

From the Director's Office

As Classification Officers we are responsible for interpreting classification policies for management and staff. In doing so, I wonder sometimes how often we explain a policy as longstanding or as part of our tradition, but in critical review we do not truly understand why it is needed today.

Most of our classification policies, especially those concerning what specific information is classified, have been in existence for many years. One can argue there is a sort of inertia embedded in our current system to maintain the status quo. If we were to create the classification policies today rather than live with those created many years in the past, would we still classify as much information?

More important than the academic question of whether our classification policies are based more on tradition than merit is the fact that we are required under statute and regulation to keep our classification system up to date. In that light, I am convinced that we have too much information classified today because we have not regularly taken a more critical and balanced approach to the costs and benefits of continued classification, and because our actual declassification efforts have been minimal for

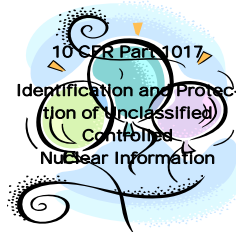
the range of information we protect today.

Certainly, we are averse to the risk of under classification. Key nuclear weapon design information is too important to our national security to allow our adversaries or would-be proliferants to obtain such important data. Our Restricted Data system was established when Congress passed the Atomic Energy Act to give the Executive Branch the tools to properly protect this information; and, despite some criticism, it has been very effective for over 60 years.

However, Congress also recognized that some portion of our information would not always require protection, and gave us the task of continuous review in order to keep what we protect relevant to the times. We all know that in the 1950s, in the midst of the Cold War, the Atomic Energy Commission declassified complete areas of RD to enable the development of the civilian nuclear power industry and promote the Atoms for Peace program. Since that time, many declassifications have been quite specific and are more likely made to solve a particular issue a field site may have regarding their local information. It is rare today to see a

Director (Continued on page 10)

Unclassified Controlled Nuclear Information Regulation PUBLISHED!



The Final Rule 10 CFR Part 1017, *Identification and Protection of Unclassified Controlled Nuclear Information*, (UCNI) was approved by the Secretary and published in the *Federal Register* on June 10, 2008. This Final Rule revises the UCNI program by clarifying key concepts, adding or modifying several definitions, and requiring

testing and recertification of UCNI Reviewing Officials every 3 years.

Many of the changes in the regulation reflect changes already made in DOE directives. Below are a few of the specific clarifications and changes found in the revised UCNI regulations:

- **Link with special nuclear material (SNM) has been clarified with the addition of new definitions for “production facility” and “utilization facility.”**

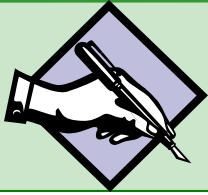
UCNI (Continued on page 2)

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Special points of interest:

- *Is OOU now CUI? - See Page 2.*
- *Who is supposed to give Subject-Matter-Related Classification Awareness Briefings? — See Page 3.*
- *What classification/UCNI guides are being developed/revised — See Page 5.*
- *What authority do I have as a DC? — See Page 7*
- *Who received the Award of Excellence this year? - See Page 7.*



The President's Memorandum on Controlled Unclassified Information – What Does it Mean?

On May 9, 2008, President Bush issued a memorandum on the designation and sharing of Controlled Unclassified Information (CUI). The memorandum directs the Government-wide standardization of marking and handling of sensitive unclassified **terrorist information within the information sharing environment (ISE)** within 5 years. The National Archives and Records Administration (NARA), designated as the Executive Agent responsible for overseeing the implementation of the CUI framework, will release specific policies and procedures for implementing the President's memorandum at a future date. At this point, the new policies are mandated only for terrorist information that will be used in the ISE. Some agencies, including the Department of Defense and the Department of Homeland Security, have decided to voluntarily apply the policies to all CUI. It is yet to be determined if the Department of Energy (DOE) will do the same.

There is no immediate impact to the memorandum. NARA has established a CUI Office which is working with a CUI Council to develop an implementing directive. Once that is issued, each agency must also develop guidelines, procedures, and training.

The long term impact of the memorandum is uncertain. Until such time as guidance is issued by DOE, no documents should be marked with a marking of "Controlled Unclassified Information." Existing programs are still in effect. Official Use Only and Unclassified Controlled Nuclear Information markings must continue to be used as required by DOE directives. If you have any questions, contact Lesley Nelson-Burns at (301) 903-4861 or lesley.nelson-burns@hq.doe.gov.

UCNI (Continued from page 1)

Information concerning the security of a site may be UCNI only if the site is a "production facility" or a "utilization facility."

- **"Widely-disseminated in the public domain" has been more fully explained.**

The first step in the review process for an existing document (i.e., not newly generated) is to determine whether the document is widely disseminated in the public domain at the time in which the document is being searched for or requested. Examples of widely disseminated in the public domain include: (1) publicly available from a Government technical information service or depository library; (2) in a public library or open literature source; and (3) accessible on the Internet using available search methods.

- **"Adverse effect test" simplified with addition of new definitions for "essential technology-related information" and "exploitable security-related information."**

If information is not covered by one of these definitions, it cannot be identified as UCNI because it fails to meet the "adverse effect test."

- **"Atomic Energy Defense Programs" has been modified to include activities, equipment, and facilities that are not currently being used or conducted but that were once used or conducted and that could be used or conducted again.**

This change allows DOE to protect activities, equipment, and facilities that remain sensitive because of their potential misuse by proliferants or terrorists.

- **Requires UCNI Reviewing Officials (RO) to be tested and recertified every 3 years.**

This change will ensure that UCNI ROs remain qualified to make UCNI determinations and to properly protect UCNI documents and material.

The effective date of the Final Rule is December 8, 2008. If you have any questions on these revised regulations, please contact Emily Puhl at (301) 903-9048 or emily.puhl@hq.doe.gov.

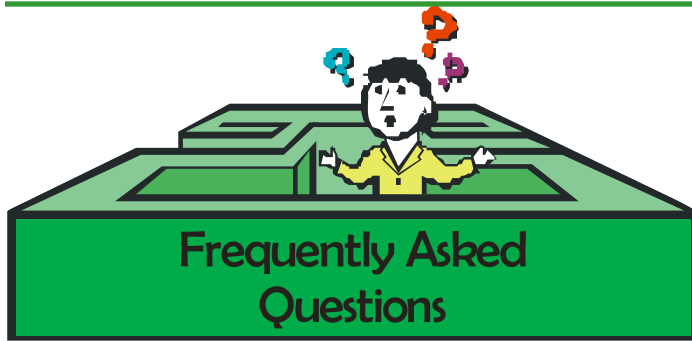
Personnel Updates

Farewell

John E. Ballard, NAC
Thomas R. Coughenour, CO, WSI-SRS
M. Ray Ferry, CO, LASO
James E. Greening, HS-93
James A. Wendt, Director, HS-93

Welcome

Mark E. Jackson, POC, WSI-SRS
Michael L. Kolbay, Statutory Reviews Team
Leader, HS-93
Nick A. Sandoval, CO, OST (NA-15)
John E. Tribou, Acting CO, LASO



Subject-Matter-Related Classification Awareness Briefings

What is the requirement?

“The head of each Headquarters element and the manager of each field element must ensure that employees authorized access to classified information who are working in classified subject areas, receive subject-matter-related briefings that explain what information is potentially classified in their relevant areas.” The requirement for subject-matter-related classification awareness briefings must be implemented by September 30, 2008.

Why “briefing” instead of “training”?

The word “briefing” was intentionally chosen to illustrate that it is not intended to be a formal, one-size-fits-all program.

Why create this new requirement?

In the past, all documents originated in a classified subject area had to be reviewed by a derivative classifier (DC), even if the author was positive that the document did not contain any classified information. In practice, people did not have all paper documents originated in classified subject areas reviewed. The requirement to review all e-mails or electronic documents in classified subject areas was even more of a problem. As a result, this old, unworkable review requirement has been replaced by a new, more flexible review requirement that relies on the knowledge of the author. If an author originates a document in a classified subject area and is confident the document is unclassified, the document does not always require a review by a DC. However, if this were the only change in the requirement, there could potentially be many more compromises as some employees may be more confident than they should be.

To make this new, flexible review requirement work, the author’s confidence has to have a legitimate basis. This can be gained through past reviews by a DC of similar material or through knowledge about the classified aspects of the subject area. One way to gain this knowledge is through subject-matter-related classification awareness briefings. These briefings are designed to increase everyone’s knowledge of what is potentially classified in the subject areas in which they work and make them correctly confident – but not mistakenly overconfident.

It is important to note that this rule does not apply to documents intended for public release or prepared text for presentations to be given in an unclassified setting. Such documents originated in a classified subject area must be

reviewed by the Classification Officer (CO) or a DC designated by the CO. For Headquarters (HQ) personnel, the Office of Classification must review such documents.

Who is responsible for conducting subject-matter-related classification awareness briefings?

That determination is up to the local site. The site manager, CO, supervisor or DC may conduct the briefings. Regardless, if you are a DC, it would be a good idea to discuss what is potentially classified in your area with the people you work with, and in particular those who bring documents to you for classification review. They need to be confident about their classification knowledge in order to decide if something does or does not require a classification review. You can let them know when they should be cautious and make sure a document is reviewed.

Will a standard presentation suffice?

It depends. One size does not fit all. The key to the requirement is explaining “what information is potentially classified in **their relevant areas**.” A single, generic presentation covering an entire site might contain information useful to most people (e.g., classification-related issues in reporting security incidents), but does little to help a person in a specific technical area. Each briefing should be tailored to a group of people working in the same subject area. The briefing should be designed to educate people as to when a document must be reviewed. This may be a matter of keywords that may indicate classification concerns tailored to a specific area; but, in general, an in-depth discussion of classification issues would be more helpful.

How often should subject-matter-related classification awareness briefings be given?

The frequency of subject-matter-related classification awareness briefings is not stipulated in DOE M 475.1-1B. The frequency was not addressed in order to allow offices the flexibility to develop an approach that best suits their needs and resources. The goal of the briefings is for people to gain knowledge and confidence. In complex classified subject areas, this probably can’t be done by a once-a-year briefing. Regardless of the classified subject area, the more discussion the better. Certainly, a briefing should be given whenever a classification issue is brought to the attention of a CO, supervisor, or DC that would be helpful to employees

FAQ (Continued on page 6)



What Does “25X” Mean and When is it Used on the “Declassify On:” Line of the Classifier Marking?

All documents containing only National Security Information (NSI) must have declassification instructions on the classifier marking. Declassification instructions for NSI normally identify a date, duration or event occurring within 25 years.

However, the Interagency Security Classification Appeals Panel has given DOE approval to exempt certain information from 25-year declassification. If information is exempt from automatic declassification at 25 years, the guide topic for that information has a “25X” declassification instruction (e.g., [25X8; 12/31/2058], [25X2; 30], [25X6; EV]). Whenever an instruction indicates “[EV],” a note in the topic or section will define the declassification event. The text or a summary of the note (not [EV]), must be written on the classifier marking.

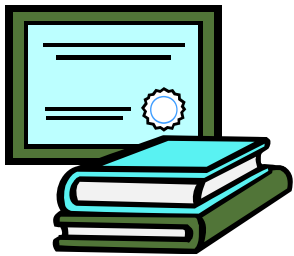
The “25X” notation is important because the derivative classifier (DC) must use the declassification instruction that protects the information in the document for the longest period of time. For example, a document could contain information classified by topics with declassification

instructions of “[25X8; EV]” and “[EV].” Both declassification instructions are event based as indicated by the “[EV],” but only the first instruction allows the event to occur after 25 years. A declassification instruction with “25X” will normally protect the information for a longer period of time than an instruction without a “25X.” However, a “25X” event could take place before the 25-year timeframe. It is important to note that if a declassification instruction specifies “25X” and an event, the document may be reviewed for declassification after the event occurs, even if the event occurs before the 25-year timeframe.

Therefore, when classifying NSI documents, it is important to make sure the “25X” instruction is on the “Declassify On” line of the classifier marking. Where a specific date is given (e.g., [25X8; 12/31/2058]), the “25X” and date is written (e.g., Declassify On: 25X8; 12/31/2058). If the duration is a number of years (e.g., [25X8; 30]), then “25X” and a date that number of years from the date of the document being classified are written (e.g., Declassify On: 25X8; 7/1/2038). If “[25X8; EV]” is used, then “25X” and a description of the event specified in the guide are written (e.g., Declassify On: 25X8; When the facility is closed or deactivated).

The following are examples of classifier markings using “25X” instructions.

Marking (Continued on page 10)



Test Your Knowledge

1. Which of the following criteria must be met before a derivative classifier (DC) can review documents for public release?
 - a. The document must be within the DCs subject area of authority
 - b. The document must be within the DCs programmatic jurisdiction
 - c. The CO must have delegated the authority to review documents for public release to the DC in writing
 - d. All of the Above
2. If the declassification instructions for an NSI topic read 25X8, EV Note: Declassify when facility closes, the “Declassify On:” line of the classifier marking should read
 - a. EV
 - b. 25X8, EV
 - c. Declassify when facility closes
 - d. 25X8, Declassify when facility closes
3. According to the President’s memorandum on Controlled Unclassified Information, all OUC information must now be marked “Controlled Unclassified Information.”
 - a. True
 - b. False
4. Which document generated by a person with a clearance in a classified subject area does not require a DC review?
 - a. A research paper intended for publication in “Mad Scientist Monthly” when the employee is confident it does not contain classified information
 - b. A presentation the employee is confident does not contain classified information to be given at a meeting which may be attended by uncleared persons
 - c. A monthly report an employee is confident does not contain classified since it contains similar information to those generated for the last six months which have been reviewed by a DC and found not to be classified
5. Subject matter-related classification awareness briefings:
 - a. Are required for all DOE/NNSA employees
 - b. Are the responsibility of the CO
 - c. Must be documented
 - d. Must be implemented by September 30, 2008

[\(answers on page 9\)](#)

Guidance Status

Classification Guides (CG) in Progress

CG-IC-1. A new CG that will supersede both CG-IN-1 and CG-CI-1 for the Office Intelligence and Counterintelligence (IN) is being developed. IN is currently working on its initial draft of this new CG.

CG-ICF-6. This revision of CG-ICF-5 will update the guidance on equation of state and opacities, add computer code topics, and resolve some of the guidance discrepancies with TCG-WS-1. A draft guide was distributed for comment in early summer 2007. Field comments on the proposed revision have been incorporated where possible.

CG-IN-1, Change 2. This will clarify guidance for Sensitive Compartmented Information Facility (SCIF) security alarm information. It is currently in the final concurrence and approval process.

CG-LCP-3A. A working group has been formed. They will review the current Louisiana Energy Services (LES) classification guidance and develop proposed changes.

CG-LCP-3B. A working group has been formed. They will review the current Louisiana Energy Services (LES) classification guidance and develop proposed changes.

CG-NEPW-1. The final draft CG for the robust nuclear earth penetrator weapon was approved by NNSA and sent to the Department of Defense (DoD) on September 4, 2005. Once approved by DoD and the Office of Classification, the guide will be published.

CG-NMI-1. A new CG for Nuclear Material Inventories is being developed and is currently in internal coordination.

CG-NMIP-1. A new CG for the Nuclear Materials Information Program is being developed for IN-10. A draft guide has been reviewed and comments have been incorporated into the guide. Another review will be conducted by IN-10 before HS-92

finalizes for field review.

CG-OE-1. A new CG for the Office of Electricity Delivery and Energy Reliability (OE) is being developed. It will provide guidance for their international program as well as their domestic programs for critical energy infrastructure.

CG-RDD-1. A new CG for radiological dispersal device policy is under development with the Nuclear Regulatory Commission and the

Guidance Issued

No Headquarters guidance has been approved since the last CommuniQué.

Local Classification Guides Approved

CG-KCP-ASSOC-1, *Classification Guidance for Associations*, 4/17/08

Bulletins Issued

TNP-29, *Declassification of the Maximum Storage Capacity for the Proposed Consolidated Nuclear Production Center*, 3/21/08

WNP-120, *Cast Versus Wrought Uranium*, 5/2/08.

Departments of Homeland Security, Defense, and State.

CG-SS-4, Change 7. This revision is currently in internal development. It will add cautions to revise the 2200 section of the guide to reflect the replacement of the Design Basis Threat (DBT) with Graded Security Protection (GSP), incorporate TNP-27, clarify and revise compromise and security incident guidance, revise topics in the foreign government section, modify topic for access authenticators to classified IT systems, and other editorial changes.

CG-SS-4A, Change 4. This revision for special access programs (SAPs) is currently being reviewed by SAP program officials prior to field coordination.

CG-SS-4A. A revision to Chapter 2, Technical Surveillance Countermeasures, is in development. A final draft has been prepared for TSCM Program Office coordination with field coordination to follow.

CG-SSP-1. The topics retained from the rescinded CG for the Stockpile

Stewardship Program have been approved for continued use through September 30, 2008. A memorandum is being prepared to extend this date to September 30, 2009.

CG-SV-2. This SNL/NM developed guide is in internal office review in preparation for the final concurrence and approval process.

CG-TSS-4. The NNSA Service Center is working with the Office of Secure Transportation (OST) in development of this revision to CG-TSS-3.

CG-US/UK-NUC-1. A joint US/UK top-level classification guide is being developed to confirm commonalities in guidance for the two countries and to highlight areas where special attention is required because of differences in national policies. The content of the new guide will parallel CG-W-5 and ACO-140. The guide will be signed this fall.

Topical Classification Guides (TCG) in Progress

TCG-BTS-2. Change 2 to the TCG for boosting and transfer systems is being developed.

TCG-DS-2. A revision to the TCG for detonation systems is being developed. The revised guide will incorporate new technological developments. The guide was sent to DoD for approval and signature on May 24, 2006. The guide is being updated for resubmittal to DoD for approval and signature.

TCG-NNT-1. Field comments on the final draft of change 6 to the nonnuclear test guide are being incorporated. Change 6 will augment existing topics and incorporate topics being transferred from CG-SSP-1.

TCG-UC-3. Change 4 to the TCG for nuclear weapon use control is being developed by the Use Control Classification Working Group and is currently in internal coordination.

TCG-VH-2. A revision to the TCG for vulnerabilities and hardening is in final coordination. The guide was sent to DoD for approval and signature on August 4, 2005. The guide has been updated and was resubmitted to DoD for

Guidance (Continued on page 10)


FAQ (Continued from page 3)

working in the subject area. Keep in mind that the briefings can be very informal and do not have to be lengthy. A few minutes at staff meetings could suffice in some cases.

Is there a requirement to keep a record of subject-matter-related classification awareness briefings?

Many programs choose to document the briefings. However, there is no requirement in DOE M 475.1-1B to keep records of subject-matter-related classification awareness briefings. Regardless of documentation, during classification and information control inspections, employees should be able to recall the briefings he or she received in order to prove briefings were given.

If you have any questions about the requirements for subject-matter-related classification awareness briefings, contact Lesley Nelson-Burns at (301) 903-4861 or lesley.nelson-burns@hq.doe.gov.



2008 Upcoming Events

October 21-22	General Course for Derivative Declassifiers
November 17-21	Safeguards and Security (CG-SS-4) Classification Course



What are the requirements for the NSI Special Control Marking?

DOE Manual 475.1-1B requires that each classified document containing only National Security Information (NSI) be marked with the following special control marking: “Derivative Declassifier Review required prior to declassification.” The purpose of the

marking is to alert any holder of the document that the document may not be automatically declassified, even if it has a specific declassification date or event.

Although the example in the Manual is a box containing the words, the Manual does not specify where or how the special control marking is to appear on a document. The Office of Classification and the Office of Security Policy have developed the following recommendations in response to numerous questions received concerning the marking. The special control marking should:

1. appear on the front of the document, preferably close to the classifier marking;
2. be distinguishable from the text of the document and other markings (e.g., by using a different font or by placing in a box); and
3. be legible.


These three criteria should ensure that the NSI special control marking is not overlooked. See the sample document for two options for placement of the NSI special control marking. If you have any questions concerning the NSI special control marking, contact the Office of Classification Outreach program at (301) 903-7567 or outreach@hq.doe.gov.

SECRET

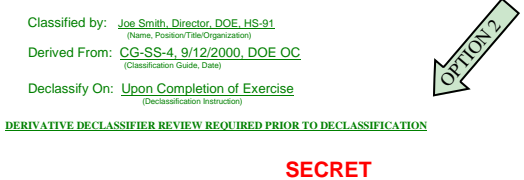
Subject: Marking of NSI Documents (U)
September 2007

Classification of this document is for example purposes only.

Option 1 — Separate marking easily identified



Option 2 — Text stands out from classifier marking



Classified by: Joe Smith, Director, DOE, HS-91
(Name, Position/Title/Organization)

Derived From: CG-SS-4, 9/12/2000, DOE OC
(Classification Guide, Date)

Declassify On: Upon Completion of Exercise
(Declassification Instruction)

DERIVATIVE DECLASSIFIER REVIEW REQUIRED PRIOR TO DECLASSIFICATION

SECRET

Derivative Classifier Authority



Do you know what you can and can't do as a derivative classifier (DC)? Have you reviewed your authority letter to determine if the subject areas and organizations are sufficient? Are you aware of the limitations on DC authority specified in DOE M 475.1-1B, *Identifying Classified Information*? You should not only be aware of the subject areas of your authority and the organizations for which you can make determinations, but you should also understand exactly what determinations you can make as a DC.

As a DC, you are authorized to make classification determinations on new documents based on current guidance. Your DC authority also allows you to upgrade the classification level and/or category markings of documents that were previously classified at a level/category that was too low, as determined by current guidance.

Derivative classification authority has many limitations. As noted above, one of the limitations is that all decisions must be based on current guidance. When guidance does not

exist, documents must be referred to the Classification Officer or the Headquarters Classification Representative, as appropriate. In addition, information in the documents must be within your programmatic subject areas and jurisdiction. In other words, if you are only authorized to classify documents in the Safeguards and Security subject area for documents generated by HS-71, you cannot classify a document containing information about nuclear weapon design or a document originated by HS-91 or any organization/agency outside of HS-71.

As a DC, you cannot upgrade the classification status of existing documents that contain classified information, but were never marked as classified unless that authority has been specifically delegated to you in writing. In addition, you cannot declassify or downgrade documents. Declassification and downgrades can only be done by derivative declassifiers.

The table on page 8 indicates some of the circumstances in which a DC may or may not review documents. For information concerning reviews not in the table (i.e., documents provided to Congress, documents containing Foreign Government Information, patent applications, non-DOE documents, etc. consult Chapter V of DOE Manual 475.1-1B. If you have any questions concerning DC authority, contact the Outreach Program at (301) 903-7567 or outreach@hq.doe.gov.

43rd Annual Classification Officers Technical Program Review Meeting

The Office of Classification hosted the 43rd Annual Classification Officers Technical Program Review Meeting in Germantown on April 29-30. Approximately 110 people attended, representing Department of Energy (DOE) and National Nuclear Security Administration (NNSA) laboratories, field offices, and production plants as well as a number of Headquarters organizations. Each year, a member of the field or contractor classification community is recognized for his or her exceptional contributions to the DOE classification program by being chosen to receive the Award of Excellence. This year's Award was presented to Greg Spencer of National Security Technologies, LLC, Las Vegas, Nevada.

Glenn Podonsky, Chief Health, Safety and Security Officer, opened the meeting with remarks highlighting the Secretary of Energy's longstanding interest in worker safety and the ongoing care of past nuclear workers. Classification Officers have a role to play in locating and releasing records to support the health screening of former workers. He also highlighted the role of HSS in nuclear security, insisting that we need to "advertise our successes," which often get buried in criticism of security programs.

Most of the speakers were from within the DOE, but there were also notable outsiders. Jay Bosanko, the new Director of the Information Security Oversight Office (ISOO), praised

the DOE classification program as the "most robust, rigorous, and professional in the Government today." He stated the most common deficiencies found during ISOO inspections of other agencies include: improper classification determinations, and erroneous document markings – declassification instructions in particular and handling of foreign government information is another widespread problem area.

Meredith Fuchs from the National Security Archives, an independent non-governmental research institute, echoed some of Mr. Bosanko's general complaints about classification programs within the Government and stressed the need to audit classification decisions, improve training for classifiers, and impose penalties for classification-related errors and wrongdoing.

Scott Ackiss, head of classification management at the Department of Homeland Security (DHS), gave an update on classification activities at the DHS. The DHS has completed several classification guides and is establishing formal training and certification requirements for Restricted Data Classifiers. However, the DHS realizes that some of its guidance is inconsistent with DOE guidance. Both agencies must cooperate to resolve this problem.

CO Meeting (Continued on page 9)

Review Requirements and Authorities (See article on page 7)

	Originated or Submitted By	
Document Type	Current DOE/NNSA Employee Authorized Access to Classified	DOE/NNSA Employee Who Had Access but is no Longer Authorized Access to Classified
New document in classified subject area <u>not</u> intended for public release	DC <u>must</u> review document <u>unless</u> employee is “confident” ¹ that it does not contain classified [DOE M 475.1-1B, Chapter V, Part A, 2a(1)]	DC must review. If determined to contain classified information, the document must be referred to CO or a DC delegated this authority in writing by the CO without informing the employee of referral [DOE M 475.1-1B, Chapter V, Part A, 2b and 3a]
New document in classified subject area <u>intended for public release</u>	CO or a DC delegated this authority in writing by the CO <u>must</u> review [DOE M 475.1-1B, Chapter V, Part A, 2a(2)]	
Existing unclassified documents that may contain classified information	DC must review to determine if classified. If classified, DC must refer document to CO or a DC delegated this authority in writing by the CO [DOE M 475.1-1B, Chapter V, Part A, 3a]	
Presentation in a classified subject area given in an unclassified setting²	CO <u>must</u> review unless authority is delegated to DC in writing; employee must be briefed if no prepared text or if extemporaneous remarks likely [DOE M 475.1-1B, Chapter V, Part A, 2a(3)(a)2] and (3)(b)	
Presentation in a classified subject area given in an classified setting³	DC must review unless employee is “confident”; employee must be briefed if no prepared text or if extemporaneous remarks likely unless employee is “confident” it does not contain classified [DOE M 475.1-1B, Chapter V, Part A, 2a(3)(a)]	N/A <i>(an employee without authorized access to classified information would not give a presentation in a classified setting)</i>
Existing classified documents	DC can review and upgrade to a higher level and category [DOE M 475.1-1B, Chapter V, Part C, 2a]	N/A <i>(an employee without authorized access to classified information would not have access to a classified document)</i>
	DC <u>cannot</u> review for declassification or downgrade [DOE M 475.1-1B, Chapter V, Part C, 1a]	

¹Confidence is described in DOE M475.1-1B as based on the employee’s knowledge about the classified aspects of the subject area and/or because the employee has previously had documents or material containing similar information reviewed and determined to be unclassified by a DC.

²An example of an unclassified setting is when the status of authorized access to classified information by individuals in the room is not known.

³An example of a classified setting is when the room is approved for discussion of classified information and all individuals in the room are authorized access to classified information.

Jay Tilden from the recently consolidated DOE Office of Intelligence and Counterintelligence (IN) gave an overview of classification issues within the intelligence community (IC). Within the counterterrorism arena, information sharing is better than it once was, but Classification Officers should be aware of the growing demand – particularly within Work-for-Others projects at the laboratories – for unclassified information extracted from classified subject areas intended for sharing with first responders.

Yvonne Burch of IN highlighted variable and sometimes inconsistent classification practices within the IC, starting with inconsistent understanding among the agencies of basic issues such as classification levels, aggregation/compilation of unclassified information, handling of foreign government information, and other issues. She also discussed the proposed consolidation and revision of the current intelligence and counterintelligence guides that will begin as soon as the Director of National Intelligence issues its long-awaited general classification guide for the IC.

James Bresee from DOE’s Global Nuclear Energy Partnership (GNEP) gave a high-level overview of GNEP. Several field COs feel that there will be emerging classification issues with GNEP, and it would be useful to have an even more detailed presentation and discussion in the future.

Martin Schoenbauer, a senior NNSA official, gave a detailed look at where NNSA is headed, in the course of which he cited some key classification concerns: safeguarding obsolete nuclear weapons information that may still be of use to proliferants and providing appropriately classified or unclassified information to Congress, policymakers, and first responders.

John Adams outlined NNSA’s Classification and Controlled Information Program, noting that preventing compromises is the priority and training for all employees is nearly complete. In a separate presentation, Mr. Adams also urged COs to get more involved in incident reporting, to ensure that incidents citing “weapons data” truly involve weapons-related information.

Samuel Callahan gave an overview, and Ron Sentell gave a more detailed presentation concerning Design Basis Threat classification issues.

Reece Edmonds, Office of Security Evaluations (HS-61), introduced his new colleague Rick Stutheit, previously the

CO for Richland, and gave an overview of HS-61’s classification and information control appraisal program.

Several speakers from the Office of Classification, Dr. Weston-Dawkes, Nick Prospero, Edie Chalk, Emily Puhl, Tom Callander, Johnnie Grant, Bob Cooke, Paul Laplante, and Ken Stein, covered current classification and control issues, many of which were discussed at greater length on the final day of the meeting. Key topics included subject-matter-related classification awareness briefings, the new UCNI regulation, document review requirements, the progress of eCGS, the new joint US/UK and RDD guides in development, classification of “pointers” to classified information, approved uses for canceled guidance, new markings, and CO support to other organizations.

The day following the CO Meeting, Federal and contractor COs met in separate meetings to discuss issues and updates. In addition, a workshop was held on the new upcoming safeguards and security training course, and improvements to the classification directives that may be incorporated through a page change were discussed.

If you would like a copy of the CO Meeting minutes or any of the unclassified briefings, please contact the Office of Classification Outreach Program at (301) 903-7567 or outreach@hq.doe.gov.

Classification Officers Technical Program Review Meeting



Answers for Test Your Knowledge

- 1 – d
- 2 – d
- 3 – b
- 4 – c
- 5 – d

Subject-matter-related classification awareness briefings are required for employees authorized access to classified information

The CO is not identified as the responsible person although they may be given this responsibility by the head of their element

There is no requirement to document the briefings, although programs may choose to do so to ensure they are documented for oversight review inspections.

Director (Continued from page 1)

declassification proposal with the purpose of updating our system based on what the public already has access to or to scrutinize the relative sensitivity of our knowledge versus knowledge obtainable from other sources.

As a result, the declassification of information process in DOE has become too passive and too specific in scope, both of which result in marginal benefits and complicated classification guidance. Typically, we wait for something health and safety-related or lawsuit-related to happen and then review the information affected by the event. This usually results in a highly focused declassification of specific information to meet the issue at hand and often causes the execution of our declassification decisions through classification guidance to be complicated. More than once, we have found that no one can remember, after many years, why

Marking (Continued from page 4)

Guide instruction: [25X8; 12/31/2035]

Classified By: <u>Jane Doe, General Engineer, DOE,HS-90</u>
Derived From: <u>CG-XX-20, 4/1/00, DOE OC</u>
Declassify On: <u>25X8; 12/31/2035.</u>

Guide instruction: [25X8; EV]
Note: Declassify when facility is closed.

Classified By: <u>Jane Doe, General Engineer, DOE,HS-90</u>
Derived From: <u>CG-XX-20, 4/1/00, DOE OC</u>
Declassify On: <u>25X8; when facility is closed.</u>

Guide instruction: [25X2; 30]
Date of document 8/1/08

Classified By: <u>Jane Doe, General Engineer, DOE,HS-90</u>
Derived From: <u>CG-XX-20, 4/1/00, DOE OC</u>
Declassify On: <u>25X2; 8/1/38</u>

If you have any questions concerning the “25X” declassification instructions, contact Mary Deffenbaugh at (301) 903-9030 or mary.deffenbaugh@hq.doe.gov.

Guidance (Continued from page 5)

approval and signature on June 18, 2008

TCG-WI-2. A proposed revision to the TCG for weapon initiators is being developed at Headquarters. A new draft should be available for field comment in summer 2008.

TCG-WM-2. A revision to the TCG for weapon materials has been developed. Comments on the draft guide have been received and are being incorporated. No comments have been received from DoD.

TCG-WOYE-1. A new TCG for weapon outputs, yields, and effects is being developed. The guide combines the content of the current TCG-WO-1 with a comprehensive treatment of weapon yields and effects information. Development of the guide has been delayed by competing priorities, however, a draft for field comment should be available this fall.

a more complete declassification was not done in the first place.

I would argue that now is the time for us to be more proactive and systematic in our approach to declassification, focusing on what we truly need to protect versus what we have always protected in the past. We should be able to make good value judgments on the worth of information in our possession versus what the public also has or could obtain with little effort. Perhaps we would find that certain categories of information classified today are not worth protecting in the future.

Finally, we need to realize that there is a cost to doing nothing; first in money and second in attitude. Information security costs for DOE are in the millions of dollars every year and the more information we protect the higher the cost. Second, our classification system works best when all employees understand and buy-in to its rules and policies. We cannot expect our system to work well in the future if employees believe the system is not up to date or connected to the realities of the world today.

The effectiveness of our classification system depends on management and staff having confidence that our policies are based on today’s realities. If they do not agree, they need to feel empowered to challenge the status quo, examine the classified information in their programmatic areas, and prepare a proposal for declassification using the procedures in DOE Manual 475.1-1B. In my view, if the system is working, the result will be many more declassification proposals and a stronger, more credible classification system

If you have any questions, please contact me at (301) 903-3526 or at andrew.weston-dawkes@hq.doe.gov.

[NOTE: Declassification of a piece of information means changing the classification policy concerning that information. Such declassification is typically implemented by a new or revised topic in classification guidance. The declassification of information should not be confused with the declassification of documents. When documents are being declassified, policy is not being set, it is merely being followed.]

UCNI Topical Guidelines (TG) in Progress

TG-NNP-2. A revision of the nuclear nonproliferation TG is being developed.

Classification Bulletins Currently in Progress

GEN-20. Publication of Uranium Gas Centrifuge Information.

TNP-26. Security Protective Force Command and Control Systems.

TNP-31. Guidance for International Energy Security Analyses.

WNP-119, Remote Communications

If you have any questions concerning the status of classification guidance, contact Edie Chalk at (301) 903-1185 or edie.chalk@hq.doe.gov.