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## CHAPTER 10

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# INTELLIGENCE AND CRYPTOLOGY

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### A. General Information

This chapter provides guidance for determining if historical records containing DOE NSI, pertaining to intelligence and cryptology are to be declassified or have their classification retained beyond 25 years in accordance with the provisions of E.O. 12958. ***Documents containing RD and FRD are not addressed by this document and retain present classification.***

### B. Broad Guidance

Most intelligence information regarding foreign and terrorist activities is collected, analyzed, and reviewed for classification by agencies other than DOE. Information that would reveal intelligence sources, methods, procedures, or equipment shall have its classification retained. Similarly, actual data which has been collected is usually classified to prevent adversaries from knowing how much we know of their activities and to protect our information sources and methods. Classification of collected and analyzed data also reduces the likelihood that an adversary will correct the vulnerabilities in its practices that allowed the information to be collected.

Under section 142e of the AEA of 1954, as amended, certain foreign atomic energy program information, including nuclear weapon design, was transclassified from RD to NSI. Any comments or evaluation by the United States, the United Kingdom, or Canada on the merit of such information is RD or FRD and is not subject to automatic declassification under the provisions of E.O. 12958.

The mere appearance of intelligence information in a DOE document can lend credibility to the information and thereby constitutes comment. Once raw intelligence

(photographs of foreign nuclear facilities or weapons, or Human Intelligence reports, etc., without analysis) has been subjected to analysis or commented on by DOE, the **result will most likely be RD or FRD** because DOE analysis is based on U.S. technology and experience. Often documents containing such information are only marked as NSI; such documents should have their classification category markings upgraded in the course of the declassification review by a qualified reviewer. (Refer to appendix A for additional instructions on how to deal with potential RD or FRD.)

Cryptology involves the encryption of information for secure transmission and its subsequent decryption by the recipient. On many occasions, classified information related to DOE nuclear weapons program has been encrypted and transmitted electronically. There is a high probability that hostile intelligence service(s) have recorded some of these transmissions, but are still unable to decrypt them. Information about codes, even those that are no longer in use, requires continued protection so as not to allow decryption of old messages. The National Security Agency (NSA) is the lead U.S. Government agency for information relating to cryptology. All documents relating to cryptology shall be coordinated with the NSA before being declassified.

Historical records, 25 years or older, containing DOE/NNSA intelligence and cryptology NSI not covered by the specific guidance below are unclassified. This does not include records containing information classified by statute such as RD and FRD (AEA of 1954, as amended). These records shall be handled, protected, classified, downgraded, and declassified in accordance

with the provisions of the AEA and regulations issued under that Act. Reviewers who are not authorized by DOE/NNSA to classify or declassify such documents should not attempt final determinations. Refer to appendix A for information on identifying and handling documents containing potential RD/FRD. In all cases where there is a

question concerning the sensitivity of the information, it should be referred to the DOE HQ classification office for a classification determination.

**Topics describing information likely to contain or closely related to RD or FRD are marked "(potential for RD/FRD)".**

## C. Topics

### 10.0 INTELLIGENCE AND CRYPTOLOGY

- 10.1 Information obtained by DOE from a public forum (e.g., meeting presentations, news media, speeches, etc.)

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- 10.2 Information on the design of foreign nuclear devices obtained from confidential intelligence sources

*NOTE:* Intelligence information must be referred to the appropriate intelligence agency for declassification review. Care must be taken when tabbing, marking, or coordinating documents containing intelligence information, since the mere identification of certain agencies as having intelligence related classification equities is classified.

**Retain  
Classification  
(potential for  
RD/FRD)  
[25X1, 2; EV]  
May be [25X1-  
human]**

- 10.3 Information revealing the source of intelligence, methods or procedures of intelligence collection and handling, intelligence requirements or targets of interest, intelligence mission or objectives, intelligence organization/structure/personnel, intelligence funding, or the extent of knowledge of a particular subject of intelligence interest

*NOTE:* Intelligence information must be referred to the appropriate intelligence agency for declassification review. Care must be taken when tabbing, marking, or coordinating documents containing intelligence information, since the mere identification of certain agencies as having intelligence related classification equities is classified.

**Retain  
Classification  
(potential for  
RD/FRD)  
[25X1, 2; EV]  
May be [25X1-  
human]**

- 10.3.1 The total annual intelligence budget for DOE (or its predecessor agencies) or by site prior to January 1, 2004

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- 10.3.2 The total annual intelligence budget for DOE (or its predecessor agencies) or by site on or after January 1, 2004

Refer

*NOTE:* Refer to DCI for review.

- 10.4 Information on the total production of nuclear weapon materials by a specified or unspecified foreign facility

*NOTE:* Intelligence information must be referred to the appropriate intelligence agency for declassification review. Care must be taken when tabbing, marking, or coordinating documents containing intelligence information, since the mere identification of certain agencies as having intelligence related classification equities is classified.

**Retain  
Classification  
(potential for  
RD/FRD)  
[25X1, 2; EV]**

- 10.5 Cryptoprinciples

*NOTE:* Refer to NSA for declassification review.

- 10.6 Decryption or cryptanalysis information

*NOTE:* Refer to NSA for declassification review.

- 10.7 Foreign atomic energy program (e.g., weapons, production of materials, and military utilization) information obtained by our intelligence services or by other direct U.S. observation

*NOTE:* Intelligence information must be referred to the appropriate intelligence agency for declassification review. Care must be taken when tabbing, marking, or coordinating documents containing intelligence information, since the mere identification of certain agencies as having intelligence related classification equities is classified.

**Retain  
Classification  
(potential for  
RD/FRD)  
[25X1, 2; EV]**

- 10.8 Any finished intelligence product on subjects within DOE purview, including intelligence summaries, intelligence estimates, or reports that incorporate intelligence information as part of the body of the document.

*NOTE:* Intelligence information must be referred to the appropriate intelligence agency for declassification review. Care must be taken when tabbing, marking, or coordinating documents containing intelligence information, since the mere identification of certain agencies as having intelligence related classification equities is classified.

**Retain  
Classification  
(potential for  
RD/FRD)  
[25X1, 2; EV]**