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DOE/SO-70-0012 (Deleted Version)

**Twelfth 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: _____	DETERMINATION (CIRCLE NUMBER(S))
AUTHORITY: <input type="checkbox"/> AOC <input checked="" type="checkbox"/> ADC <input type="checkbox"/> ADD	1. CLASSIFICATION RETAINED
NAME: _____	2. CLASSIFICATION CHANGED TO: _____
2ND REVIEW - DATE: _____	3. CONTAINS NO DOE CLASSIFIED INFO.
AUTHORITY: ADD	4. COORDINATE WITH: _____
NAME: _____	5. CLASSIFICATION CANCELED
	6. CLASSIFIED INFO BRACKETED
	7. OTHER (SPECIFY): _____



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

August 2003

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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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 1.28 million additional pages of publicly available records accessioned by the National Archives and Records Administration (NARA), the Department discovered an additional 489 documents containing 574 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
1,281,000	489	4886	96	478

The identified documents are in collections belonging to the Department of State and the Department of Defense (Army, Navy, Air Force and Office of the Secretary of Defense). 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
Mass or dimensions of fissile materials	Nuclear weapon stockpile quantities or production/ retirement rate
Boosting system information	Nuclear weapon storage locations
Detonation systems information	Costs of weapons or components - excluding nuclear materials costs
Thermonuclear weapon design or function	Nuclear weapon yield and yield selection
Outputs or performance of nuclear weapons or devices	Nuclear weapon delivery system accuracy
Other nuclear weapon information revealing RD	Nuclear test information or results - not revealing RD
Gaseous diffusion technology/operation	Utilization of nuclear weapons
Naval nuclear propulsion information	
Fusion weapon research	
Radiological warfare	

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A significant portion of the documents (470 out of 489) 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.

NARA, the Department of State, and the Department of Defense have been advised the specific documents contain RD and FRD. The 489 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 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.

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.

In accordance with P.L. 105-261, the DOE to date has trained 1,962 individuals from other agencies to recognize RD and FRD information. This includes 203 individuals from the Department of State, 74 from the Department of Navy, 95 from the Department of the Air Force, 50 from the Department of Defense, and 155 from NARA. Additionally, 202 individuals have attended refresher courses.

The training of other agency reviewers has significantly reduced the errors made in declassifying documents. During this quarter, DOE quality control sampling of 813,000 newly declassified pages found 45 documents containing RD/FRD that had been declassified in error. (This can be compared to 489 documents found in 1,281,000 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/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)	7	1965	6 of 7	4	3	RD: - Naval nuclear propulsion information FRD: - Storage locations - Stockpile quantities - Yields
RG 19/ Deleted (Navy)	Deleted (Navy)	1	1958	1 of 1	0	1	FRD: - Yields
RG 24/ Deleted (Navy)	Deleted (NARA)	2	1963-1964	2 of 2	0	4	FRD: - Stockpile quantities - Costs of weapons or non-nuclear components
RG 59/ Deleted (DOS)	Deleted (DOS)	1	1966	1 of 1	0	3	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	16	1967-1968	16 of 16	0	17	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	7	1968-1969	7 of 7	0	14	FRD: - Stockpile quantities - Storage locations

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RG 59/ Deleted (DOS)	Deleted (DOS)	1	1968	1 of 1	0	1	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	3	1968-1969	3 of 3	1	2	RD: - Naval nuclear propulsion information FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	12	1967-1969	12 of 12	0	20	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	6	1968-1969	6 of 6	0	6	FRD: - Storage locations - Yields - Nuclear test information – not revealing RD
RG 59/ Deleted (DOS)	Deleted (DOS)	4	1969	4 of 4	0	4	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	5	1967-1969	5 of 5	0	8	FRD: - Storage locations
RG 59/ Deleted (DOS)	Deleted (DOS)	7	1969	7 of 7	0	7	FRD: - Storage locations

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RG 59/ Deleted (DOS)	Deleted (DOS)	4	1970-1973	4 of 4	0	6	FRD: - Storage locations
RG 156/ Deleted (Army)	Deleted (NARA)	1	1953	1 of 1	0	1	FRD: - Yields
RG 181/ Deleted (Navy)	Deleted (NARA)	1	1950	0 of 1	3	1	RD: - Radiological warfare FRD: - Yields
RG 319/ Deleted (Army)	Deleted (NARA)	338	1950-1961	324 of 338	70	270	RD: - Mass or dimensions of fissile materials, pits or nuclear assembly systems. - Boosting systems information - Detonator systems information - Thermonuclear weapon design or function - Outputs or performances of nuclear weapons or devices - Other nuclear weapon information revealing RD - Fusion weapon research - Efficiency of utilization of nuclear materials FRD: - Stockpile quantities - Storage locations - Costs of nuclear weapons or non-nuclear components - Yields

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RG 319/ Deleted (Army)	Deleted (NARA)	1	1956	1 of 1	3	7	RD: - Other nuclear weapon information revealing RD - Boosting systems Information FRD: - Stockpile quantities - Yields
RG 319/ Deleted (Army)	Deleted (NARA)	8	1948	8 of 8	8	0	RD: - Gaseous diffusion technology/operation
RG 319/ Deleted (Army)	Deleted (NARA)	1	1955	1 of 1	0	2	FRD: - Storage locations
RG 319/ Deleted (Army)	Deleted (NARA)	7	1965-1969	7 of 7	0	8	FRD: -Stockpile quantities - Yields
RG 330/ Deleted (DOD- OSD)	Deleted (DOD-OSD)	5	1957	4 of 5	1	8	RD: - Outputs or performance of nuclear weapons or devices FRD: - Storage locations

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RG 335/ Deleted (Army)	Deleted (NARA)	42	1967-1968	40 of 42	6	67	RD: - Thermonuclear weapon design or function - Outputs or performances of nuclear weapons or devices FRD: - Stockpile quantities - Storage locations - Yields - Yield selection capability in a specified weapon
RG 340/ Deleted (Air Force)	Deleted (Air Force)	9	1956	9 of 9	0	18	FRD: - Stockpile quantities - Yields - Nuclear weapon delivery system accuracy - Utilization of nuclear weapon
Totals		489	1948-1973	470 of 489	96	478	

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; Air Force: Department of the Air Force; Navy: Department of the Navy;
DOD-OSD: Department of Defense – Office of the Secretary of Defense

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.

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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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