

Permitted Activities

You may read open source publications or web pages that contain classified information unless instructions to the contrary have been issued by the U.S. Government concerning a specific compromise.

You may collect open source publications or web pages in a given subject area (such as nuclear weapons, uranium centrifuges) as long as the collection is not limited to only those publications or web pages containing classified information. Any summary of an open source document must not contain classified information.

Precautions

- Do **NOT** annotate an open source document to indicate it contains classified information. Any annotation that implies the document contains classified information requires that the document be reviewed by a Derivative Classifier and be marked and protected at the appropriate classification level and category.
- A citation (e.g., in a footnote or bibliography) of a well-known open source document may be OK if the reference does not point to classified information in the document. Check with your local Classification Officer for guidance on acceptable citations.

Advisories

Advisories may be issued when classified information appearing in the public domain is particularly noteworthy or significant concerns regarding the release of the classified information arise. However, whether an Advisory is issued or not, the “No Comment” policy should be followed whenever classified information appears in the public domain.

Violations

Any cleared person who intentionally verifies the classification status of any information or the technical accuracy of classified information in the public domain is subject to appropriate sanctions. Such sanctions may range from administrative, civil, or criminal penalties, depending on the nature and severity of the action.

Questions/Comments

Contact the Office of Classification at 301-903-7567 or outreach@hq.doe.gov.



“No Comment” Policy on Classified Information in the Public Domain

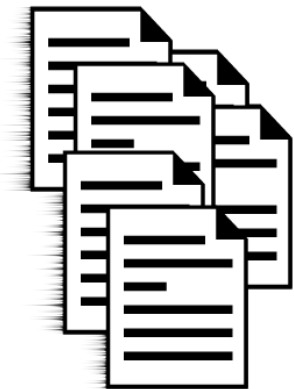
**GEN-16 Revision
August 31, 2011**

U.S. DEPARTMENT OF ENERGY



**Office of Classification
Office of Health, Safety and
Security**

The Department of Energy has had a long-standing policy that prohibits cleared Federal or contractor employees from commenting on classified information that appears in the public domain. However, since that policy was issued, the ways we acquire, process, store, and disseminate information has changed dramatically. It is much more likely these days for employees working in classified subject areas to inadvertently encounter classified information in the public domain through Internet searches, electronic newsletters, or social networking sites. Commenting on such information can cause greater damage to the national security by confirming its location, classified nature, or technical accuracy. Since these disclosures of classified information are not authorized, the disclosed information is still classified. Therefore, it is imperative that as a cleared employee, you understand what to do when you encounter such information.



What is considered a “comment”?

A comment is any activity by a cleared employee that would allow an unauthorized person to (1) locate classified information or (2) confirm the classified nature or technical accuracy of classified information in the public domain.



Therefore, you must **NEVER**, either verbally or in writing,

- Point out that a certain magazine or website contains classified information.
- Verify that information in the public domain (e.g., on the Internet, on a social networking site, in a printed publication) either is classified or is being reviewed because it might contain classified information.
- Discuss whether technical information in a classified subject area that is in the public domain is accurate, effective, or workable.

You also need to be careful if your job requires you to hold discussions involving classified subject areas in a public setting, such as at a press conference, a town hall meeting, or at a conference or symposium attended by uncleared individuals. If you are absolutely certain the specific information being discussed is unclassified, you may comment on it. However, subsequent questions or comments may lead you to inadvertently confirming that information is classified simply by now saying, “I can’t comment on that.”



Therefore, you may want to consider responding to any question or comment concerning a classified subject area by simply saying, “We do not comment on this type of information.”