

UNDERSTANDING CLASSIFIED INFORMATION: ALL YOU NEED TO KNOW

1

What are classified documents?

Classified national security information is information created or received by an agency of the federal government or a government contractor that would damage national security if improperly released.

Since 1940, the President has managed the system of classifying information that can be in various forms: documents, maps, images, videos, data, microfilm, computer hard drives, CDs etc."

Forms



Forms

BY EXECUTIVE ORDER 13526
REFERENCE 1

2

When are documents classified?

CLASSIFIED



DECLASSIFIED

DOCUMENTS ARE CLASSIFIED ONLY WHEN NECESSARY AND MAINTAINED ONLY AS LONG AS THE DOCUMENT REQUIRES PROTECTION. THE CLASSIFICATION OF A DOCUMENT SHALL BE DETERMINED BY THE LEVEL OF SENSITIVITY OF ITS CONTENTS.

REFERENCE 2

AFTER 25 YEARS, DECLASSIFICATION REVIEW IS AUTOMATIC, WITH NARROW EXCEPTIONS THAT ALLOW INFORMATION TO REMAIN AS CLASSIFIED.

REFERENCE 2

**50
MILLION**

Estimates assess that as many as 50 million documents or more are classified each year

REFERENCE 3

How
Many ?

**three times
every second**

REFERENCE 3

How
Many ?

Estimates assess that as many as 50 million documents are classified each year

REFERENCE 3

3

Why are documents classified?

Information is classified if an official determination is made that its unauthorized release would damage national security. Levels of classification correspond to levels of supposed damage.

TOP SECRET

Indicates that exceptionally grave damage to the national security can happen from its unauthorized release



CONFIDENTIAL is the lowest category of classified information currently in use

CONFIDENTIAL

REFERENCE 4

SECRET

Indicates that the unauthorized release of the document can cause serious damage to the national security

SECRET

4

Who classifies documents?

Presidents have the authority to issue classification and to designate other officials who can do so.

REFERENCE 5

How Does the Presidential Records Act of 1978 Intersect With the Freedom of Information Act?)

REFERENCE 6



| Incumbent President | President Leaves Office | Years 1 To 5 | Years 5 To 12 | After 12 Years |
|---|--|--|---|--|
| <p>Specifies up to 6 restrictions categories</p> <p>Specifies the duration of restrictions, up to 12 years after term (s) end</p> <p>During incumbency, no right of public access</p> <p>President to segregate Presidential from personal records</p> <p>Same provisions for Vice Presidential records</p> | <p>Presidential records transfer to legal custody of the Archivist of the U.S.</p> <p>Archivist responsible for custody, control, preservation, and access</p> <p>Archivist has "affirmative duty" to make records available to the public "as rapidly and completely as possible"</p> | <p>Presidential records, even unrestricted, are exempt from FOIA access until earlier of:</p> <p>5 years after Archivist takes custody or Archivist completes processing</p> <p>Only access is "special access": Congress, judicial process, or incumbent President ("current business")</p> | <p>Access through FOIA</p> <p>Both PRA restrictions and FOIA exemptions apply</p> <p>Archivist determines PRA restrictions in consultation w/ former President</p> <p>No judicial review of PRA restrictions</p> <p>All disclosures: prior notice to current and former President</p> | <p>Access through FOIA</p> <p>Only FOIA exemptions apply</p> <p>But FOIA Ex. (b)5 is "not available" to withhold Presidential records</p> <p>All other provisions of FOIA apply</p> <p>All disclosures: prior notice to current and former President</p> |

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Where are classified documents kept?

STORAGE:
Classified material must be stored in a secure room, a GSA-approved storage container such as a cabinet, safe, vault, or SCIF, a Sensitive Compartmented Information facility

At the end of an administration, documents of the outgoing President & Vice-Presidential have to be transferred to the National Archives

REFERENCE 7

BOTH PRESIDENT TRUMP AND BIDEN AS OBAMA'S VICE PRESIDENT DID NOT DO A PROPER HANDOVER

TAKING IT HOME:
Are there any circumstances when I might be allowed to take classified documents home?

NO

Residences are not considered official premises, hence classified material cannot be kept overnight in personal custody as per requirements in E.O. 13526, Part 4, Safeguarding

REFERENCE 8

BOTH BIDEN AND TRUMP VIOLATED THIS LAW



Intentional violation of the classified information laws could lead to fines or imprisonment or both.

When Presidents or Vice presidents misplace classified documents, it becomes fodder for political controversy.

Instead of focusing on governance, political parties focus on shaming each other. The public disapproves as can be seen in the results from the Pew Poll.





PEW POLL

Public is widely concerned that. GOP will focus too much on investigating Biden administration rather than not enough

| | | |
|---|----------|------------|
| Percentage who are more concerned that Republicans will focus on investigating the Biden administration | 65 | 32 |
| | TOO MUCH | NOT ENOUGH |

| | | |
|--------------------------------|----|----|
| REPUBLICAN/ LEAN REPUBLICAN | 42 | 56 |
|--------------------------------|----|----|

| | | |
|----------------------------|----|---|
| DEMOCRAT/ LEAN DEMOCRAT | 89 | 9 |
|----------------------------|----|---|

REFERENCE 9



CONCLUSION



Presidents & Vice Presidents need to be held to the highest standards and avoid moving classified documents from their offices. People need to be educated about the dangers of not following the process.

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