

# 5 FAH-3 H-700

## E.O. 12958, AS AMENDED, TELEGRAM CLASSIFICATION MARKING

*(CT:TAGS-40; 07-14-2009)*  
*(Office of Origin: A/GIS/IPS)*

**NOTE:** *These procedures apply to legacy communications systems and may change with the implementation of SMART and the SMART classification marking templates.*

Under Executive Order 12958, as amended, four decisions made when classifying information must be shown on the face of each classified telegram: (1) classification level; (2) classification authority (by name and position); (3) specific reason(s) for classification; and (4) duration of classification. Each marking step is described below:

### STEP 1: Classification Level

The overall classification level is determined by the highest classification level of any of the telegram portions: C for Confidential, S for Secret, and TS for Top Secret. Place the overall telegram classification on the E.O. 12958 Line and on all subsequent pages, preferably at the top and bottom of each page. Remember to portion mark all portions of a classified telegram. Unclassified portions of a classified telegram must be marked (U). A portion is ordinarily defined as a paragraph but also includes subject *lines*, titles, subheadings, tables, or graphs.

### STEP 2: Classification Authority

#### **a. Original Classification**

- (1) On the face of each message indicate the classification authority. For originally classified telegrams, indicate the name and position title of the original classification authority including the office and the agency (unless otherwise evident). Original classification authority means an individual authorized to classify information in the first instance. Delegations of original classification authority must be in writing and can only be made by the Secretary or the Under Secretary for Management. The Department positions

currently delegated original classification authority are listed in Department Notice 2000\_05\_063 dated 5/26/2000.

- (2) Original classification means an initial determination that the information requires, in the interest of national security, protection against unauthorized disclosure.
- (3) For telegrams, enter the “Classified by” and “Reason(s) for Classification” as free-form text in the first paragraph of the telegram text, following the last line in the header (REF line, or SUBJECT line if no REF line is entered).

**Example:** Classified by: David Smith, Director, WHA/CAN  
Reason(s) 1.4 (d) and (e)

## **b. Derivative Classification**

- (1) If a telegram incorporates a classified source document or uses a Department of State classification guide as the basis for classification, the markings on the source document or in the guide determine the markings to be applied to the new document. Derivative Classification is the act of incorporating, paraphrasing, restating, or generating in *a* new form information that is already classified, and carrying forward the original classification. Briefly identify the source document(s) used as the basis for classification and carry forward the duration of classification markings from the source document. The “Reason for Classification” specified in the source document or guide is not required *on subsequent documents*.
- (2) For telegrams, enter the “Derived from” and source document information as free-form text in the first paragraph of the telegram text, following the last line in the header (REF line, or SUBJECT line if no REF line is entered).

### **Examples:**

Derived from: 2000 State 112345 dated 6/12/2000;

Derived from: Memorandum dated 6/14/1999, From WHA/CEN, David Smith, Subj: Chile Declassification Project; and

*DRV* From: DoS Classification Guide, information dated 9/03/2003.

## **STEP 3: Reason for Classification**

Information may not be considered for classification unless it concerns one or more of the classification categories set forth in Section 1.4 of E.O. 12958, as amended. The reason(s) for classification must be shown with the “Classified by” information for originally classified documents only. Mark the number “1.4” plus the letter(s) that correspond to the pertinent classification category(ies) below:

- 1.4(a) military plans, weapons systems, or operations;
- 1.4(b) foreign government information\*;
- 1.4(c ) intelligence activities, sources, or methods, or cryptology;
- 1.4(d) foreign relations or foreign activities of the United States, including confidential sources;
- 1.4(e) scientific, technological or economic matters relating to national security; which includes defense against transnational terrorism;
- 1.4(f) USG programs for safeguarding nuclear materials or facilities;
- 1.4(g) vulnerabilities or capabilities of systems, installations, infrastructures, projects or plans, or protection services relating to the national security, which includes defense against transnational terrorism; and
- 1.4(h) weapons of mass destruction.

\* Telegrams containing foreign government information (FGI) shall be marked to indicate the source government and classification level. Example (UK-Secret). If the identity of the source government must be protected, the pertinent portions of the document should be marked “FGI” together with the classification. If the fact that information is foreign government information must be concealed, the markings described shall not be used and the document shall be marked as if it were wholly of U.S. origin.

## **STEP 4: Duration Markings**

### a. Picking A Date or Event for Possible Declassification.

The section of the Order (now 1.5) dealing with duration of classification has been simplified to permit classification up to 25 years at the time of original classification. When possible, the classifier should choose a specific date or event within 10 years for declassification. When this is

not feasible, information should be classified for 10 years unless that does not provide adequate protection, in which case the information may be classified for up to 25 years from date of origin. With the sole important exception outlined in b) below, information may not be classified for longer than 25 years at the time of its original classification. For telegrams, enter the duration markings/declassification instructions on the E.O. 12958 line.

**Examples:**

*Declassify: 20150424 (Preferred date format is YYYYMMDD);*

DECL: at conclusion Spring 2005 NATO Ministerial;

DECL: (a date 10 years from date of classification action);

DECL: (when Party Leader dies); and

DECL: any date up to 25 years from date of classification action).

When choosing an event for declassification, it must be reasonably foreseeable and not vague or hypothetical. Events such as “When the information is no longer sensitive” or “When countries X and Y improve relations” are not acceptable. Choose a date, or use 25 years if no earlier time is evident. Follow the instructions below for human source information.

b. Exempting Human Source Information from Automatic Declassification.

Given the extreme sensitivity of information that would reveal the identity of confidential human sources or human intelligence sources, and the usual need to protect such information for lifetimes or other long durations, original classifiers may mark this type of information only, at the time of classification, as exempt from automatic declassification at 25 years (the 25X1-human exemption). No other type of information may be marked with a duration greater than 25 years at the time of original classification, nor with a 25X designation.

Exemption Marking example: DECL: 25X1- **human**

c. Department Declassification Procedures.

E.O. 12958, as amended, requires that information be automatically declassified no more than 25 years from its date of original classification unless it qualifies for an exemption from automatic declassification. The Department has an active and effective program to systematically review

all permanently valuable *Federal* records prior to their automatic declassification deadline. In coordination with the Information Security Oversight Office, the Secretary may exercise authority to exempt information if still required for national security reasons. Employees wishing to see the exemption categories and timelines used, should refer to section 3.3 of E.O. 12958, as amended (E.O. 13292 of March 25, 2003), or section 2001.30 (l) of the ISOO Implementing Directive: 32 CFR 2001.30.

## **UNCLASSIFIED AND SENSITIVE BUT UNCLASSIFIED (SBU)**

On Unclassified (U) and Sensitive But Unclassified (SBU) telegrams, the notation "N/A" (Not Applicable) should appear on the E.O. 12958 line.

**Example:** E.O. 12958, as amended: N/A

### **For More Information**

- a. The Office of Information Programs and Services (A/*GIS*/IPS) and the Bureau of Diplomatic Security (DS/IST/ISP) share responsibilities for the implementation of E.O. 12958, as amended. For more details on classification management *and marking* under E.O. 12958, as amended please:
  - (1) *Refer to the Classifying Information in the Programs and Policies Division (A/GIS/IPS/PP) section of the Information Programs and Services Web site;*
  - (2) *E-mail classification@state.gov on the unclassified system; or*
  - (3) *E-mail classification@state.sgov.gov on the classified system.*
- b. For questions and further information regarding the protection and safeguarding of classified national security information *once classification reasons, level, and duration have been determined*, including special access programs, please e-mail DS, Security Helpdesk on the unclassified e-mail system.