

5 FAH-3 H-700 E.O. 13526, TELEGRAM AND SMART EMAIL CLASSIFICATION

5 FAH-3 H-710 E.O. 13526, TELEGRAM AND SMART EMAIL CLASSIFICATION

*(CT:TAGS-44; 01-31-2012)
(Office of Origin: A/GIS/IPS)*

5 FAH-3 H-711 APPLICABILITY

(CT:TAGS-44; 01-31-2012)

These procedures apply to the revised 2011 SMART classification marking templates. For legacy systems, use the 2009 version of 5 FAH-3 H-710 (issued under CT:TAGS-40; 07-14-2009).

5 FAH-3 H-712 REQUIRED MARKING

(CT:TAGS-44; 01-31-2012)

- a. Under Executive Order 13526, when classifying information you must show five pieces of information on the face of each classified telegram:
 - (1) Classification level;
 - (2) Classification authority;
 - (3) Name and position of person classifying or marking the item;
 - (4) Specific reason(s) for original classification (listing the reasons is optional for derivative classification); and
 - (5) Duration of classification.
- b. Within the Department, 5 FAM 480 implements classification marking described in the following sections.

5 FAH-3 H-713 CLASSIFICATION LEVEL

(CT:TAGS-44; 01-31-2012)

The overall classification level is determined by the highest classification level of any of the portions: CONFIDENTIAL, SECRET, or UNCLASSIFIED. TOP SECRET is not used in the SMART system. Remember to portion mark all portions of a classified telegram or email. Unclassified portions of a classified telegram or email chain on a classified system such as CLASSNET must be marked (U) or (SBU). A portion is ordinarily defined as a paragraph but also includes subject lines, titles, subheadings, tables, maps, photographs, graphs, and any other inserts within text. SMART templates can print RELTO and NOFORN captions following the level.

5 FAH-3 H-714 CLASSIFICATION AUTHORITY

(CT:TAGS-44; 01-31-2012)

See also E.O. 13526 and 5 FAM 480.

5 FAH-3 H-714.1 Original Classification Authority (OCA)

(CT:TAGS-44; 01-31-2012)

- a. For each message, indicate the classification authority. Choose the "OCA" button for originally classified messages, followed by the name and position title of the original classification authority, including the office and the agency (unless otherwise evident). Original classification authority means a position and a person occupying it is 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. Department positions delegated original classification authority since June 2009 are listed on the Office of Information Programs and services website.
- b. Original classification means an initial determination that the information requires, in the interest of national security, protection against unauthorized disclosure.

Example: Classified by: David Smith, Deputy Assistant Secretary, WHA

Example: Classified by Jane Doe, AS IO, Acting

5 FAH-3 H-714.2 Derivative Classification

(CT:TAGS-44; 01-31-2012)

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 markings. Derivative classification exists in two forms: classifying information based on a classification guide or restating classified information from an already classified source.

- (1) If a telegram or email incorporates a classified source document or uses a Department of State classification guide as the authority for classification, the markings on the source document or suggested in the guide determine the markings to be applied. Briefly identify the source's level, reason(s), and duration by carrying them forward on the new telegram or email. When deriving information from more than one already classified source, one must carry forward the highest level, all reasons, and the longest duration (exemptions qualify as the longest duration) on the new message.
- (2) Under E.O. 13526, derivative classifiers must indicate their names and titles as the classifier. Listing reasons for classification is optional, but if using a classification guide, identify the section authorizing the information to be classified.
- (3) By choosing the SMART radio buttons "DSCG" or "DERIVED" on the SMART template, one of the two types of derivative classification authority will be noted on your message. To identify either a classification guide other than the DSCG, or to identify the source document(s), add text to the "DERIVED FROM" area on the SMART classification screen. If there are more than two or three sources to list, type in Multiple Sources and attach a list of all sources at the end of the telegram. Employees from other agencies using the Department's SMART system may reference their own identification/position number, versus name and title, as well as another agency's classification guide using the "DERIVED" authority and typing in identifying information for their guide in the text box.

Derivative Classification Marking Examples:

DSCG will print on your message as DERIVED from DSCG 11-01, B (or whatever section you provide as authority to classify), along with your name and title

DERIVED will print whatever text you enter into box along with your name, title: e.g.

DERIVED from: 2000 State 112345 dated 6/12/2000; Classified by Jim Valente, Analyst A/GIS/IPS

DERIVED from: Memorandum 6/14/1999, from WHA/CEN, David Smith to M, Subj: Chile Declassification Project; Classified by Donald Bastin, CIO

Classified by Jane Doe, Division Chief A/GIS/IPS/PP; DERIVED
from: DTS-PO Classification Supplement, section I

Classified by: Jeremy Weaver, Desk Officer NEA/I; DERIVED from
Multiple Sources (attach list)

5 FAH-3 H-715 NAME AND POSITION

(CT:TAGS-44; 01-31-2012)

Enter the individual's name and position who is classifying or marking the item;

5 FAH-3 H-716 REASON(S) FOR CLASSIFICATION

(CT:TAGS-44; 01-31-2012)

- a. 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. 13526. The reason(s) for classification must be given for original classification marking but are optional for derivative classification. Choose one of the following reasons from the choices on the top right of the SMART classification screen.
- 1.4(a) military plans, weapons systems, or operations;
 - 1.4(b) foreign government information (FGI) provided with the expectation of confidentiality (see note below);
 - 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. In this category, design elements only qualify for an exemption from automatic

declassification at 25 years.

NOTE: Department of State messages that clearly contain FGI do not require portion markings for FGI per a waiver granted to the Department by the Information Security Oversight Office. However, normally, you must mark messages containing foreign government information (FGI) to show the source government and classification level, for example (UK-Secret). If the identity of the source government must be protected, mark the pertinent portions of the document "FGI" together with the classification. You also must enter this information in the text of the telegram itself.

- b. If the fact that information is foreign government information must be concealed, do not use the markings described above; mark the document as if it were wholly of U.S. origin.

Examples (classified for exhibit purposes only):

- (S-FGI): (NZ-C, AUS-C, CAN-S)
- (S-FGI) Used, for example, if a paragraph of the telegram contains foreign government information (FGI) given with both the expectations of confidentiality and non-attribution to which foreign government it came from.
- (S) Used if foreign government source does not want it disclosed that the information came from another government at all.

5 FAH-3 H-717 DURATION MARKINGS

5 FAH-3 H-717.1 Picking a Date or Event for Possible Declassification

(CT:TAGS-44; 01-31-2012)

- a. 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 clearly does not provide adequate protection, in which case the information may be classified for up to 25 years from date of origin. With the two important exceptions outlined in 5 FAH-3 716.2 and 5 FAH-3 716.3 below, **information may not be classified for longer than 25 years at the time of its original classification.**
- b. Enter an event or date in the "Duration/Declassify On" section of the SMART classification screen. "DERIVED" classifiers must use the longest date listed on the already marked source documents. If none is present,

calculate and mark a date that is 25 years from date of original source.

Examples:

Declassify: 20150424 (Preferred date format is YYYYMMDD).

DECL: at conclusion of Spring 2005 NATO Ministerial (event certain).

DECL: 10 years (SMART will add 10 years from message creation date).

DECL: 25 years (SMART will add 25 years).

DECL: 20351228 -Source marked X4 (Since X4 can no longer be used, calculate the date 10-25 years from the date the source document was created; NOT 25 years from date of your new document).

- c. When choosing an event for declassification, it must occur within 25 years and must not be 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.

5 FAH-3 H-717.2 Exempting Human Source and Certain Information about Weapons of Mass Destruction from Automatic Declassification at 25 Years

(CT:TAGS-44; 01-31-2012)

- a. 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 by marking 50X1-HUM (formerly X1 or 25X1-human).
- b. Similarly, design and construction concepts for weapons of mass destruction can remain useful and sensitive for longer than 25 years, thus requiring classification beyond 25 years, and restriction from transmission on SMART messaging systems when RD information is present. Information concerning weapons of mass destruction should be marked elsewhere, such as on paper documents, as 50X2-WMD. However, because such Atomic Energy Act information, like Top Secret information, cannot be transmitted via SMART, 50X2-WMD is not a duration marking option in SMART. Therefore, apart from human source information, no other SMART messages may be marked with a duration greater than 25 years nor have an exemption category at the time of original classification.

Example of Exemption Marking:

Declassify: 50X1- HUM

5 FAH-3 H-717.3 Department Declassification Procedures

(CT:TAGS-44; 01-31-2012)

- a. E.O. 13526 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 (ISOO), the Secretary may exercise authority to exempt information from the 25 year declassification requirement if it is 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. 13526 or section 2001.30 (m) of the ISOO Implementing Directive: 32 CFR 2001.30.

5 FAH-3 H-718 UNCLASSIFIED AND SENSITIVE BUT UNCLASSIFIED (SBU)

(CT:TAGS-44; 01-31-2012)

For unclassified messages, drafters should select the "Unclassified" radio button on the SMART classification screen. If the message is Sensitive But Unclassified, drafters may also select "Sensitive" at the bottom of the same screen. For more guidance on marking SBU information see 12 FAM 540 or 5 FAM 460 (privacy).

5 FAH-3 H-719 FOR MORE INFORMATION

(CT:TAGS-44; 01-31-2012)

- a. The Office of Information Programs and Services (A/GIS/IPS) and the Bureau of Diplomatic Security (DS/IS/APD) share responsibilities for implementing E.O. 13526. For more details on classification management and marking under E.O. 13526 please:
 - (1) Refer to the "Classifying Information" section in the Programs and Policies Division (A/GIS/IPS/PP) section of the Office of Information Programs and services website;

- (2) Email classification@state.gov on the unclassified system; or
 - (3) Email 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, and handling restriction markings such as NOFORN and SBU please email the Bureau of Diplomatic Security's Security Helpdesk on the unclassified email system.