained in records determined to be of permanent historical value. When it is sufficiently detailed and understandable, and identified for both purposes, a classification guide may also be used as a declassification guide.

(b) *General content of declassification guides.* Declassification guides shall, at a minimum:

(1) Identify the subject matter of the declassification guide;

(2) Identify the original declassification authority by name or personal identifier, and position;

(3) Provide the date of issuance or last review;

(4) State precisely the categories or elements of information:

- (i) To be declassified;
- (ii) To be downgraded; or
- (iii) Not to be declassified.

(5) Identify any related files series that have been exempted from automatic declassification pursuant to section 3.3(c) of the Order;

(6) To the extent a guide is used in conjunction with the automatic declassification provisions in section 3.3 of the Order, state precisely the elements of information to be exempted from declassification to include:

(i) The appropriate exemption category listed in section 3.3(b) of the Order, and, when citing the exemption category listed in section 3.3(b)(9) of the Order, specify the applicable statute, treaty or international agreement; and

(ii) A date or event for declassification.

(c) *External review.* Agencies shall submit declassification guides for review to the Director of ISOO. To the extent such guides are used in conjunction with the automatic declassification provisions in section 3.3 of the Order, the Director shall submit them for approval by the Interagency Security Classification Appeals Panel. Agencies that have submitted a declassification guide to the ISCAP may use