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DOE/SO-70-0008 (Deleted Version)

Eighth 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>11/25/2002</u>	1 CLASSIFICATION RETAINED
AUTHORITY: <u>ADD</u> XLABC ADD	2 CLASSIFICATION CHANGED TO _____
NAME: <u>[Signature]</u>	3 CONTAINS NO DOE CLASSIFIED INFO
2nd REVIEW - DATE: <u>11/25/2002</u>	4 COORDINATE WITH: _____
AUTHORITY: <u>ADD</u>	<input checked="" type="radio"/> CLASSIFICATION CANCELED
NAME: <u>[Signature]</u>	<input type="radio"/> CLASSIFIED IN-O BRACKETED
	<input checked="" type="radio"/> OTHER (SPECIFY) <u>DOES NOT</u>

CONTAIN URM



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

August 2002

Classified By: Jeffrey A. Zerkin
Acting Director
Office of Classified and Controlled
Information Review
Derived From: CG-SS-4, 9/12/00
Declassify on: u4

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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 a half million additional pages of publicly available records accessioned by the National Archives and Records Administration (NARA), the Department discovered an additional 166 documents containing 422 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	166	10,568	189	233

The identified documents are in collections belonging to the Department of State, the Department of Defense (Army, Navy, Defense Information Systems Agency, and Joint Staff). 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- efficiency of nuclear materials- tampers - mass, materials, design, or performance- initiators / neutron generators - operation, functional relationships, or design- boosting systems - operation, contribution to weapon performance, or design- high explosives for nuclear weapons/devices mass, design, or operation- naval nuclear propulsion information	<ul style="list-style-type: none">- stockpile quantities- storage locations and capacities- yield and yield selection capability- delivery system accuracy- height/depth of burst- weapon effects test information- hardening, vulnerability, countermeasures, and survivability

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A significant portion of the documents (151 of the 166) 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 166 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 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 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.

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 1783 individuals from other agencies to recognize RD and FRD information. This includes 174 individuals from the Department of State, 73 from the Department of Navy, 26 from the Department of Defense Joint Staff and 99 from NARA. Additionally, 137 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/EO¹ (Dept)²	Year Declassified (Department)³	Number of Documents containing RD/FRD⁴	Origination Dates of the Documents⁵	Number of Documents w/ Inappropriate Markings⁶	No. of Pages RD	No. of Pages FRD	RD/FRD Information Inadvertently Made Publicly Available
RG 19/ Deleted (Navy)	Deleted (Navy)	79	1958 - 1959	72 of 79	96	97	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems - Efficiency of nuclear materials or yield-to-weight information - Initiators / neutron generators - operation, functional relationships, or design - (continued next page)

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; DISA: Department of Defense, Defense Information Systems 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) (continued)							<p>RD:</p> <ul style="list-style-type: none">- Boosting systems - operation, contribution to weapon performance, or design- High explosives for nuclear weapons / devices - mass, design, or operation- Outputs or performance of nuclear weapons or devices (incl. - individual or stage yields, computer simulations, or temperature/compressions reached)- Other nuclear weapon design, function, material uses or configurations, or nuclear test information- Gaseous diffusion technology/operation- Naval nuclear propulsion information <p>FRD:</p> <ul style="list-style-type: none">- Stockpile quantities or production/ retirement rate- Storage capacities or quantities authorized- Storage locations- Yield- Delivery system accuracy- Height/ depth of burst- Yield selection capability in a specified nuclear weapon- Nuclear weapon effects test information- Hardening, vulnerability, countermeasures, and survivability

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RG 19/ Deleted (Navy)	Deleted (Navy)	6	1956 - 1958	2 of 6	91	2	RD: - Naval nuclear propulsion information FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	3	Undated	3 of 3	0	3	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	9	1963 - 1968	9 of 9	0	17	FRD: - Storage locations - Yield
RG 59/ Deleted (DOS)	Deleted (DOS)	5	1961 - 1963	5 of 5	0	11	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	2	1963	2 of 2	0	6	FRD: - Stockpile quantities - Storage locations

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RG 59/ Deleted (DOS)	Deleted (DOS)	1	1970	1 of 1	0	1	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	3	1971	3 of 3	0	12	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	3	1971	3 of 3	0	3	FRD: - Storage locations

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RG 181/ Deleted (Navy)	Deleted (NARA)	2	1954	1 of 2	1	3	RD: - Tamper- mass, materials, design, or performance - Other nuclear weapon design, function, material uses or configurations, or nuclear test information revealing RD FRD: - Storage locations
RG 168/ Deleted (Army)	Deleted (NARA)	5	1956 - 1960	5 of 5	0	8	FRD: - Storage locations
RG 218/ Deleted (JCS)	Deleted (JCS)	1	1969	1 of 1	0	2	FRD: - Stockpile quantities - Yield - Delivery system accuracy

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RG 319/ Deleted (Army)	Deleted (NARA)	4	1964	2 of 4	0	7	FRD: - Stockpile quantities - Storage locations
RG 319/ Deleted (Army)	Deleted (NARA)	2	1964 - 1965	1 of 2	1	1	RD: - Mass or dimensions of fissile materials, pits, or nuclear assembly systems FRD: - Stockpile quantities - Yield
RG 319/ Deleted (Army)	Deleted (NARA)	7	1965 - 1971	7 of 7	0	11	FRD: - Stockpile quantities - Storage locations
RG 338/ Deleted (Army)	Deleted (NARA)	33 ⁷	1953 - 1971	33 of 33	0	48	FRD: - Stockpile quantities - Storage locations - Yield - Height/ depth of burst

⁷(S) Deleted

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RG 371/ Deleted (DISA)	Deleted (NARA)	1	1962	1 of 1	0	1	FRD: - Storage locations
	Total	166	1953 - 1971	151 of 166	189	233	