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DOE/SO-10.2-0018 (Deleted Version)

**Eighteenth 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>9-29-05</u>	DETERMINATION [CIRCLE NUMBER(S)]
AUTHORITY: <input type="checkbox"/> AOC <input checked="" type="checkbox"/> AUC <input type="checkbox"/> ADD	1. CLASSIFICATION RETAINED
NAME: <u>MacDonald Borden</u>	2. CLASSIFICATION CHANGED TO: _____
2ND REVIEW - DATE: <u>9-29-05</u>	3. CONTAINS NO DOE CLASSIFIED INFO
AUTHORITY: ADD	4. COORDINATE WITH: _____
NAME: <u>Roy W. Lee</u>	5. <input checked="" type="checkbox"/> CLASSIFICATION CANCELED
	6. CLASSIFIED INFO BRACKETED
	7. <input checked="" type="checkbox"/> OTHER (SPECIFY): <u>DOES NOT CONTAIN UCNI</u>



**U.S. Department of Energy
Office of Classification and
Information Control
Office of Security
Germantown, Maryland 20874**

August 2005

Classified By: Paul Fletcher Whitworth
Office of Classification and
Information Control
Derived From: CG-SS-4, 9/12/00
Declassify on: Declassify when the
information compromised is declassified

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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 (DOE) examination of approximately 2.9 million additional pages of publicly available records accessioned by the National Archives and Records Administration (NARA), the Department discovered an additional 68 documents containing 140 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
2,899,260	68	838	44	96

The identified documents are in collections belonging to the Department of the Army. The 68 Army documents were inadvertently declassified and made available to the public in Deleted by NARA.

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

The documents inadvertently released contained the following types of RD and FRD information:

RD	FRD
<ul style="list-style-type: none">- detonation systems operation, design and functional relationships- thermonuclear weapon design or function- other nuclear weapon design, function, material uses or configuration	<ul style="list-style-type: none">- stockpile quantities- storage locations- nuclear weapon reliability

59 of the 68 documents 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 documents.

The Department of the Army, and NARA have been afforded an opportunity to review their specific documents containing the RD and FRD information. The 68 documents have been withdrawn from public access and protected in accordance with DOE requirements.

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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 strength of the U.S. nuclear arsenal. Additionally, inadvertently released information on deployments of nuclear weapons outside the United States may violate international agreements and harm diplomatic ties with foreign host nations.

In accordance with P.L. 105-261, as of the cutoff date for the data in this report, DOE has trained 2,304 individuals from other agencies to recognize RD and FRD information. This includes 317 from the Department of State, 65 from the Department of Defense, 178 from the Department of the Air Force, 367 from the Department of the Army, 92 from the Department of the Navy, 179 from NARA and 1106 from sixteen other various federal agencies. Additionally, 254 reviewers have attended refresher courses.

The training of other agency reviewers continues to reduce the rate at which Restricted Data and Formerly Restricted Data are improperly declassified. During this quarter, DOE performed quality control overcheck examinations on 31 newly declassified collections (363,000 pages). Of the 31 collections, there were no improperly declassified documents.

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.

Attachment

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APPENDIX: SUMMARY OF FINDINGS (U) (Table ~~SECRET~~)

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 of RD	No. of Pages of FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 159 Deleted (Army)	Deleted (NARA)	68	1956-62	59 of 68	44	96	RD: - Detonation systems – operation, design, func relationships - Thermonuclear weapon design or function - Other nuclear weapon design, function, material uses or configuration FRD: - Stockpile quantities - Storage locations - Nuclear weapon information concerning reliability
	Number of pages in documents	Number of Documents containing RD/FRD⁴	Origination Dates of the Documents⁵	Number of Documents w/ Inappropriate Markings⁶	No. of Pages of RD	No. of Pages of FRD	
Totals	838	68	1956-62	59 of 68	44	96	

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);
Army: Department of the Army

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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