

# Understanding Classification



Office of Classification  
Office of Health, Safety and Security  
U. S. Department of Energy

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Now that you have your clearance, you are likely to be working with classified information. As a result –

- You may originate a document that must be reviewed for classification.
- You may have a classified document that you want to have reviewed for declassification.
- You may be reading a newspaper or magazine article and find information in it that appears to be classified.
- You may encounter classified information you believe should **NOT** be classified.

TOP SECRET

SECRET

CONFIDENTIAL

This booklet highlights your responsibilities identified in DOE Order 475.2A, *Identifying Classified Information*, for each of the above situations. Refer to this Order for additional details about these requirements (online at [www.directives.doe.gov](http://www.directives.doe.gov)). The Office of Classification (HS-60) is responsible for this Order and for the overall classification program in DOE.

Classification is how we identify certain information that needs to be protected in the interest of national security. DOE has a formal process for classifying and declassifying information, documents, and materials. As a cleared employee, your primary responsibilities regarding the classification of documents or material are to:

- (1) Ensure that each document or material that you originate, modify, or possess in a classified subject area that is potentially classified or potentially classified at a higher classification level or more restrictive category than indicated on the document or material is reviewed by a Derivative Classifier.
- (2) Ensure that any classified document or material that you possess that is marked with a specific date or event for declassification that has passed is not declassified until a Derivative Declassifier has reviewed it and confirmed that it is declassified.

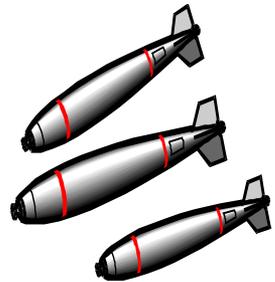
- (3) Submit any formal challenges to the classification of specific information and any declassification proposals to the appropriate classification official.

Classification is based on authorities granted to DOE under the Atomic Energy Act (AEA) and under Executive Order (E.O.) 13526. In both authorities, classification uses three levels (Confidential, Secret, Top Secret) to define the severity of damage to national security. Classified information is subdivided into different categories depending on the authority and rules used to handle the specific information. The four categories of classified information are:

- **Restricted Data (RD)**, governed by the AEA, concerns the nuclear weapons program, the production of special nuclear material, naval nuclear propulsion, and space power systems. Examples of RD include the designs of nuclear weapons, the production of uranium or plutonium for nuclear weapons, and the design of naval nuclear propulsion reactors.



- **Formerly Restricted Data (FRD)**, governed by the AEA, concerns the military use of nuclear weapons. Examples of FRD include nuclear weapon stockpile quantities, nuclear weapon storage and safety, nuclear weapon yields, and nuclear weapon storage locations (both past and present).



- **Transclassified Foreign Nuclear Information (TFNI)**, governed by both the AEA and E.O. 13526, is certain specific intelligence information concerning certain foreign nuclear programs for which comparable U.S. information is RD. If you work in a program dealing with foreign nuclear programs, you should speak with your supervisor or contact the Office of Classification's Outreach Program for more information about TFNI.
- **National Security Information (NSI)**, governed by E.O. 13526, concerns all other kinds of classified information. Examples of NSI include safeguarding of nuclear materials or

facilities, vulnerabilities or capabilities of systems/installations, nonproliferation studies, foreign government information, and intelligence and counterintelligence information.

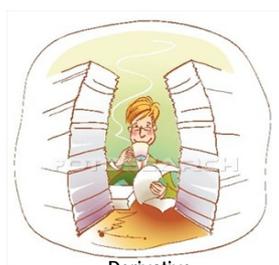
**The following information will assist you if you encounter potentially classified information.**

The Classification Program at Headquarters (HQ) is structured so that trained and authorized personnel are located throughout DOE organizations that generate classified information. At the working level, Derivative Classifiers (DCs) review documents that may require classification. Program offices may also have Classification Representatives (CR) who communicate with DCs on classification. At HQ and in the field, you will find a dedicated classification office that performs public release reviews and other functions that help DCs and CRs do their jobs. The Office of Classification is the classification office for DOE HQ and the NNSA Classified and Controlled Information Division (CCID) acts as the classification office for NNSA HQ.

**Who can classify or declassify a document?**

DOE requires specific authority to classify and declassify documents (as well as upgrade and downgrade documents).

- Derivative Classifiers are trained and authorized to classify or upgrade documents.
- Derivative Declassifiers are trained and authorized to declassify or downgrade documents.



Derivative Classifier

These are separate authorities, although a person may have both.

**CLASSIFYING A DOCUMENT**

As a newly cleared employee, you may originate a document in a **classified subject area**. Any document that concerns a classified subject area that potentially contains classified information must be reviewed for classification. If the document is not for public release, a DC in your assigned office may conduct the review. If the document is for public release, the Office of Classification or NNSA CCID must conduct the review.

**What is a classified subject area?** A classified subject area is a subject area for which a classification guide has been issued (e.g., nuclear assembly systems, safeguards and security, Strategic Petroleum Reserve). A classification guide indicates whether specific information in a given subject area is classified. A list of such classification guides is included in the Index of DOE



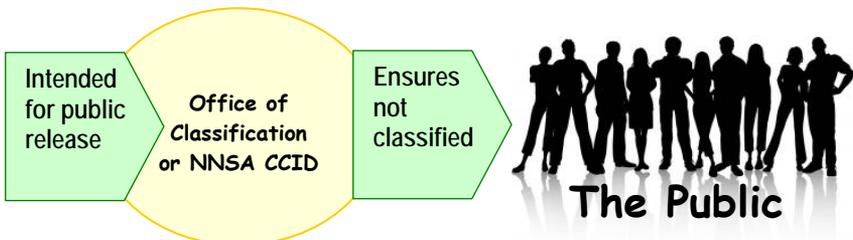
Classification Guidance that is issued by the Office of Classification twice a year. Since the Index may not be readily available to you, you should talk with your supervisor to find out if your work will be in a classified subject area.



**When should I have a document I am originating reviewed?** The document must be reviewed before it is (1) finalized, (2) sent outside of your organization or working group you are serving on, or (3) filed. A working group could include members from several field organizations and HQ. In such a case, the

document would not have to be reviewed if it were sent to each member of the working group even though the members are geographically separated. Prior to getting a review, you should protect the document at the highest potential classification level and category of information that you believe is in the document. Regardless, the document must be reviewed no later than 180 days after its creation.

**Do I have to have every document concerning a classified subject area reviewed for classification even if I am certain that the document doesn't contain classified information?** It depends! Every document concerning a classified subject area that is intended for **public release** must be reviewed at HQ by the Office of Classification or the NNSA's CCID for NNSA documents, even if you are sure the document doesn't contain classified information.



Note that public release includes posting a document on an organization's website if the website is accessible to the public.

A DC must review a document that potentially contains classified information but is not for public release. However, in this case, if you are sure, based on previous reviews or training, that it is not classified, you can assume responsibility for not having it reviewed.

If you are not certain if a document is in a classified subject area or you do not know who in your organization has authority to review documents, you should talk with a DC, your supervisor, or your CR. You may also contact your CR if you have any questions concerning classification.

**How can I learn what is classified in my subject area?** If you are working in a classified subject area, you may talk to a coworker, your supervisor, a DC in your organization, or your HQ CR to clarify what might be classified.



**Informal**

You will gain a better understanding of what is classified through informal, day-to-day discussions with your coworkers. You will also be able to develop a sense of what is classified

in your subject area by having documents reviewed by a DC and learning from the results of such reviews.



**Formal**



**What should I do if I have a document that is not marked as containing classified information, but I think it might?** You should have it reviewed by a DC as soon as possible; protecting the document at the highest potential classification level and category of information you believe to be in the document until it is reviewed.

## DECLASSIFYING A DOCUMENT

**I have a classified document that may no longer be classified. I want to know if I can share the document or some of the information in the document with persons**



Derivative  
**De**classifier

**who do not have a clearance. What should I do?** A Derivative Declassifier (DD) must review classified documents to determine if the documents no longer contain classified information. You may take the document to a DC for an initial review, but a DD must make the final determination. The fact that a document has been declassified does not mean it can be released to the public. The declassified document may still contain unclassified information that is sensitive.

**I have a classified document that is marked to indicate that it is declassified after a certain date has passed or event has occurred. Once that date has passed or the event has occurred, is the document now declassified?** No! A DD must review the document prior to its declassification. Note that your DD may not be the same person as your DC.



**I have a classified document that is marked with a declassification date or event that has NOT passed or occurred or that has no declassification date or event. I need to have this document declassified. What do I do?** First, you must decide whether you need the entire document declassified or you just need each portion of the classified document identified so that those portions can be taken out (i.e., redacted). Then, you take the document to either a DC or DD in your organization to begin the declassification process.

### **“NO COMMENT” POLICY**

**What can I say about information that may be classified that I read in a magazine, newspaper, or on the Internet?** Nothing. As a cleared employee, you cannot comment on any



classified information that appears in the public domain. The fact that classified information is in the public domain is itself classified; therefore, you cannot comment on the technical accuracy or classification status of such classified information. If you are not sure if information in the public domain is classified, you should avoid

comment. Also, remember that just because classified information has appeared in the public domain, it does not mean that the information is now declassified. If you incorporate information from the public domain that is in a classified subject area into an unclassified document, you should follow the procedures concerning the review of documents discussed earlier.

## CHALLENGES

### **What should I do if I think that the classified information I am working with should not be classified?**



You are encouraged and expected to challenge the classification of information if you believe it is improperly classified. Under no circumstances will you be subject to retribution for making such a challenge. You are encouraged to informally challenge any classification decision with the DC or DD who made the decision. You may also formally challenge the classification decision by submitting your challenge in writing to the Director, Office of Classification, or for NNSA information to the CCID. If you are not satisfied with the response to your challenge, refer to 10 CFR 1045.39 for RD or FRD and 32 CFR 2001.14 for NSI to learn about your appeal rights.



**If you have any questions concerning the above information or any other aspects of the classification program, you may refer to DOE Order 475.2A or contact the Office of Classification through the Office of Classification Outreach Program at 301-903-7567 or [outreach@hq.doe.gov](mailto:outreach@hq.doe.gov).**