

ISOO Notice 2025-01: Incorporating Automatic Declassification Exemptions into Security Classification Guidance

September 08, 2025

Authorities

1. Executive Order 13526, sections 2.2(e), 3.3(j), 5.1, and 5.2, Classified National Security Information.
2. 32 Code of Federal Regulations (CFR) 2003.12(c), Review of agency exemptions from automatic declassification under section 3.3 of the Order.
3. This guidance pertains to Federal agencies and is binding on agency actions as authorized under law and similar authority. This guidance does not apply to, and is not meant to bind, the public, except as authorized by law or regulation or as incorporated into a contract.

Purpose and background

4. Pursuant to Executive Order 13526, sections 5.1(a)(1), (a)(5), and 5.2(b)(2), the Director of the Information Security Oversight Office (ISOO) is responsible for establishing standards for classification, declassification, and marking principles; classification and declassification guides; and for overseeing agency actions to ensure compliance with the executive order and its implementing directives.
5. ISOO is issuing this clarifying guidance to Federal agencies of current requirements in E.O. 13526. Specifically, this guidance covers the proper use and incorporation of automatic declassification exemptions that have been approved by the Interagency Security Classification Appeals Panel (ISCAP) into agency security classification guides.

Guidance

6. Pursuant to Executive Order 13526, section 3.3(j) states:

“At least 1 year before information is subject to automatic declassification under this section, an agency head or senior agency official shall notify the Director of the Information Security Oversight Office, serving as Executive Secretary of the Panel [ISCAP], of any specific information that the agency proposes to exempt from automatic declassification under paragraphs (b) and (h) of this section.

(1) The notification shall include:

(A) a detailed description of the information, either by reference to information in specific records or in the form of a declassification guide;

(B) an explanation of why the information should be exempt from automatic declassification and must remain classified for a longer period of time; and

(C) a specific date or a specific and independently verifiable event for automatic declassification of specific records that contain the information proposed for exemption.

(2) The Panel may direct the agency not to exempt the information or to declassify it at an earlier date than recommended. An agency head may appeal such a decision to the President through the National Security Advisor. The information will remain classified while such an appeal is pending.”

7. Executive Order 13526, section 2.2(e) allows agencies to incorporate exemptions approved under section 6 of this Notice into their security classification guides, provided that the ISCAP is notified of the agency’s intent to take such action for specific information in advance of approval and the information remains in active use. (note: ISCAP approval is not required for 50X1-HUM and 50X2-WMD exemptions, per the executive order).
8. The reason for the additional approval required by the executive order in section 7 of this Notice is that by incorporating exemptions from automatic declassification into security classification guides, agencies are in effect applying an approved exemption at the moment information is classified and marked as classified pursuant to that security classification guide, rather than only later in the lifecycle of the information (i.e. at the onset of automatic declassification as 25 years approaches). This has the practical effect of keeping that information classified for up to 50 years from the date of the creation of the record.
9. When the ISCAP grants an exemption from automatic declassification at 25 years, for up to an additional 25 years, this means information covered by the exemption may be classified for up to a total of 50 years (25 years + 25 years). When an agency incorporates that exemption into one of its security classification guides, it is thereby providing guidance that a newly created record containing the specific information covered by the exemption could be classified for up to the period of time approved for the exemption by the ISCAP, rather than for only up to 25 years. This is permissible, provided that the agency has given the ISCAP notice of its intent to incorporate the exemption into its security classification guide prior to the ISCAP approving the exemption, and obtained the ISCAP’s approval to do so, in accordance with section 7 of this Notice.
10. Agencies may not automatically incorporate exemptions into their security classification guides unless they have received the ISCAP’s approval in accordance with these procedures.

Please direct any questions regarding this ISOO Notice to: isoo@nara.gov.



MICHAEL D. THOMAS
Director