

**U.S. DEPARTMENT OF ENERGY  
NATIONAL NUCLEAR SECURITY ADMINISTRATION  
NEVADA SITE OFFICE**

**ORDER**

**NSO O 470.X3**

**Approved: 12-04-08  
Review Date: 12-04-12**

**HANDLING CLASSIFIED MATTER DURING  
AN EMERGENCY**

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**INITIATED BY:  
Office of the Assistant Manager  
for Safeguards and Security**



## HANDLING CLASSIFIED MATTER DURING AN EMERGENCY

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1. OBJECTIVE. The Department of Energy (DOE) National Nuclear Security Administration (NNSA) requires a consistent and uniform approach for handling classified matter/information in an emergency. This Order addresses how to safeguard classified matter in emergency situations.
2. CANCELLATION. None.
3. APPLICABILITY.
  - a. This Order applies to all NNSA Nevada Site Office (NNSA/NSO) organizational elements.
  - b. The Contractor Requirements Document (CRD), Attachment 1, sets forth intended requirements to be applied to contractors, other federal agencies, and other user organizations. Compliance with the CRD will be required to the extent set forth in a contract or management agreement.
4. REQUIREMENTS. This Order addresses steps to take to protect classified matter during an emergency building evacuation, shelter-in-place, or an emergency involving an imminent threat to life or defense of the homeland. If the emergency is life threatening (explosion, fire, etc.), the health and safety of individuals takes precedence over the need to secure classified matter.
  - a. Emergency Building Evacuation or Shelter-in-Place.
    - (1) If possible, secure the classified matter prior to exiting the building or evacuation to the shelter-in place location.
      - (a) Classified Repositories. Place the classified matter in the repository and spin the combination lock to secure it. Logging the closure on the Standard Form (SF) 702 is not required prior to evacuating.
      - (b) Vaults or Vault-Type Rooms (VTR). Time permitting, set the alarm and spin the combination lock to secure it. No need to call Station 800 or the Central Alarm Station to inform them that you are securing the room, and logging the closure on the SF 702 is not required prior to evacuating.
    - (2) If it is not possible to secure the classified matter in an approved storage container/room prior to evacuating the area, you must:
      - (a) Take the classified matter with you to your assembly area.

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- 1 If you are unable to take the classified matter with you (e.g., too heavy, too many documents to carry, etc.), leave the classified matter and immediately exit the building.
  - 2 Secure or take control of the classified matter upon reentry to the facility and notify your local Facility Security Officer (FSO)/ Security Representative that the matter was not properly secured.
    - If you are not able to reenter the facility, notify your FSO/ Security Representative.
- (b) Maintain control of the classified matter at all times until it can be returned to an approved storage location. Contact your local FSO/Security Representative for alternate approved storage locations.
- b. An Emergency Involving an Imminent Threat to Life or Defense of the Homeland. This section addresses individuals who are not otherwise routinely eligible for access to classified matter or information, so they may be granted access, and to ensure classified matter is safeguarded in emergency situations.
- (1) Access to Unsecured Classified Matter. The following actions must be taken at the time of the emergency if emergency response personnel require access to rooms where classified matter has not been properly secured or is stored in open storage, such as a VTR:
    - (a) Every attempt must be made to minimize access by uncleared emergency response personnel to only those areas directly affected by the emergency situation.
    - (b) All unsecured classified matter must be accounted for following the emergency.
    - (c) Security containers, vaults, and VTRs must be inspected on return to the facility to ensure they have not been compromised.
  - (2) Disclosure of Classified Information. An emergency situation may necessitate the intentional disclosure of classified information to individuals who are not otherwise eligible for access. If an emergency is life threatening (explosion, fire, etc.), the health and safety of individuals takes precedence over the need to protect classified matter from

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disclosure. Examples of such releases include providing law enforcement personnel classified information concerning an improvised nuclear device found in a public place; sharing a classified DOE or NNSA evaluation of the viability of a nuclear threat message with local emergency response personnel; or providing an attending physician with classified details about nuclear materials at a site to assist in the emergency treatment of a patient. The following actions must be taken if such an intentional release is required:

- (a) Notification of Release. Notify the following as soon as possible of any emergency release of classified information to an individual or individuals who are otherwise not eligible for such access:
  - 1 During normal working hours, immediately notify the FSO/local security representative. The FSO/local security representative will then notify the Office of the Assistant Manager for Safeguards and Security (OAMSS) at 702-295-0915.
  - 2 During nonworking hours, the Security Protective Force Services Contractor, Station 800, at 702-295-3343, will then notify OAMSS.
- (b) OAMSS will make the following notifications:
  - 1 For Restricted Data or Formerly Restricted Data, the Director of Health, Safety, and Security, and the Associate Administrator for Defense Nuclear Security.
  - 2 For National Security Information, the appropriate DOE and NNSA management.
- (3) Protection Measures.
  - (a) The amount of classified information disclosed and the number of individuals to whom such information is disclosed must be limited to the absolute minimum to achieve the intended purpose.
  - (b) The information must be transmitted over approved channels using the most secure and expeditious method.
  - (c) A description of what specific information is classified and protection requirements for the information must be provided to the recipient.

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- (d) A briefing (Attachment 2) must be provided to the recipient covering responsibilities of not disclosing the information, and a Classified Information Nondisclosure Agreement (SF312) must be signed by the recipient.
  - (e) Physical custody of the information must remain with an authorized federal government entity in all but the most extraordinary circumstances.
- (4) Reporting Requirements. Within 72 hours of access to unsecured classified matter, disclosure of classified information, or the earliest opportunity that the emergency permits (but not later than 20 days after the release), the official making the disclosure decision must report the disclosure following the requirements and procedures for incidents of security concern (reference DOE M 470.4-1), and must complete the required forms and submit them to OAMSS. The final report must contain the following information (**NOTE**: Use appropriate classified matter handling and processing procedures when reporting the incident.):
- (a) A description of the disclosed information.
  - (b) A list of individuals to whom the information was disclosed.
  - (c) A description of how the information was disclosed and transmitted.
  - (d) The reason for the emergency release.
  - (e) How the information is being protected.
  - (f) A description of briefings provided and a copy of the signed nondisclosure agreements.
- (5) OAMSS will review and forward the final report to Headquarters within ten days.

### 5. REFERENCES.

- a. DOE M 470.4-1, SAFEGUARDS AND SECURITY PROGRAM PLANNING AND MANAGEMENT, dated 8-26-95, and Changes thereto.

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- b. DOE M 470.4-4, INFORMATION SECURITY, dated 8-26-05, and Changes thereto.
  - c. Form SF 312, *Classified Information Nondisclosure Agreement*.
  - d. Form SF 702, *Security Container Check Sheet*.
6. CONTACT. Questions concerning this directive should be addressed to OAMSS at 702-295-1594.



*Stephen A. Mellington*  
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Manager



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Attachment 1  
Page 1 (and 2)

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### CONTRACTOR REQUIREMENT DOCUMENT (CRD)

1. This CRD establishes the requirements for the National Nuclear Security Administration Nevada Site Office (NNSA/NSO) contractors, other federal agencies, and other user organizations whose contracts involve handling classified matter.
2. Regardless of the performer of the work, the contractor is responsible for complying with the requirements of this CRD. The contractor is responsible for flowing down the requirements of this CRD to subcontractors at any tier to the extent necessary to ensure the contractor's compliance with the requirements.
3. The contractor must implement and comply with this directive, as provided by NNSA/NSO, for all activities involving handling and control of classified matter; compliance with this directive is monitored by NNSA/NSO.



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Attachment 2  
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### CLASSIFIED INFORMATION NONDISCLOSURE BRIEFING

You were involved in an emergency situation, which necessitated the disclosure of classified information to you. (A description of what specific information was classified was provided to you.) This briefing was developed to ensure you are aware of the sensitivity of the information, which was disclosed to you and understand the importance of protecting this information.

1. What is classified information?

Classified information is any information or material that has been determined by the United States Government, pursuant to an Executive Order, Statute, or Regulation, to require protection against unauthorized disclosure for reasons of national security, and any restricted data, as defined in paragraph r, Section 11, of the Atomic Energy Act of 1954 (42 U.S.C. 2014[y]). National security means the national defense and foreign relations of the United States. Further, it is any data or material that belongs to the federal government and relates to sensitive topics, such as military plans or the vulnerabilities of security systems. A number of laws or rules govern the control of classified information and access thereto, as well as the declassification of items no longer sensitive.

Information remains classified until it has been officially declassified. Its disclosure in a public source, for example, in a newspaper article, does not declassify the information. Of course, merely quoting the public source in the abstract is not a second unauthorized disclosure. However, before disseminating the information elsewhere or confirming the accuracy of what appears in the public source, you must confirm through an authorized official that the information has, in fact, been declassified. If it has not, further dissemination of the information or confirmation of its accuracy is also an unauthorized disclosure.

If you do disclose classified information, among the civil actions that the government may bring in federal court are the application for a court order enjoining the publication or other disclosure of classified information; suits for money damages to recompense the United States for the damages caused by an unauthorized disclosure; and suits to require the forfeiture to the United States of any payments or other monetary or property gains that have resulted or may result from an unauthorized disclosure.

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2. What is the Classified Information Nondisclosure Agreement?

Because classified information was disclosed to you in order to assist you in responding to the emergency situation, you are required to sign a Standard Form (SF) 312, *Classified Information Nondisclosure Agreement*. The SF 312 is a contractual agreement between the United States Government and you in which you agree never to disclose the classified information you had access to. The primary purpose of this directive is to inform you of: (1) the trust that is placed in you by providing you access to specific classified information; (2) your responsibilities to protect that information from unauthorized disclosure; and (3) the consequences that may result from your failure to meet those responsibilities.

Additionally, if you disclose the classified information you had access to, the United States may discipline you for such a disclosure by initiating a civil or administrative action. Although the enforcement of the SF 312, as a contractual instrument, is limited to civil or administrative actions, the government may also criminally prosecute individuals or organizations that are alleged to have violated a criminal statute that involves the unauthorized disclosure of classified information. These criminal statutes are listed in the SF 312.

Should you have any questions, please ask your briefer at this time.