

PART 400—EMPLOYEE FINANCIAL DISCLOSURE AND ETHICAL CONDUCT STANDARDS REGULATIONS

AUTHORITY: 5 U.S.C. 7301.

SOURCE: 60 FR 17628, Apr. 7, 1995, unless otherwise noted.

§ 400.101 Cross-reference to employee financial disclosure and ethical conduct standards regulations.

Employees of the Export-Import Bank of the United States (Bank) should refer to:

- (a) The executive branch-wide financial disclosure regulations at 5 CFR part 2634;
- (b) The executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635; and
- (c) The Bank regulations at 5 CFR part 6201 which supplement the executive branch-wide standards.

PART 403—CLASSIFICATION, DECLASSIFICATION, AND SAFEGUARDING OF NATIONAL SECURITY INFORMATION

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- 403.1 General policies and definitions.
- 403.2 Responsibilities.
- 403.3 Classification principles and authority.
- 403.4 Derivative classification.
- 403.5 Declassification and downgrading.
- 403.6 Systematic review for declassification.
- 403.7 Mandatory review for declassification.
- 403.8 Appeals.
- 403.9 Fees.
- 403.10 Safeguarding.
- 403.11 Enforcement and investigation procedures.

AUTHORITY: E.O. 12356, National Security Information, April 2, 1982 (3 CFR, 1982 Comp. p. 166) (hereafter referred to as the *Order*), Information Security Oversight Directive No. 1, June 25, 1982 (32 CFR part 2001) (hereafter referred to as the *Directive*), and National Security Decision Directive 84, "Safeguarding National Security Information," signed by the President on March 11, 1983 (hereafter referred to as *NSDD 84*).

SOURCE: 50 FR 27215, July 2, 1985, unless otherwise noted.

§ 403.1 General policies and definitions.

(a) This regulation of the Export-Import Bank (the Bank) implements exec-

utive orders which govern the classification, declassification, and safeguarding of national security information and material of the United States. This regulation is based on Executive Order 12356, National Security Information, April 2, 1982 (3 CFR, 1982 Comp. p. 166) (hereafter referred to as the *Order*), Information Security Oversight Directive No. 1, June 25, 1982 (32 CFR part 2001) (hereafter referred to as the *Directive*), and National Security Decision Directive 84, "Safeguarding National Security Information," signed by the President on March 11, 1983 (hereafter referred to as *NSDD 84*). Violation of the provisions of part 403 may result in the imposition of administrative penalties, and civil and criminal penalties under applicable law. Executive Order 12356 prescribes a uniform system for classifying, declassifying, and safeguarding national security information. It recognizes that it is essential that the public be informed concerning the activities of the Government, but that the interests of the United States and its citizens require that certain information concerning the national defense and foreign relations be protected against unauthorized disclosure. Information may not be classified under the Order unless its disclosure reasonably could be expected to cause damage to the national security.

(b) For the purposes of the Order, the Directive and these guidelines, the following terms shall have the meanings specified below:

(1) *Information* means any information or material, regardless of its physical form or characteristics, that is owned by, produced by or for, or is under the control of the United States Government.

(2) *National security information* means information that has been determined pursuant to this Order or any predecessor order to require protection against unauthorized disclosure and that is so designated.

(3) *Foreign government information* means:

(i) Information provided by a foreign government or governments, an international organization of governments, or any element thereof with the expectation, expressed or implied, that the