

## ISOO Notice 2026-03: Department of State Declassification Referral Waiver

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July 9, 2026

### Purpose and Background

1. The Department of State (State) has updated its referral waiver policy, which as of June 8, 2026, authorizes agencies to waive the referral to State of classified information dated 2006 and earlier, prior to declassification and release, except for those specific categories exempted in their waiver. This new waiver policy expands the parameters of State's previous policy, broadening the scope of classified information that can now be declassified and released to the public without the need for additional reviews under the agency referral process. This is likely to result in more efficient and timely processing for declassification of classified information covered by the waiver.

### Responsibilities

2. Pursuant to Executive Order 13526, section 5.1(a) and 5.2(b)(1), the Director of ISOO issues such directives as are deemed necessary to implement the Order and oversee agency actions to ensure compliance with the Order and its implementing directives.
3. Executive Order 13526, section 3.1(a) requires that, "Information shall be declassified as soon as it no longer meets the standards for classification under this order."

### Guidance

4. Referral waivers are a critical policy instrument across the federal government, lessening the volume of records that require referrals between agencies in the course of declassification review. This eliminates a time, technology, and labor-intensive aspect of the review process, while increasing efficiency and responsiveness as well as lowering costs. Referral waivers also reinforce consistency by reducing systemic reliance on an individual declassification reviewer's personal judgment when assessing whether a referral of records to another agency is necessary. Creating clear, consistent, transparent guidelines is also beneficial for the public as they can hold agencies more accountable for decisions that appear inconsistent with publicly articulated criteria.
5. The State referral waiver policy specifically absolves agencies from making referrals to State for CONFIDENTIAL information dated 2006 or older, recognizing that the disclosure of this information no longer presents the same threats to national security that it may have previously, and can be reviewed for declassification without referral back to State. The State referral waiver policy also requests that records not be referred back to State for review if: they are dated 1976 or older; they include other agency's information that is classified as TOP SECRET//SENSITIVE COMPARTMENTALIZED

INFORMATION, unless all equity holding agencies have agreed to release either in whole or in part; the records have been previously declassified in full; or, for records that were previously declassified in part, if there are no State equities in the remaining redactions.

6. The State referral waiver policy also clearly stipulates what information must continue to be referred to State for declassification review, regardless of age. This includes information: revealing or derived from State confidential sources; that references members of royal families; certain observations by foreign officials; as well as information pertaining to certain nuclear weapons and non-proliferation meetings, deliberations, and negotiations. These categories fall under the automatic declassification exemptions found in Executive Order 13526, section 3.3(b)(6), which protect certain information that could cause serious harm to the relations between the United States and a foreign government or to ongoing diplomatic activities. The State waiver policy also requires the referral to State of information that may be protected by treaty or international agreement, which falls under the exemption from automatic declassification in section 3.3(b)(9).
7. The State referral waiver policy follows requirements articulated under Executive Order 13526 and is considered a best practice by ISOO.

## **Authorities**

Executive Order 13526, Classified National Security Information

**Please direct any questions regarding this ISOO Notice to: [isoo@nara.gov](mailto:isoo@nara.gov).**

A handwritten signature in black ink, appearing to read "Michael D. Thomas", with a stylized flourish at the end.

Michael D. Thomas

Director

Attachment:

A: Updated Department of State Declassification Referral Waiver