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DOE/SO-70-0009 (Deleted Version)

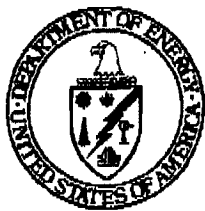
**Ninth Report on Inadvertent Releases of Restricted Data and
Formerly Restricted Data under Executive Order 12958
Deleted Version (U)**

Report to:

The Committee on Armed Services of the Senate
The Committee on Armed Services of the House of Representatives
The Assistant to the President for National Security Affairs

Deleted Version

DEPARTMENT OF ENERGY DECLASSIFICATION REVIEW	
1st REVIEW - DATE: <u>4/23/2003</u>	DETERMINATION (CIRCLE NUMBER(S))
AUTHORITY: <input type="checkbox"/> AGC <input checked="" type="checkbox"/> ADD <input type="checkbox"/> ADD	1. CLASSIFICATION RETAINED
NAME: <u>ADD</u>	2. CLASSIFICATION CHANGED TO: _____
2ND REVIEW - DATE: <u>10/12/00</u>	3. CONTAINS NO DOE CLASSIFIED INFO.
AUTHORITY: <u>ADD</u>	4. COORDINATE WITH: _____
NAME: <u>ADD</u>	5. CLASSIFICATION CANCELLED
	6. CLASSIFIED INFO BRACKETED
	7. OTHER (SPECIFY): <u>DOES NOT CONTAIN UCNF</u>



**U.S. Department of Energy
Office of Classified and Controlled
Information Review
Germantown, Maryland 20874**

November 2002

Classified By: John D. Lauer
Director
Office of Classified and Controlled
Information Review
Derived From: CG-85-4, 9/12/00
Declassify on: _____

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The National Defense Authorization Act for Fiscal Year 1999 (Public Law (P.L.) 105-261) requires that the Secretary of Energy notify the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, and the Assistant to the President for National Security Affairs of inadvertent releases of Restricted Data (RD) and Formerly Restricted Data (FRD) associated with records declassified under section 3.4 of Executive Order 12958.

As a result of the Department of Energy's (DOE's) examination of approximately one and one half million additional pages of publicly available records accessioned by the National Archives and Records Administration (NARA), the Department discovered an additional 189 documents containing 336 pages of RD and FRD which were inadvertently released:

Additional Pages Examined Since Last Report	Number of Documents with RD/FRD	Number of Pages in the Documents	Number of Pages RD	Number of Pages FRD
1.5 million	189	4188	24	312

The identified documents are in collections belonging to the Department of State and the Department of Defense (Army, Navy, and Joint Staff). The documents were inadvertently declassified and made available to the public during the years from 1995 to 1998 by the Department of State, the Department of Defense, and NARA.

No classified documents of the DOE or its predecessor organizations were found.

The documents contained RD and FRD information, including:

RD	FRD
<ul style="list-style-type: none">- mass or dimensions of fissile materials, pits, or nuclear assembly systems- boosting systems - operation, contribution to weapon performance, or design- Other nuclear weapon design, function, material uses or configurations, or nuclear test information- Naval nuclear propulsion information	<ul style="list-style-type: none">- stockpile quantities- storage locations and capacities- costs of weapons or components- yield- delivery system accuracy- nuclear test information or results- Utilization of nuclear weapons, including military plans, operational and targeting information, or foreign utilization information

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A significant portion of the documents (175 of the 189) were improperly marked for classification level (e.g., Secret), classification category (e.g., RD), and/or automatic classification level downgrading. The improper markings occurred when the documents were originated, or at a later time during the lifetime of the documents. The improper marking of the documents for classification level, classification category and/or downgrading may have contributed to the inadvertent release of the documents.

NARA, the Department of State, and the Department of Defense have been advised the specific documents contain RD and FRD. The 189 documents have been withdrawn from public access and protected in accordance with DOE requirements.

The inadvertently released nuclear weapons design information (RD) detailed in this report concerns the early generations of nuclear weapons that this country developed in the 1950s and 1960s. Potential adversaries, emerging proliferant nations and terrorist groups aggressively target U.S. nuclear weapon information. Information regarding older nuclear weapons is of significant value since it is often technically less sophisticated. These designs would be most readily used by a would-be nuclear proliferant to obtain its first nuclear weapon.

The inadvertently released nuclear weapons utilization information (FRD) detailed in this report could assist potential adversaries in assessing the strengths of the U.S. nuclear arsenal. Additionally, inadvertently released information on deployments of nuclear weapons outside of the U.S. may violate international agreements and harm diplomatic ties with foreign host nations.

The inadvertently released naval nuclear propulsion information (also RD) addressed in this report could assist adversaries in the development of nuclear propulsion systems for their submarines and surface ships.

DOE will be conducting an assessment of the damage to national security resulting from the inadvertent release of RD and FRD addressed in this report.

In accordance with P.L. 105-261, DOE has trained 2,052 individuals from other agencies to recognize RD and FRD information. This includes 189 individuals from the Department of State, 75 from the Department of Navy, 26 from the Department of Defense Joint Staff and 160 from NARA. Additionally, 161 individuals have attended refresher courses.

DOE and NARA are working to better integrate their efforts to more quickly identify and safeguard documents potentially containing RD and FRD. All records that may contain RD or FRD are removed from public access.

Details of the specific inadvertent releases are contained in the attached classified appendix.

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APPENDIX: SUMMARY OF FINDINGS (U) (Deleted Version)

RG/EO ¹ (Dept) ²	Year Declassified (Department)	Number of Documents containing RD/FRD ³	Origination Dates of the Documents ⁵	Number of Documents w/ Inappropriate Markings ⁶	No. of Pages RD	No. of Pages FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 19/ Deleted (Navy)	Deleted (Navy)	1	1963	0 of 1	0	1	FRD: - Nuclear weapon storage capacities

¹ (U) RG/EO = Record Group/Executive Order Plan Number of the file series found to contain RD and/or FRD

² (U) Dept = Executive Branch Department or Agency that submitted the file series to the National Archives and Records Administration (NARA);
DOS: Department of State; Army: Department of the Army; Navy: Department of the Navy;
JCS: Department of Defense, Joint Staff.

³ (U) Year Declassified (Department) = Year the file series was declassified and the department/agency that conducted the declassification

⁴ (U) Number of Documents containing RD/FRD = Number of documents found to contain RD and/or FRD per current classification guidance in accordance with the Atomic Energy Act of 1954, as amended.

⁵ (U) Origination Dates of the Documents = Period of time over which the documents were originated.

⁶ (U) Number of Documents w/ Inappropriate Markings = Number of documents containing RD/FRD found to have inappropriate classification, declassification, and/or downgrading markings. This includes adequately marked documents that had routing/transmittal/endorsement cover sheets with inappropriate markings.

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RG/EO (Dept)	Year Declassified (Department)	Number of Documents containing RD/FRD	Origination Dates of the Documents	Number of Documents w/ Inappropriate Markings	No. of Pages RD	No. of Pages FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 24/ Deleted (Navy)	Deleted (NARA)	23	1952 - 1960	17 of 23	16	47	RD: - Naval Nuclear Propulsion Information - Other Nuclear weapon design, function, material uses or configurations, or nuclear test information FRD: - Storage locations - Yield
RG 59/ Deleted (DOS)	Deleted (DOS)	26	1962 - 1964	26 of 26	0	35	FRD: - Stockpile quantities - Storage locations - Yield - Weapon delivery system accuracy - Utilization of nuclear weapons, including military plans, operational and targeting information, or foreign utilization information
RG 59/ Deleted (DOS)	Deleted (DOS)	21	1967 - 1970	21 of 21	0	25	FRD: - Stockpile quantities - Storage locations - Yield - Nuclear test information or results

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RG 59/ Deleted (DOS)	Deleted (DOS)	1	1964	1 of 1	0	1	FRD: - Stockpile quantities
RG 59/ Deleted (DOS)	Deleted (DOS)	2	1969	2 of 2	0	2	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	6	1969	6 of 6	0	7	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	2	1971 - 1972	2 of 2	0	4	FRD: - Stockpile quantities
RG 59/ Deleted (DOS)	Deleted (DOS)	15	1970 - 1973	15 of 15	0	17	FRD: - Storage locations
RG 218/ Deleted (JCS)	Deleted (JCS)	2	1972	2 of 2	0	2	FRD: - Stockpile quantities

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RG/EO (Dept)	Year Declassified (Department)	Number of Documents containing RD/FRD	Origination Dates of the Documents	Number of Documents w/ Inappropriate Markings	No. of Pages RD	No. of Pages FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 319/ Deleted (Army)	Deleted (NARA)	49	1959 - 1964	43 of 49	5	104	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems - Boosting systems- operations, contributions to weapon performance or design FRD: - Stockpile quantities - Storage locations - Costs of weapons or components - Yield
RG 319/ Deleted (Army)	Deleted (NARA)	1	1958	1 of 1	0	2	FRD: - Stockpile quantities
RG 319/ Deleted (Army)	Deleted (NARA)	4	1958 - 1960	4 of 4	0	7	FRD: - Stockpile quantities - Storage locations
RG 319/ Deleted (Army)	Deleted (NARA)	7	1960 - 1962	6 of 7	0	10	FRD: - Stockpile quantities - Storage locations

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APPENDIX: SUMMARY OF FINDINGS (U) (Deleted Version)

RG/EO (Dept)	Year Declassified (Department)	Number of Documents containing RD/FRD	Origination Dates of the Documents	Number of Documents w/ Inappropriate Markings	No. of Pages RD	No. of Pages FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 335/ Deleted (Army)	Deleted (NARA)	29	1957 - 1964	29 of 29	3	48	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems FRD: - Stockpile quantities - Storage locations - Costs of weapons or components - Yield - Weapon delivery system accuracy - Test information or results
	Totals	189	1952 - 1973	175 of 189	24	312	

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