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DOE/SO-10.2-0014 (Deleted Version)

**Fourteenth Report on Inadvertent Releases of Restricted Data  
and Formerly Restricted Data under Executive Order 12958 (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>08-31-04</u>	DETERMINATION (C) (U) (S) (F) (X) (Y) (Z)
AUTHORITY: <input type="checkbox"/> AOC <input checked="" type="checkbox"/> AOC <input type="checkbox"/> ADD	1. CLASSIFICATION RETAINED
NAME: <u>ROY W. JEE</u>	2. CLASSIFICATION CHANGED TO: _____
2nd REVIEW - DATE: <u>11/10/04</u>	3. CONTAINS NO DOE CLASSIFIED INFO.
AUTHORITY: ADD	4. COORDINATE WITH: _____
NAME: <u>L. P. JEWICK</u>	5. CLASSIFICATION CANCELED
	6. CLASSIFIED INFO BRACKETED
	7. OTHER (SPECIFY): <u>DOES NOT CONTAIN RENT</u>



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

March 2004

Classified By: John D. Lazor  
Director  
Office of Classified and Controlled  
Information Review  
Office of Security  
Derived From: CG-SS-4, 9/12/00  
Declassify on: X4

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# UNCLASSIFIED

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 1.35 million additional pages of publicly available records accessioned by the National Archives and Records Administration (NARA), the Department discovered an additional 148 documents containing 356 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
1,352,000	148	9,609	121	235

The identified documents **are in** collections belonging to the Department of State, the Department of the Navy, the Department of the **Army**, and the Department of the Air Force. The documents were inadvertently declassified and made available to the public during the years **from** 1995 to 1997 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</li><li>- tampers</li><li>- boosting</li><li>- other nuclear weapon design information</li><li>- naval nuclear propulsion information</li><li>- radiological warfare</li></ul>	<ul style="list-style-type: none"><li>- stockpile quantities</li><li>- storage locations and capacities</li><li>- yield</li><li>- <b>delivery</b> system <b>accuracy</b></li><li>- test information</li></ul>

A significant portion of the documents (115 out of 148) was 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 documents.

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NARA, the Department of State, and the Department of Defense have been advised the specific documents contain RD and FRD. The 148 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.

Additionally, 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.

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

In accordance with P.L. 105-261, the DOE to date has trained 2091 individuals from other agencies to recognize RD and FRD information. This includes 241 individuals from the Department of the Army, 84 from the Department of the Navy, 105 **from the Department** of the Air Force, 211 from the Department of State, and 151 **from** NARA. Additionally, 203 individuals have attended refresher courses.

The training of other agency reviewers continues to reduce the rate at which Restricted Data and Formerly Restricted Data are inadvertently declassified. During this quarter, DOE performed quality control overcheck examinations on 45 newly declassified collections (over 467,620 pages). Of the 45 collections, 39 were error free and 4 had only one document declassified in **error**. **This** can be compared to 148 documents found in 1,352,000 pages for this report. The documents are saved from inadvertent release and protected in accordance with DOE requirements. The departments that **performed** the incorrect **declassifications** have been informed of the errors.

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 and 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 <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 191 Deleted (Navy)	Deleted (Navy)	17	1953	17 of 17	3	24	<p><b>RD:</b></p> <ul style="list-style-type: none"> <li>- Mass or dimensions of fissile materials, pits, or nuclear assembly systems</li> <li>- Tamper (mass, materials, design, or performance)</li> <li>- Other nuclear weapon design, function, material uses or configurations, or nuclear test information revealing RD</li> </ul> <p><b>FRD:</b></p> <ul style="list-style-type: none"> <li>- Stockpile quantities</li> <li>- Storage locations</li> <li>- Storage capacities or quantities authorized</li> <li>- Yields</li> <li>- Nuclear weapon delivery system accuracy</li> </ul>
RG 191 Deleted (Navy)	Deleted (Navy)	8	1962	8 of 8	2	13	<p><b>RD:</b></p> <ul style="list-style-type: none"> <li>- Naval nuclear propulsion information</li> </ul> <p><b>FRD:</b></p> <ul style="list-style-type: none"> <li>- Stockpile quantities</li> <li>- Storage locations</li> <li>- Storage capacities or quantities authorized</li> <li>- Yields</li> </ul>
RG 191 Deleted (Navy)	Deleted (Navy)	18	1958	16 of 18		17	<p><b>RD:</b></p> <ul style="list-style-type: none"> <li>- Naval nuclear propulsion information</li> </ul> <p><b>FRD:</b></p> <ul style="list-style-type: none"> <li>- Stockpile quantities</li> <li>- Storage locations</li> <li>- Yields</li> <li>- Nuclear test information</li> </ul>

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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 IW	No. of Pages FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 191 Deleted (Navy)	Deleted (Navy)	12	1954-1958	12 of 12	52	0	RD: - Naval nuclear propulsion information
RG 19/ Deleted (Navy)	Deleted (Navy)	3	1954-1956	2 of 3	43	0	RD: - Naval nuclear propulsion information
RG 921 Deleted (Army)	Deleted (NARA)	4	1950-1951	4 of 4	1	3	RD: - Radiological warfare FRD: - Nuclear test information
RG 168/ Deleted (Army)	Deleted (NARA)	2	1955-1957	1 of 2	0	6	FRD: - Yields
RG 319/ Deleted (Army)	Deleted (NARA)	11	1962-1965	4 of 11	0	16	FRD: - Storage locations - Yields
RG 319/ Deleted (Army)	Deleted (NARA)	7	1959	7 of 7	1	11	RD: - Other nuclear weapon <i>design, function</i> , material <i>uses</i> or configurations, or nuclear test <i>information</i> revealing RD FRD: - Stockpile quantities - Storage locations - Yields

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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)	45	1956	23 of 45	11	107	<p>RD:</p> <ul style="list-style-type: none"> <li>- Mass or dimensions of fissile materials, pits, or nuclear assembly systems</li> <li>- Tamperers (mass, materials, design, or performance)</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> </ul> <p>FRD:</p> <ul style="list-style-type: none"> <li>- Stockpile quantities</li> <li>- Storage locations</li> <li>- Storage capacities or quantities authorized</li> <li>- Yields</li> <li>- Nuclear test information</li> </ul>
RG 340/ Deleted (Air Force)	Deleted (Air Force)	5	1957-1958	5 of 5	1	12	<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> </ul> <p>FRD:</p> <ul style="list-style-type: none"> <li>- Stockpile quantities</li> <li>- Storage locations</li> <li>- Yields</li> <li>- Delivery system accuracy</li> </ul>
RG 59/ Deleted (DOS)	Deleted (DOS)	5	1967-1968	5 of 5	0	6	<p>FRD:</p> <ul style="list-style-type: none"> <li>- Storage locations</li> </ul>

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<b>RG/EO (Dept)</b>	<b>Year Declassified (Department)</b>	<b>Number of Documents containing RD/FRD</b>	<b>Origination Dates of the Documents</b>	<b>Number of Documents w/ Inappropriate Markings</b>	<b>No. of Pages RD</b>	<b>No. of Pages FRD</b>	<b>RD/FRD Information Inadvertently Made Publicly Available</b>
RG 591 Deleted (DOS)	Deleted (DOS)	11	1967-1969	11 of 11	0	20	FRD: - Storage locations
Totals		148	1950-1969	115 of 148	121	235	

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1 (U) RGEO = 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; Air Force: Department of the Air Force; Navy: Department of the Navy.

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 inadequately marked documents that had routing/transmittal/endorsement cover sheets with inappropriate markings.

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