

## CHAPTER 4

# COMPROMISE OF CLASSIFIED INFORMATION

### A. General Information

This chapter provides guidance for determining if historical records containing DOE NSI, pertaining to compromise of classified information 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.***

Compromise refers to the unauthorized disclosure of classified information. The location of compromised information, formal analysis of the compromise, or the fact that classified information has appeared in identifiable public documents or been disclosed during specific presentations, are classified as NSI at the same level [(C), (S), or (TS)] as the compromised information. DOE or DOE contractor analysis of compromised information may be NSI, RD, or FRD depending on the information in the analysis. In some cases, no attempt is made to retrieve compromised information, as such attempts would call attention to the compromise, resulting in greater damage to the national security than if no such efforts were made. The fact that DOE classified information has appeared in the public domain does not make it unclassified and is not sufficient grounds for declassification.

### B. Broad Guidance

Information about compromises and follow on investigations is classified to limit damage, conceal security system vulnerabilities, and preclude further compromise. When a compromise has occurred, it only plays into the hands of malefactors to: (a) alert them to the fact of a

compromise; (b) provide elaborations that would confirm the value of the compromised information; (c) provide information on vulnerabilities leading to or resulting from the compromise; (d) provide insight into investigative and countermeasure procedures; or, (e) confirm information that would otherwise remain questionable. Therefore, information regarding compromises requires continued protection when the information continues to be classified under the AEA or by Executive order.

When reviewing historical documents regarding compromises, determining if classification is to be retained is based on whether the information describing the compromise is sufficient to materially assist an adversary in locating the compromised information. For example, the statement, "The New York Times in 1965 published classified information," is not considered to provide material assistance as the volume of material is too great to reasonably search without additional "keys." However, with additional information, such as date (month or month and day), subject, title, or author, **that would significantly narrow a search making location probable** the statement would rise to the level of providing material assistance. Similarly, the fact that an unspecified Los Alamos document on a specified broad subject contained classified information would **not provide material assistance**; however, identification of a specific report number, date, author, etc., would. Documents that would materially assist an adversary in locating compromised information shall have their classification retained.

Historical records, 25 years or older, containing DOE/NNSA information about compromises of classified information 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

### 4.0 COMPROMISE OF CLASSIFIED INFORMATION

- 4.1 Fact of compromise without sufficient information to materially assist an adversary in locating the compromised information

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- 4.2 Information regarding a compromise that would materially assist an adversary in locating the compromised information

*NOTE:* Declassify when the information compromised is declassified.

Retain  
Classification  
[25X2; EV]

- 4.3 Identification of specific open literature documents as containing classified information

*NOTE:* Declassify when the information compromised is declassified.

Retain  
Classification  
(potential for  
RD/FRD)  
[25X2; EV]

- 4.4 Identification of specific compromised (or potentially compromised) documents that would materially assist an adversary in locating the documents

*NOTE:* Declassify when the information compromised is declassified.

Retain  
Classification  
[25X2; EV]

- 4.5 Information regarding compromise of classified nuclear components(s) that would materially assist an adversary in locating the component(s)

*NOTE 1:* Also, see topic 5.1

*NOTE 2:* Declassify when the information contained in the component is *declassified or completion* of an investigation which confirms, with reasonable certainty, that no compromise has actually occurred and any required security upgrades are completed.

Retain  
Classification  
(potential for  
RD/FRD)  
[25X2; EV]

- 4.6 DOE analysis of compromised classified information including investigative techniques, methodology or findings

*NOTE:* Declassify when the information compromised is declassified and the investigative techniques, methodologies or findings are no longer of benefit to an adversary.

Retain  
Classification  
(potential for  
RD/FRD)  
[25X2; EV]

- 4.7 The information compromised

*NOTE:* Declassify when the information compromised is declassified.

Retain  
Classification  
(potential for  
RD/FRD)  
[25X2; EV]

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