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DOE/SO-70-0006 (Deleted Version)

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

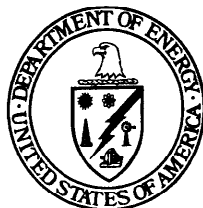
Report to:

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>6/10/2002</u>	1. CLASSIFICATION RETAINED
AUTHORITY: <input type="checkbox"/> ADG <input checked="" type="checkbox"/> ADG <input type="checkbox"/> ADD	2. CLASSIFICATION CHANGED TO: _____
NAME: <u>[Signature]</u>	3. CONTAINS NO DOE CLASSIFIED INFO
2ND REVIEW - DATE: <u>6/10/2002</u>	4. COORDINATE WITH: _____
AUTHORITY: ADD	5. CLASSIFICATION CANCELED
NAME: <u>[Signature]</u>	6. CLASSIFIED INFO BRACKETED
	7. OTHER (SPECIFY) <u>WITH DELETIONS</u>

DOES NOT CONTAIN UCN I



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

February 2002

Classified By: Jeffrey A. Zarkin
Acting Director
Office of Classified and Controlled
Information Review
Derived From: CG-SS-4, 9/12/00
Declassify on: _____x4

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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 146 documents containing 239 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	146	1373	44	195

The identified documents are in collections belonging to the Department of State (including the Arms Control and Disarmament Agency), the Department of Defense (Army, Navy, and Air Force), the Federal Emergency Management Agency (FEMA), and the Executive Office of the President (Office of Management and Budget) (EOP/OMB). The documents were inadvertently declassified and made available to the public during the years from 1995 to 2000 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- thermonuclear weapon design or function- outputs or performance of nuclear weapons or devices- naval nuclear propulsion information	<ul style="list-style-type: none">- stockpile capacities or quantities authorized- storage locations- yield- height/depth of burst- delivery system accuracy- interface between nuclear weapon and delivery system- designs of arming, fuzing, or firing systems/components

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A significant portion of the documents (141 of the 146) 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 releases of the documents.

NARA, the Department of State, the Department of Defense, FEMA, and EOP/OMB have been advised the specific documents contain RD and FRD. The 146 documents have been withdrawn from public access and protected in accordance with DOE requirements.

The inadvertently released nuclear weapon 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 weapon 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 is assessing the impact of these compromises on national security.

In accordance with P.L. 105-261, DOE has trained 1,716 individuals from other agencies to recognize RD and FRD information. This includes 166 individuals from the Department of State, 69 from the Department of the Navy, 67 from the Department of the Air Force and 78 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 ¹ (Dept) ²	Year Declassified (Department) ³	Number of Documents containing RD/FRD ⁴	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)	14	1957	14 of 14	11	5	RD: - Naval nuclear propulsion information FRD: - Nuclear weapon storage locations - Nuclear weapon storage capacities or quantities authorized

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; Air Force: Department of the Air Force; OSD: Department of Defense, Office of the Secretary of Defense; EOP/OMB: Executive Office of the President (Office of Management and Budget); FEMA: Federal Emergency Management Agency; ACDA: Arms Control and Disarmament Agency.

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 19/ Deleted (Navy)	Deleted (Navy)	18	1959	16 of 18	24	11	RD: - Naval nuclear propulsion information FRD: - Nuclear weapon storage locations - Interface between nuclear weapon and delivery - Designs of arming, fuzing, or firing systems/components
RG 51/ Deleted (EOP/OMB)	Deleted (NARA)	1	1968	1 of 1	0	1	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	6	1961 - 1964	6 of 6	0	11	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	24	1961 - 1963	24 of 24	0	37	FRD: - Nuclear weapon storage locations - Nuclear weapon storage capacities or quantities authorized
RG 59/ Deleted (DOS)	Deleted (DOS)	4	1973 - 1975	4 of 4	0	4	FRD: - Nuclear weapon stockpile quantities or production/retirement rate - Nuclear weapon storage locations

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RG 59/ Deleted (DOS)	Deleted (DOS)	17	1964 - 1966	17 of 17	0	31	FRD: - Nuclear weapon stockpile quantities or production/retirement rate - Nuclear weapon storage locations - Nuclear weapon yield - Nuclear weapon delivery system accuracy - Utilization of nuclear weapons, including military plans, operational and targeting information, or foreign utilization information protected by agreement
RG 59/ Deleted (DOS)	Deleted (DOS)	9	1964-1966	9 of 9	0	13	FRD: - Nuclear weapon stockpile quantities or production/retirement rate - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	7	1967-1969	7 of 7 ⁷	0	11	FRD: - Nuclear weapon storage locations - Utilization of nuclear weapons, including military plans, organizational and targeting information, or foreign utilization information protected by agreement
RG 59/ Deleted (DOS)	Deleted (DOS)	7	1967-1969	7 of 7	0	12	FRD: - Nuclear weapon storage locations

⁷ (U) One document was marked by DOS to be retained, however was released.

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RG 59/ Deleted (DOS)	Deleted (DOS)	2	1967 - 1969	2 of 2	0	2	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	6	1967 - 1969	6 of 6	0	11	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	2	1969	2 of 2	0	4	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	1	1971	1 of 1	0	1	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	4	1971 - 1973	4 of 4	0	4	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	4	1971 - 1973	4 of 4	0	4	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	1	1970	1 of 1	0	1	FRD: - Nuclear weapon storage locations

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RG 59/ Deleted (DOS)	Deleted (DOS)	2	1971	2 of 2	0	2	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	2	1972	2 of 2	0	4	FRD: - Nuclear weapon storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	3	1971 - 1972	3 of 3 ⁸	0	4	FRD: - Nuclear weapon storage locations
RG 156/ Deleted (Army)	Deleted (NARA)	3	1958 - 1959	1 of 3	2	5	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems - Boosting systems - operations, functional relationships, or design FRD: - Nuclear weapon stockpile quantities or production/retirement rate - Nuclear weapon yield

⁸ (U) One document has individual pages marked Formerly Restricted Data, however first page not marked.

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RG 330/ Deleted (ARMY)	Deleted (OSD/NARA) ⁹	1	1957	1 of 1 ¹⁰	1	1	RD: - Other nuclear weapon design, function, material uses or configurations, or nuclear test information FRD: - Nuclear weapon stockpile quantities or production/retirement rate - Nuclear weapon storage locations

⁹ (U) OSD/NARA working to resolve which agency declassified the documents.

¹⁰ (U) Document stamped in 1988 to retain classification.

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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 338/ Deleted (Army)	Deleted (NARA) ¹¹	1	1952	0 of 1	3	1	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems - Outputs or performance of nuclear weapons or devices - Other nuclear weapon design, function, material uses or configurations, or nuclear test information FRD: - Nuclear weapon yield - Nuclear weapon height/depth of burst

¹¹ Deleted

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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 341/ Deleted (Air Force)	Deleted (Air Force)	1	1963	1 of 1	1	10	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems FRD: - Nuclear weapon yield - Nuclear weapon delivery system accuracy - Nuclear weapon height/depth of burst
RG 383 / Deleted (ACDA)	Deleted (ACDA)	1	1962	1 of 1	0	1	FRD: - Nuclear weapon storage locations
RG 396/ Deleted (FEMA)	Deleted (NARA)	5	1958 - 1959	5 of 5	2	4	RD: - Thermonuclear weapon design or function FRD: - Nuclear weapon yield
	Total	146		141 of 146	44	195	

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