



ISOO Notice 2015-05: Agencies Eligible to Receive Referrals from Automatic Declassification at 25, 50, and 75 Years

September 25, 2015

The following agencies have received approval from the Interagency Security Classification Appeals Panel (ISCAP) to exempt specific information from automatic declassification and may receive referrals resulting from automatic declassification reviews:

- Central Intelligence Agency: 25X, 50X
- Defense Intelligence Agency: 25X, 50X
- Defense Information Systems Agency: 25X, 50X
- Defense Threat Reduction Agency: 25X, 50X
- Department of the Air Force: 25X, 50X
- Department of the Army: 25X, 50X
- Department of Energy: 25X, 50X
- Department of Homeland Security, only for the following entities:
 - Federal Emergency Management Agency: 25X, 50X
 - United States Secret Service: 25X, 50X, 75X
- Department of Justice (to include the Drug Enforcement Administration): 25X; as well as for the following entity:
 - Federal Bureau of Investigation: 25X, 50X
- Department of the Navy: 25X, 50X
- Department of State: 25X, 50X
- Department of the Treasury, only for the following entities:
 - Bureau of Engraving and Printing: 25X
 - United States Mint: 25X, 50X, 75X
- Joint Staff, as well as for the following Combatant Commands: 25X, 50X
 - United States European Command
 - United States Central Command
 - United States Northern Command
 - United States Pacific Command
 - United States Southern Command
 - United States Special Operations Command
 - United States Strategic Command
 - United States Transportation Command

- Missile Defense Agency: 25X
- National Aeronautics and Space Administration: 25X
- National Geospatial-Intelligence Agency: 25X, 50X
- National Reconnaissance Office: 25X, 50X
- Nuclear Regulatory Commission: 25X, 50X
- National Security Agency: 25X, 50X, 75X
- National Security Council: 25X, 50X
- Office of the Secretary of Defense: 25X, 50X

The above agencies (and their subordinate and/or predecessor entities) have obtained ISCAP approval and are authorized to exempt specific information from automatic declassification at 25, 50, or 75 years. These agencies are the only agencies eligible to receive referrals for classified national security information.

25X Exemptions: Agencies designated above as having ISCAP-approved 25X exemptions may receive declassification referrals for specific information contained in records subject to automatic declassification at 25 years.

50X Exemptions: Only agencies designated above as having ISCAP-approved 50X exemptions may receive referrals for specific information—other than information revealing the identity of a confidential human source or human intelligence source (50X1-HUM) or revealing key design concepts of weapons of mass destruction (50X2-WMD)—contained in records between 45 and 70 years of age. Information properly identified as 50X1-HUM or 50X2-WMD is exempt from automatic declassification at 50 years.

75X Exemptions: Only agencies designated above as having ISCAP-approved 75X exemptions may receive referrals for specific information contained in records 70 years of age or older.

Background: Sections 3.3(b) and (h) of Executive Order 13526, “Classified National Security Information,” (the Order) allow agency heads to exempt specific information from automatic declassification at 25, 50, and 75 years. Section 3.3(j) of the Order requires the agency head or senior agency official to seek ISCAP approval for such exemptions at least one year prior to the onset of automatic declassification and specifies the requirements to obtain this approval. 32 CFR 2001.32 instructs agencies on the preparation and content of declassification guides and on the process for submitting guides to the ISCAP for approval.

During the declassification guide review process of the ISCAP, agencies are required to justify each category of information proposed for exemption from automatic declassification at each milestone by describing the damage to national security that would occur if the information would be prematurely declassified. The criteria for the exemption of information become more restrictive for 50X and 75X exemptions, which must be differentiated from 25X exemptions.

Agencies are reminded that section 3.3(d)(3) of the Order requires that only records containing classified information that can reasonably be expected to fall into a declassification exemption category may be referred in anticipation of automatic declassification. Additionally, section 3.7(b)(3) requires that agencies exchange detailed declassification guidance with each other in the National Declassification Center to enable the proper identification and referral of information.

Declassification Guide Updates: 32 CFR Part 2001.32(c) requires declassification guides to be updated as circumstances require, but at least once every five years. The next cycle of declassification guide review and approval by the ISCAP will begin in 2017. Each agency whose existing declassification guide was approved in 2012 must submit a revised declassification guide to the ISCAP by December 31, 2016.

This ISOO Notice cancels ISOO Notice 2014-04, "Agencies Eligible to Receive Referrals from Automatic Declassification at 25, 50, and 75 Years."

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



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