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DOE/SO-70-0005 (Deleted Version)

**Fifth 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>3/25/2002</u>	DETERMINATION [CIRCLE NUMBER(S)]
AUTHORITY: <input type="checkbox"/> AGC <input checked="" type="checkbox"/> ABC <input checked="" type="checkbox"/> ADD	1. CLASSIFICATION RETAINED
NAME: <u>[Signature]</u>	2. CLASSIFICATION CHANGED TO _____
2ND REVIEW - DATE: <u>3/25/2002</u>	3. CONTAINS NO DOE CLASSIFIED INFO
AUTHORITY: <u>ADD</u>	4. COORDINATE WITH _____
NAME: <u>Ms Dewey</u>	5. CLASSIFICATION CANCELED
	6. CLASSIFIED INFO BRACKETED
	7. OTHER (SPECIFY) <u>WITH DELETIONS</u>

**DOES NOT CONTAIN U.C.N.I.**



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

November 2001

Classified By: Jeffrey A. Zarkin  
Acting Director  
Office of Classified and  
Controlled Information Review  
Derived From: CG-SS-4, 9/12/00  
Declassify on: X2

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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 two million additional pages of publicly available records accessioned by the National Archives and Records Administration (NARA), the Department discovered an additional 175 documents containing 318 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
2 million	175	3702	21	297

The identified documents are in collections belonging to the Department of State and the Department of Defense (Army, Navy, Air Force, Joint Chiefs of Staff ( JCS), and Office of the Secretary of Defense (OSD)). 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"><li>- mass or dimensions of fissile materials, pits, or nuclear assembly systems</li><li>- high explosives for nuclear weapons / devices - mass, design, or operation</li><li>- boosting systems - operation, contribution to weapon performance, or design</li><li>- other nuclear weapon design, function, material uses or configurations, or nuclear test information revealing RD</li><li>- naval nuclear propulsion information</li></ul>	<ul style="list-style-type: none"><li>- stockpile quantities</li><li>- storage locations and capacities</li><li>- costs of weapons or components</li><li>- yield</li><li>- delivery system accuracy</li><li>- utilization of nuclear weapons, including military plans, operational and targeting information or foreign utilization protected as FRD by agreement</li></ul>

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A significant portion of the documents (168 of the 175) 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 175 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. 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 1,631 individuals from other agencies to recognize RD and FRD information. This includes 160 individuals from the Department of State, 78 from the Department of the Air Force, 66 from the Department of the Navy, 277 from the Department of the Army, 34 from the Department of Defense Office of the Secretary of Defense, 26 from the Department of Defense Joint Chiefs of Staff, and 77 from NARA. Additional training has been scheduled this year including refresher training.

DOE and NARA are working to better integrate their efforts to more quickly identify and safeguard documents potentially containing RD and FRD. Additionally, those file series that may contain RD and FRD are being 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 <sup>1</sup> (Dept) <sup>2</sup>	Year Declassified (Department) <sup>3</sup>	Number of Documents containing RD/FRD <sup>4</sup>	Origination Dates of the Documents <sup>5</sup>	Number of Documents w/ Inappropriate Markings <sup>6</sup>	No. of Pages RD	No. of Pages FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 19/ <b>Deleted</b> (Navy)	<b>Deleted</b> (Navy)	36	1952 - 1957	35 of 36	13	34	RD: - Boosting systems - operation, contribution to weapon performance, or design - Mass or dimensions of fissile materials, pits, or nuclear assembly systems - High explosives for nuclear weapons / devices - mass, design, or operation - (Continued on next page)

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

<sup>2</sup> (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;  
Air Force: Department of the Air Force; OSD: Department of Defense, Office of the Secretary of Defense.  
JCS: Department of Defense, Joint Chiefs of Staff.

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

<sup>4</sup> (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.

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

<sup>6</sup> (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 19/ <b>Deleted</b> (Navy) (Con't)							<p>RD:</p> <ul style="list-style-type: none"> <li>- Other nuclear weapon design, function, material uses or configurations, or nuclear test information revealing RD</li> <li>- Naval nuclear propulsion information</li> </ul> <p>FRD:</p> <ul style="list-style-type: none"> <li>- Nuclear weapon yield</li> <li>- Nuclear weapon delivery system accuracy</li> <li>- Nuclear weapon storage locations</li> <li>- Nuclear weapon storage capacities</li> <li>- Nuclear weapon stockpile quantities</li> </ul>
RG 59/ <b>Deleted</b> (DOS)	<b>Deleted</b> (DOS)	20 <sup>7</sup>	1965 - 1968	19 of 20	0	61	<p>FRD:</p> <ul style="list-style-type: none"> <li>- Nuclear weapon storage locations</li> <li>- Nuclear weapon stockpile quantities</li> <li>- Nuclear weapon yield</li> <li>- Nuclear weapon delivery system accuracy</li> <li>- Utilization of nuclear weapons, including military plans, operational and targeting information, or foreign utilization information protected as FRD by agreement</li> </ul>
RG 59/ <b>Deleted</b> (DOS)	<b>Deleted</b> (DOS)	1	1965 - 1965	1 of 1	0	1	<p>FRD:</p> <ul style="list-style-type: none"> <li>- Nuclear weapon storage locations</li> </ul>

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<sup>7</sup> (U) Two of the 20 documents also included information that may be protected by a foreign county. Issue being coordinated through applicable agencies.

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RG 59/ Deleted (DOS)	Deleted (DOS)	7	1966 - 1966	7 of 7	0	8	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	20	1964 - 1966	20 of 20	0	25	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	8	1965 - 1966	8 of 8	0	10	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	3	1966 - 1966	3 of 3	0	3	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	1	1964 - 1964	1 of 1	0	1	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	4	1967 - 1968	4 of 4	0	5	FRD: - Nuclear weapon stockpile quantities - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	1	1970 - 1970	1 of 1	0	7	FRD: - Nuclear weapon storage locations

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RG 59/ <b>Deleted</b> (DOS)	<b>Deleted</b> (DOS)	8	1970 - 1973	8 of 8	0	9	FRD: - Nuclear weapon storage locations
RG 92/ <b>Deleted</b> (Army)	<b>Deleted</b> (NARA)	1	1958 - 1958	1 of 1	0	15	FRD: - Nuclear weapon stockpile quantities - Nuclear weapon storage locations
RG 168/ <b>Deleted</b> (Army)	<b>Deleted</b> (NARA)	1	1962 - 1962	1 of 1	0	1	FRD: - Nuclear weapon stockpile quantities - Nuclear weapon storage locations
RG 319/ <b>Deleted</b> (Army)	<b>Deleted</b> (NARA)	5	1960 - 1962	0 of 5	8	0	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems - Other nuclear weapon design, function, material uses or configurations, or nuclear test information revealing RD
RG 218/ <b>Deleted</b> (JCS)	<b>Deleted</b> (JCS)	9	1974 - 1977	9 of 9	0	33	FRD: - Nuclear weapon storage locations

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RG 330/ <b>Deleted</b> (OSD)	<b>Deleted</b> (NARA)	49 <sup>8</sup>	1960 - 1961	49 of 49	0	82	FRD: - Nuclear weapon storage locations - Nuclear weapon yield - Nuclear weapon storage capacities - Nuclear weapon stockpile quantities - Cost of weapons or components - Utilization of nuclear weapons, including military plans, operational and targeting information, or foreign utilization information protected as FRD by agreement
RG 341/ <b>Deleted</b> (USAF)	<b>Deleted</b> (Air Force) <sup>9</sup>	1	1961 - 1961	1 of 1	0	2	FRD: - Nuclear weapon storage locations
	Total	175		168 of 175	21	297	

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<sup>8</sup> (U) The documents were released by NARA under EO12958.  
- 17 of the 49 documents were marked by OSD to be retained as classified under EO 12356.  
- 6 of the 49 documents were marked by OSD as declassified under EO 12356.

<sup>9</sup> (U) Air Force retired the records to the Federal Records Center as unclassified in 1963. The records were accessioned into the National Archives in 1966 and processed for release under EO 12958 in 1998. Air Force has initiated procedure change to require Air Force classification review of previously accessioned unclassified records.

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