



United States Department of State

Washington, DC 20520

UNCLASSIFIED

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Updated Department of State Declassification Referral Waiver

FROM: A/SKS/OH – John Powers, Acting Director

The Department of State updated the policy authorizing agencies to waive referral of certain information, dated 2006 and earlier, prior to declassification and release through the various Executive Order 13526 processes, or through the Freedom of Information Act (FOIA). Departments and agencies will note this waiver is more expansive than previous waivers; if questions or concerns arise over the application of this waiver to specific information, please contact MDRs@state.gov.

Departments and agencies do not need to refer any Department of State-equity interest materials within their records created prior to 2006 for declassification review except for the categories listed below.

REFER the following categories to the Department of State regardless of age:

- Information revealing or derived from Department of State confidential sources.
 - Typically identified in Department of State-originated documents by the words “(Protect)” or “(Strictly Protect)”
 - Note, this caveat can extend to protect international organizations comprised of nation states (not those comprised of non-governmental organizations).]
- Classified discussions with or comments about members of royal families.
- Off the record, candid observations by foreign officials and/or information provided in confidence that has long term sensitivity.
- Information related to nuclear weapons non-proliferation meetings, deliberations, or negotiations between the United States, the Soviet Union (Russia), the United Kingdom, France, and the People’s Republic of China.
 - Only refer information that is part of the policy negotiations to the Department of State.
 - Technical information should be referred to the equity holding agency.

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- Information related to arms control meetings, deliberations, or negotiations, specifically those meetings or deliberations of the:
 - Standing Consultative Committee (SCC) and the pursuing U.S.–Soviet arms control discussions, which include:
 - START and INF delegations in early 1980s.
 - Nuclear and Space Arms Talks Group (NST).
 - Non-Proliferation Talks.
- Information that may be protected by a treaty or international agreement that remains in effect.
 - A useful reference for unclassified agreements, <https://www.state.gov/treaties-in-force>
 - For classified agreements, please contact MDRs@state.gov
- Classified policy information concerning the North Atlantic Treaty Organization:
 - Do not refer information solely pertaining to **military and defense matters**; refer instead to the Department of War.
- Information pertaining to policy and/or diplomatic deliberations regarding the placement or movement of nuclear weapons.

DO NOT REFER the below listed categories of information:

- Records dated from 1976 or older, apart from those noted above.
- Records dated from 2006 or older, which were either originally classified CONFIDENTIAL or marked with any category of SENSITIVE BUT UNCLASSIFIED.
- Other agency's records classified TS//SCI, unless all equity holding agencies have agreed to release either in whole or in part.
- Records that have been previously declassified in full.
- Records that have been previously declassified in part; if the redacted information is not Department of State equity.

Note, the list of what not to refer is a set of examples, rather than an exhaustive list. Declassifiers/agencies should apply good judgement and conduct due diligence to confirm that information they intend to refer has not been previously declassified by the U.S. Government. Two Department of State websites include declassified documents:

- FOIA.state.gov
- History.state.gov