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DOE/SP-50-0021 (Deleted Version)

**Twenty-First 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>06-12-06</u>	DETERMINATION (CIRCLE NUMBER(S))
AUTHORITY <u>F-A</u> <input type="checkbox"/> AOC <input type="checkbox"/> XI <input type="checkbox"/> ADG <input type="checkbox"/> ADD	1 CLASSIFICATION RETAINED
NAME <u>a</u>	2 CLASSIFICATION CHANGED TO _____
2ND REVIEW DATE <u>06-12-06</u>	3 CONTAINS NO DOE CLASSIFIED INFO
AUTHORITY ADD	4 COORDINATE WITH _____
NAME <u>Roy W. Lee</u>	5 <input checked="" type="radio"/> CLASSIFICATION CANCELED
	6 CLASSIFIED INFO BRACKETED
	7 OTHER (SPECIFY): <u>DOES NOT</u> <u>CONTAIN UCNI</u>



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

May 2006

Classified By: Greg Gannon
Office of Classification
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 2,591,400 additional pages of publicly available microfilm records accessioned by the National Archives and Records Administration (NARA), the Department discovered an additional 9 records consisting of 9 pages of RD and FRD which were inadvertently released:

Additional Pages Examined Since Last Report	Number of Records with RD/FRD	Number of Pages in the Records	Number of Pages RD	Number of Pages FRD
2,591,400	9	9	8	1

The identified records are in collections belonging to the Department of the Navy, the Joint Chiefs of Staff, and the National Aeronautics and Space Administration. The 9 records were inadvertently declassified and made available to the public between 1996 and 1998 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
- Gaseous diffusion technology - Naval nuclear propulsion	- Nuclear weapon yield

All 9 documents were improperly marked for classification level (e.g., unmarked), and/or classification category (e.g., unmarked). The improper markings occurred when the documents were originated. The improper marking of the documents for classification level, and/or classification category may have contributed to the inadvertent release of documents.

The Department of the Navy, the Joint Chiefs of Staff, the National Aeronautics and Space Administration and NARA have been afforded an opportunity to review these documents containing the RD and FRD information. The 9 records have been withdrawn from public access and protected in accordance with DOE requirements. These 9 records were contained in seven reels of microfilm and on one glass projection slide. Each microfilm reel contains the equivalent of 2100 paper text pages. The microfilm reels in their entirety and the glass slide were withdrawn by NARA and protected since they contain the 9 records with RD and FRD classified information.

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The inadvertently released Naval nuclear propulsion and gaseous diffusion information (RD) detailed in this report concerns the nuclear technologies that this country developed in the 1940s and 1950s. Potential adversaries, emerging proliferant nations and terrorist groups aggressively target U.S. nuclear technology information. The gaseous diffusion information 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.

The training of other agency reviewers continues to reduce the rate at which Restricted Data and Formerly Restricted Data are improperly declassified.

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 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 165 DELETED (JCS)	DELETED (NARA)	1	1944	1 of 1	1	0	RD: - Gaseous diffusion technology
RG 255 DELETED (NASA)	DELETED (NARA)	2	1956	2 of 2	2	0	RD: - Naval nuclear propulsion
RG 255 DELETED (NASA)	DELETED (NARA)	1	1956	1 of 1	1	0	RD: - Naval nuclear propulsion
RG 255 DELETED (NASA)	DELETED	3	1956	3 of 3	3	0	RD: - Naval nuclear propulsion
RG 255 DELETED (NASA)	DELETED	1	1956	1 of 1	1	0	RD: - Naval nuclear propulsion
RG 72 DELETED (Navy)	DELETED (NARA)	1	1957	1 of 1	0	1	FRD: - Yield
Totals	9	9	1944-1957	9 of 9	8	1	

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APPENDIX: SUMMARY OF FINDINGS (U) (DELETED VERSION)

- 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); JCS: Joint Chiefs of Staff; NASA: National Aeronautics and Space Administration; 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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