

Special Historical Records Review Plan (Supplement)

(Public Laws 105-261 and 106-65)

March 1, 2000

I. Introduction.

- A. Purpose. The purpose of this plan is to prevent the inadvertent release of records containing Restricted Data (RD) and Formerly Restricted Data (FRD) during the declassification of records under section 3.4 of Executive Order 12958, "Classified National Security Information."
- B. Basis.
1. National Defense Authorization Act for FY 1999, Section 3161, "Protection Against Inadvertent Release of Restricted Data and Formerly Restricted Data" (Public Law 105-261)
 2. National Defense Authorization Act for FY 2000, Section 3149, "Supplement to Plan for Declassification of Restricted Data and Formerly Restricted Data" (Public Law 106-65)
 3. Atomic Energy Act of 1954, as amended
 4. Executive Order 12958
- C. Implementation Date. Implementation of this plan begins on January 28, 1999.
- D. Cancellation. This supplemental plan replaces the plan dated January 13, 1999.
- E. Access to Classified Information. All access to classified information under this plan shall be in accordance with appropriate access authorization and need-to-know standards.
- F. Applicability. This plan applies to all agencies and subagencies (hereafter referred to as agencies) subject to section 3.4 of Executive Order 12958.
- G. Scope. This plan covers those records subject to section 3.4 of Executive Order 12958, except for records and file series determined to be exempt from automatic declassification under section 3.4 for the duration of the exemption.
- H. Funding. Additional funding will be required to fully implement the provisions of this plan. Appendix 7 provides estimates of the additional funding needed by agencies to implement Public Laws 105-261, Section 3161, and 106-65, Section 3149. Agencies shall ensure that funds are allocated to implement this plan consistent with the President's budget.

- i. Restrictions on Declassification of RD/FRD Records. Under this plan, no RD/FRD records are authorized to be declassified. RD and FRD records have special declassification requirements that are specified in 10 CFR 1045.32(b) and are prohibited from automatic declassification under 10 CFR 1045.38. Knowing, willful, or negligent action that results in the release of RD/FRD may be subject to sanctions under 10 CFR 1045.5. Note: The inadvertent public release or compromise of RD/FRD does not automatically result in its declassification.
- ii. Categories of File Series. File series in a given category must meet all the criteria specified below under the category heading in order to be subject to the processing requirements in paragraph III of this Plan.

<i>Category of File Series</i>	Not Yet Reviewed for Declassification	In Process	Already Processed
<i>Description</i>	Have not been reviewed for declassification	Have been declassified by the agency of record, but have not yet been made available to the public	Have been declassified by the agency of record and are currently publicly available
<i>Processing Status</i>	Awaiting declassification review by the agency of record or NARA	Being administratively processed by the agency of record or NARA	Fully processed by the agency of record or NARA
<i>Location</i>	May be at the agency of record, a National Archives and Records Administration (NARA) record center, or NARA	May be at the agency of record, a NARA record center, or NARA	May be at the agency of record, a NARA record center, or NARA
<i>“Highly Unlikely” Status</i>	Have not been validated as “highly unlikely” to contain RD/FRD		
<i>Review Status</i>	Have not received a page-by-page review for RD/FRD by a Historical Record RD Reviewer		

III. File Series Processing Requirements.

A. File Series Not Yet Reviewed for Declassification.

1. Evaluation of File Series.

- a. Evaluation Requirement. An agency shall evaluate each file series to determine whether it is highly unlikely to contain RD/FRD. In making this evaluation, the agency should refer to the criteria described in Appendix 1 and may also include a random sampling or survey of the records, a visual inspection for RD/FRD markings, or any other method the agency deems appropriate.
- b. Timing of Evaluation. This evaluation may be done at any time during the processing of the file series. In addition, an agency may re-evaluate a file series at any time based on new information about the file series obtained during its processing.

2. Validation of File Series.

- a. Validation Requirement. An appropriate agency official shall validate that a file series evaluated under paragraph IIIA1 is highly unlikely to contain RD/FRD by using the format at Appendix 2 or by any other method that provides the same information.
- b. Recordkeeping. The agency shall retain these validations and any survey notes or other work products that were created to document the agency's determination and make them available to the Department of Energy (DOE) upon request, either prior to or during a quality assurance/quality control visit under paragraph VI. The agency shall also include a copy of the validations, survey notes, or other work products when transferring file series to NARA.

3. File Series Review Requirements.

- a. File Series Validated "Highly Unlikely" to Contain RD/FRD. The agency shall process records in such file series under its regular declassification procedures. If during such processing RD or FRD are discovered, then the file series becomes highly likely to contain RD/FRD and is processed under paragraph IIIA3b.
- b. File Series Likely to Contain RD/FRD. A Historical Record RD Reviewer shall conduct a page-by-page review for RD/FRD of each record in such file series. Each record containing RD/FRD shall be identified to prevent the inadvertent release of the record; e.g., tabbed for ready identification during future processing. A Historical Record

RD Reviewer may not declassify RD/FRD records. If no RD/FRD is found, then the agency may process the file series under its regular declassification procedures. If during the page-by-page review for RD/FRD it becomes evident that the file series is highly unlikely to contain RD/FRD, the agency may re-evaluate that file series and validate its “highly unlikely” status under paragraph IIIA2a. Such file series may then be processed under paragraph IIIA3a.

- c. All Other File Series. An agency reviewer shall conduct a page-by-page review for RD/FRD of each record in those file series for which the likelihood of containing RD/FRD cannot be determined. If the reviewer finds any RD/FRD, marked or unmarked, then the series becomes likely to contain RD/FRD and is processed under paragraph IIIA3b. If no marked or unmarked RD/FRD is found, then the agency may process the file series under its regular declassification procedures. If during the page-by-page review for RD/FRD it becomes evident that the file series is highly unlikely to contain RD/FRD, the agency may re-evaluate that file series and validate its “highly unlikely” status under paragraph IIIA2a. Such file series may then be processed under paragraph IIIA3a.

B. File Series Already Processed or In Process.

1. File Series Availability.

- a. Already Processed. File series that have already been processed shall remain publicly available while the appropriate evaluation and reviews described in paragraphs 2 through 4 below are completed.
- b. In Process. File series that are in process shall not be made available to the public until the appropriate evaluation and reviews described in paragraphs 2 through 4 below are completed. If records in one of these file series are specifically requested by a researcher, DOE shall review such records on a “first in, first out” basis (not to exceed an average of 1,000 pages per week) when requested by NARA.

2. Evaluation of File Series. DOE and NARA jointly shall evaluate each file series to identify whether it is highly unlikely to contain RD/FRD. In making this evaluation, DOE and NARA shall refer to criteria described in Appendix 1 and may also include a random sampling or survey of the records, a visual inspection for RD/FRD markings, or any other method deemed appropriate.
3. Validation of File Series. For those file series identified as “highly unlikely” to contain RD/FRD, NARA and/or an appropriate agency official from the agency of record may validate that the file series is highly unlikely to contain RD/FRD by using the format at Appendix 2 or by any other method that

provides the same information. This validation may be based on application of the criteria described in Appendix 1, a random sampling or survey of the records, a visual inspection for RD/FRD markings, or any other method the agency official deems appropriate. For those file series declassified by NARA, NARA may validate the “highly unlikely” status of the file series in consultation with the agency of record.

4. File Series Review Requirements.

- a. File Series Validated “Highly Unlikely” to Contain RD/FRD. NARA shall process the records following their normal procedures.
- b. File Series Not Validated “Highly Unlikely” to Contain RD/FRD or Determined Likely to Contain RD/FRD.
 - (1) DOE shall conduct a quality control review of each of these file series.
 - (2) If DOE finds records containing RD/FRD, DOE will notify NARA to withdraw and protect those records containing RD/FRD.
 - (3) Based on the results of DOE’s quality control review, DOE, NARA, and the agency of record shall jointly determine the appropriate remedial action.
 - (4) Whenever it is determined that re-review by the agency of record is necessary, DOE shall notify the appropriate National Security Council staff.

IV. Training Required to Recognize RD/FRD.

A. Agency Personnel Reviewing Records.

1. Training Requirement. All agency personnel reviewing records under section 3.4 of the Executive order shall attend a seminar conducted by DOE and NARA.
2. Seminar Content. This half-day seminar describes the requirements in this plan, assists agency personnel to recognize RD/FRD subject areas in the records, and discusses related records processing procedures (see Appendix 3 for seminar outline).

B. Historical Record RD Reviewers.

1. Training Requirement. Individuals conducting page-by-page reviews for RD/FRD in file series likely to contain RD/FRD shall attend and pass a 5-day course conducted by DOE to be trained and certified as Historical Record RD Reviewers. (NOTE: An individual who attends the Historical Record RD Reviewer course is not required to attend the seminar described in paragraph IVA.)
2. Content of Course. This 5-day course assists Historical Record RD Reviewers to recognize records potentially containing RD/FRD. Specifically, the course will enable such Reviewers to recognize nuclear information appearing in records not marked as containing RD/FRD which should be identified as potential RD/FRD and set aside. (See Appendix 4 for course outline.)

C. Administrative Details.

1. Location of Training. The training will be held primarily at DOE or other-agency facilities in the Washington, D.C., area. However, if there is sufficient interest, the training can also be provided at DOE or other-agency facilities outside the Washington, D.C. area.
2. Frequency of Training. DOE shall offer each course at least once each quarter and more often if needed.
3. Waiver or Modification of Training Requirements. An agency may request that DOE waive or modify the above training requirements for an individual or a group of individuals. Such a request may be based on any relevant factors; for example, previous training, classification/ declassification experience, technical background of the individual(s), or passing a certification test without attending training.

V. Supervision and Evaluation of Historical Record RD Reviewers.

- A. Requirement for Agency Implementation Plan. Each organization within an agency that is reviewing records under section 3.4 of the Executive order shall develop an implementation plan in a timely manner that contains procedures describing the technical and administrative aspects of the review to recognize records that potentially contain RD/FRD.
- B. Plan Contents. The agency's implementation plan shall include the agency's quality assurance/quality control measures, reviewer qualifications, processing steps of documents under review, expected review quotas, and security requirements as well as a description of how the work of a Historical Record RD Reviewer will be supervised and evaluated. If a plan prepared for another

purpose includes all of these items, then the agency is not required to develop a separate implementation plan to meet this requirement.

C. DOE Review of Agency's Implementation Plan.

1. Review in Association with Quality Assurance/Quality Control Visit. The organization shall make its implementation plan available to DOE for review upon request either prior to or during a quality assurance/quality control visit under paragraph VI.
2. Other Review. An organization may send its implementation plan to DOE at any time for review and comment. DOE shall provide comments in a timely manner.

VI. Evaluation of Agency Compliance.

- A. Requirement. DOE, in consultation with the Director of the Information Security Oversight Office (ISOO), shall periodically review and evaluate each agency's compliance with this plan. DOE shall coordinate with the agency's Senior Agency Official designated under section 5.6(c) of Executive Order 12958 before conducting an evaluation.
- B. Location of Records. In order for DOE to evaluate an agency's compliance with this plan, DOE must know the geographic location where the agency is processing records under section 3.4 of the Executive order. Therefore, within 15 days of the implementation date of this plan, each agency shall notify the DOE Director of Nuclear and National Security Information of each location, the approximate volume of the records at each location, and a point of contact (name and telephone number).
- C. Conduct of the Review. DOE shall use quality assurance (QA) and quality control (QC) principles to assess the agency's implementation of this plan. QA focuses on the declassification review process itself (e.g., procedures, training, internal checks, etc.). QC focuses on the product that results from the process (i.e., the declassified records themselves). (See Appendix 5 for description of areas to be covered during the review.)
- D. Evaluation of Review Results. If the review reveals RD/FRD that was not identified during the agency's processing of the file series, then DOE shall evaluate the potential damage to the national security and recommend what course of action is appropriate on a case-by-case basis. Such recommendations may cover a broad spectrum of actions, ranging from no action to a complete re-review of all records in the file series by the originating agency.

- E. Report of Review Results. The Secretary of Energy shall submit a summary of the results of these reviews and evaluations to the Assistant to the President for National Security Affairs 15 days prior to submitting the report to the required congressional committees. Such report shall address an agency's overall program and not just focus on individual errors. The report shall be submitted periodically, but not less than once a year.
- VII. Resolution of Disagreements. An agency may submit concerns over procedural requirements in the plan or its implementation, including the quality assurance/quality control reviews and evaluations, to the DOE Director of Nuclear and National Security Information and to the Director of ISOO in NARA. DOE and NARA shall confer and issue a joint decision on the concern within 60 days. If the response does not satisfy the agency or DOE and NARA are unable to reach a joint decision within 30 days, the agency may appeal the concern to the Secretary of Energy, who shall respond within 30 days. An agency making such an appeal shall simultaneously also notify the Assistant to the President for National Security Affairs.
- VIII. Notification of Inadvertent Releases.
- A. Prior to Enactment of Defense Authorization Act for FY 1999.
1. Agency Notification Requirement. Within 30 days of DOE's submission of the plan to Congress, each agency shall report to the DOE Director of Nuclear and National Security Information all inadvertent releases of RD/FRD under Executive Order 12958 that occurred before October 17, 1998, the date of the enactment of section 3161 of the National Defense Authorization Act for FY 1999.
 2. DOE Notification Requirement.
 - a. Within 30 days of DOE's submission of the plan to Congress, DOE shall report to each agency any suspected inadvertent releases of RD/FRD by that agency that were not specifically provided to DOE by that agency.
 - b. Within 1 year of DOE's submission of the plan to Congress, the Secretary of Energy shall report confirmed releases to the required congressional committees. DOE shall provide the appropriate agency with a draft of this report as early as possible to ensure the agency has sufficient time to evaluate its contents. The final report shall be submitted to the Assistant to the President for National Security Affairs, with a copy of relevant portions to each appropriate agency, 7 days prior to submitting the report to the congressional committees.
- B. Following Enactment of Defense Authorization Act for FY 1999.

1. Agency Notification Requirement. Within 10 working days of its confirmation, an agency shall report to the DOE Director of Nuclear and National Security Information each inadvertent release of RD/FRD under Executive Order 12958 that occurred following enactment of section 3161 of the National Defense Authorization Act for FY 1999.
 2. DOE Notification Requirement.
 - a. Within 10 working days of DOE's discovery of any suspected inadvertent release of RD/FRD by an agency, DOE shall inform such agency of the possible inadvertent release.
 - b. As required in Section 3161(f)(2), the Secretary of Energy shall report confirmed inadvertent releases to the required congressional committees within 30 working days. DOE shall provide the appropriate agency with a draft of this report as early as possible to ensure the agency has sufficient time to evaluate its contents. The final report shall be submitted to the Assistant to the President for National Security Affairs, with a copy of relevant portions to each appropriate agency, 7 working days prior to submitting the report to the congressional committees.
- C. Reporting Format. The agency shall report each confirmed inadvertent release by using the format at Appendix 6 or by any other method that provides the same information. This form shall be classified at the level and category (RD or FRD) of the inadvertently released document because the form identifies classified information in the public domain.
- IX. Use of Automated Declassification Technologies. The use of automated declassification technologies to protect RD and FRD from inadvertent release shall be considered by each agency as appropriate. Other software tools currently being developed shall be provided to the agencies as the tools are tested and proven effective.
- X. Estimated Resource Requirements. (See Appendix 7)
- XI. Timetable to Implement Plan. (See Appendix 8)
- XII. Definitions.
- A. Restricted Data (RD). Certain information classified under the Atomic Energy Act of 1954, as amended, concerning (1) the design, manufacture, or utilization of nuclear weapons; (2) the production of special nuclear material; e.g., enriched uranium or plutonium; or (3) the use of special nuclear material in the production of energy. RD is exempt from Executive Order 12958, including the automatic declassification provisions in section 3.4.

- B. Formerly Restricted Data (FRD). Information that is still classified under the Atomic Energy Act but which has been removed from the RD category because it is related primarily to the military utilization of nuclear weapons. FRD is exempt from Executive Order 12958, including the automatic declassification provisions in section 3.4.
- C. Agency of Record. An agency currently possessing a file series. For file series accessioned at NARA, the agency of record is the agency who sent the file series to NARA.
- D. Historical Record RD Reviewer. An individual trained and certified by DOE to recognize information potentially classified as RD/FRD in records that are subject to the automatic declassification provisions of Executive Order 12958. A Historical Record RD Reviewer may not declassify RD/FRD information or documents.
- E. Page-by-Page Review for RD/FRD. A review of the information contained on each page of a record by an agency reviewer or a Historical Record RD Reviewer to determine whether any page in that record contains RD/FRD.
- F. File Series. File units or documents arranged according to a filing system or kept together because they relate to a particular subject or function, result from the same activity, document a specific kind of transaction, take a particular physical form, or have some other relationship arising out of their creation, receipt, or use, such as restrictions on access and use. Generally handled as a unit for disposition purposes. For the purposes of this plan, an agency may treat subsets or groups of file series as individual file series if they generally meet the definition of file series. If this criteria is met, the agency may treat segregable portions of file series as separate file series if the agency determines that one portion of the series is highly unlikely to contain RD/FRD but another segregable portion is likely to do so. (NOTE: File series means record series.)
- G. Record. Materials determined to have permanent historical value under title 44, United States Code, including Federal records under 44 U.S.C. 3301, donated materials under 44 U.S.C. 2111, Presidential historical materials of Richard M. Nixon under 44 U.S.C. 2111 note, and Presidential records under 44 U.S.C. 2201.

Appendix 1

Criteria for Evaluating File Series Descriptions to Determine if They are Highly Unlikely to Contain RD or FRD

To make a decision on the likely presence of RD/FRD in any given file series, each agency must use its own resources to determine during what period it or its predecessor(s) may have had interfaces with the nuclear weapons program. The evaluation guidelines described in 1-7 below may be used to aid this determination.

1. **Definition of Restricted Data and Formerly Restricted Data.** Restricted Data is defined in the Atomic Energy Act of 1954, as amended, as ". . . all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy . . ." Formerly Restricted Data is ". . . such data as the [DOE] and the Department of Defense jointly determine relates primarily to the military utilization of atomic weapons and which the [DOE] and Department of Defense jointly determine can be adequately safeguarded as defense information"
2. **Period Context of Records.** All research on nuclear physics was unclassified prior to the formation of the National Defense Research Committee (NDRC) in June 1940. After the formation of the NDRC, publications on uranium research, which were at that time primarily concerned with isotope separation, were no longer made public. When the Manhattan Engineer District was formed on August 13, 1942, it took over all matters involving the production of special nuclear materials and nuclear weapons research and shrouded all work in a veil of secrecy.

The likelihood of the occurrence of RD or FRD in an other-agency file series depends on what issues the Atomic Energy Commission or its predecessor or successor agency was involved in at the time and the involvement of the other agency in the same issues.

3. **Examples.** The following activities are provided as examples of past involvement with the nuclear weapons program by certain agencies and are not meant to be considered as all-inclusive:
 - Certain Department of Defense agencies were intimately involved with nuclear weapons issues from the beginning until the present; for example:
 - The Army Air Force began studies of aircraft propulsion using nuclear energy during World War II and continued after the war at Oak Ridge in 1946 (Nuclear Energy for the Propulsion of Aircraft project (NEPA)).
 - The National Advisory Committee on Aeronautics, whose functions were transferred to National Aeronautics and Space Administration (NASA) in 1958, were also part of the NEPA study.
 - The Navy's Bureau of Ships sent a study group under Hyman Rickover to Oak Ridge to study naval nuclear propulsion in 1946.

- The Department of Agriculture performed sampling of radioactive residues on plants and in animal products during nuclear weapon testing.
 - The Department of Commerce (National Oceanic and Atmospheric Administration) did weather modeling and forecasting on the basis of air, cloud, and temperature sampling during nuclear weapon testing.
 - The Department of Justice (Federal Bureau of Investigation) investigated spy cases, such as Klaus Fuchs and the Rosenbergs.
 - The Federal Emergency Management Agency is a successor to the Federal Civil Defense Administration that directed Federal civil defense policies.
4. **Agency National Security Mission in Period when Records Were Generated.** The national security mission of an agency or its predecessor organization during the period when the records were generated is another clue to the likelihood of the presence of RD or FRD in particular file series. Agencies involved in deliberations of the National Security Council or its predecessors or other policy-level councils are more likely to have received intelligence or facts about nuclear weapons capability.
 5. **Other Available Information About File Series.** Other information known about the file series, such as the originating office or previous owner of the records and the activities engaged in at the time the records were created, may provide further clues to the likelihood of the presence of RD or FRD in particular file series. Finding aids for the file series, if they exist, would contribute to the historical context.
 6. **Type of Categorization Review or Survey Performed by Agency.** An agency's validation should be based on the depth of the review of a file series that was done to support the validation. A validation that a file series is highly unlikely to contain RD/FRD is more reliable if the file series was extensively sampled or surveyed without discovering marked RD or FRD as opposed to relying on a review of file series title alone or the titles of the boxes containing the records.
 7. **Quality of Descriptive Information and Existence of Database.** The existence of a database in which box- or folder-level data and review results are recorded provides a firm documentation trail and extensive information about the file series. It is not a guideline per se, but it would provide more confidence in the results from applying other guidelines.

APPENDIX 2
SUGGESTED FORMAT

RECORD SERIES DETERMINED AS HIGHLY UNLIKELY TO CONTAIN RD/FRD

Agency's Name: _____

Reporting Official _____
(Name and telephone number)

Point of Contact: _____
(Name and telephone number)

1. Record group to which file series belongs
2. File series title
3. File series volume (in linear feet)
4. File series location
5. Explain the basis for this determination and attach any survey notes or work products:

I validate that the file series identified above is determined as highly unlikely to contain RD/FRD.

(Signature of validating official)

(Name and title of validating official)

(Date)

APPENDIX 3

Restricted Data/Formerly Restricted Data Recognition and Records Processing Seminar

Overview: The purpose of this seminar is to train all personnel reviewing records under section 3.4 of Executive Order 12958. Specifically, the seminar will include an overview of the Special Historical Records Review Plan, a review of the requirements for processing records affected by the Plan, and training on the recognition of RD and FRD in both marked and unmarked records. (**NOTE:** No access authorization (i.e., security clearance) is required for this seminar.)

TOPICS TO BE COVERED
Introduction and Overview of the Implementation Plan
In-depth review of the Plan and specific requirements outlined in the Plan's procedures for processing of the affected records. Specific examples of how to use the procedures for various record sets will be provided
RD/FRD Recognition Training
Review and Discussion of Questions

APPENDIX 4

COURSE OUTLINE FOR HISTORICAL RECORD RD REVIEWERS

Overview: The purpose of this course is to train Historical Record RD Reviewers to recognize records potentially containing RD/FRD. Specifically, the course will enable such Reviewers to recognize nuclear information appearing in records not marked as containing RD/FRD which should be identified as potential RD/FRD and set aside. The course will use review aids, examples, and practical exercises extensively. Marking, handling, and coordination procedures for RD/FRD will also be covered. (**NOTE:** "Q," S CNWDI for DOD, or equivalent access authorization (i.e., security clearance) is required for this training.)

DAY	SUBJECTS TO BE COVERED
DAY 1	History of DOE and the RD/FRD Classification System Overview of Nuclear-Related Terms and Science Nuclear Explosives Design/Manufacturing
DAY 2	Nuclear Explosives (Continued) Design/Manufacturing (Continued) Military Utilization
DAY 3	Nuclear Explosives (Continued) Practical exercises (Review of nuclear explosive documents) Nuclear Materials Production Nuclear Fuel Cycle and Production Reactors Isotope Separation Technology
DAY 4	Nuclear Materials Production (Continued) Practical exercises (Review of nuclear materials documents) Special Nuclear Materials (SNM) Used for the Production of Energy Naval Reactor Program Other Reactors Practical exercises (Review of SNM in the production of energy documents) Review of Major Areas of Declassified RD Procedures for Marking, Handling, and Protecting Suspected RD
DAY 5	Comprehensive Review and Practical Exercise Certification Examination

APPENDIX 5

DOE QUALITY ASSURANCE/QUALITY CONTROL

DOE will periodically utilize Quality Assurance (QA)/Quality Control (QC) methods to evaluate an agency's compliance with this plan.

QA focuses on the declassification review process itself (e.g., procedures, training, internal checks, etc.). QC focuses on the product that results from the process (i.e., the declassified records themselves).

QA/QC will be conducted by qualified DOE and DOE contractor personnel. Typically, DOE will examine records that have been declassified to ensure that no RD or FRD is being inadvertently released. Based on the results of this records examination, the agency's declassification review process will be analyzed and improvements may be recommended.

Quality Control Methods

- Examine declassified records. Randomly selected records that have been or are intended to be declassified by the agency will be reviewed to determine if those records potentially containing RD/FRD have been appropriately tabbed. While incidental access by DOE staff to an agency's classified records is probable during this examination, DOE staff shall not review such classified records.

Quality Assurance Methods

- Implementation Plan. The agency's implementation plan may be examined to confirm that it ensures proper training, supervision, and evaluation of personnel engaged in declassification under the Executive order so that such personnel can recognize RD/FRD.
- Classification/declassification guidance. A spot check of the guidance available to reviewers may be made to see if it is adequate and if the topics identified as RD/FRD are consistent with DOE guidance. This may help DOE to identify if there is other guidance that would be useful to the reviewers.
- Interview reviewers or individuals involved in the review process.
 - Interviews may be conducted with reviewers to determine if they are knowledgeable of the general areas that could potentially be RD/FRD and have received the appropriate training.
 - Individuals involved in the review process may be interviewed to assess their understanding of their responsibilities concerning (1) the identification and handling of records containing RD/FRD and (2) the specific requirements outlined in the agency's implementation plan.

- Training. DOE may verify that all individuals conducting page-by-page reviews for RD/FRD have attended the 5-day course conducted by DOE and are certified as Historical Record RD Reviewers and all agency personnel involved in the review of records under section 3.4 of the Executive order have attended a seminar conducted by DOE and NARA.

APPENDIX 6
SUGGESTED FORMAT

REPORT OF INADVERTENT RELEASE

Agency's Name: _____

Reporting Official: _____
(Name and telephone number)

Point of Contact: _____
(Name and telephone number)

Date of Erroneous Release: _____

Date Erroneous Release Discovered: _____

1. Record group to which file series belongs
2. File series title
3. File series volume (in linear feet)
4. File series location
5. File series unclassified description, including
 - a. Date span of file series
 - b. Originating office
 - c. Finding aids
6. Identify the specific publication/document containing the inadvertent release and attach a copy of the released information

NOTE: When this form is completed, classify it at the level and category (RD or FRD) of the inadvertently released document.

SEND TO: Director, Office of Nuclear and National
Security Information (Attn: SO-223) (Classified mailing address)
U. S. Department of Energy
P. O. Box A
Germantown, MD 20874-0963

APPENDIX 7
ESTIMATED RESOURCE REQUIREMENTS
TO IMPLEMENT PUBLIC LAWS 105-261, SECTION 3161,
AND 106-65, SECTION 3149

The following figures represent estimates of incremental costs to be incurred by DOE, Department of Defense (DOD), and NARA to implement Public Laws 105-261, Section 3161, and 106-65, Section 3149. The only costs estimated by other agencies are the costs of receiving training offered by DOE, which are not included here.

	<u>FY 1999</u>	<u>FY 2000</u>	<u>Outyears/ Annually</u>
A. DOE Estimated Costs:			
1. Cost for new Federal staff	\$ 350,000	\$ 550,000	\$ 550,000
2. Cost for new contractor staff	\$ 5,420,000	\$ 7,100,000	\$ 7,100,000
3. Cost for training DOE QA/QC reviewers (including travel)	<u>\$ 180,000</u>	<u>\$ 180,000</u>	<u>\$ 160,000</u>
Total DOE Estimated Costs	\$ 5,950,000	\$ 7,830,000	\$ 7,810,000
B. DOD Estimated Costs			
1. Cost for new Federal staff	\$ 201,592	\$ 201,592	\$ 201,592
2. Cost for new contractor staff	\$ 1,359,458	\$ 1,359,458	\$ 1,359,458
3. Cost for travel associated with training	<u>\$ 835,740</u>	<u>\$ 835,740</u>	<u>\$ 835,740</u>
Total DOD Estimated Costs	\$ 2,396,790	\$ 2,396,790	\$ 2,396,790
C. NARA Estimated Costs			
1. Cost for new Federal staff	\$ 68,000	\$ 68,000	\$ 68,000
2. Cost for new contractor staff	\$ 0	\$ 0	\$ 0
3. Other costs (including travel, upgrading access authorizations, and facility upgrades)	<u>\$ 130,000</u>	<u>\$ 130,000</u>	<u>\$ 130,000</u>
Total NARA Estimated Costs	\$ 198,000	\$ 198,000	\$ 198,000
TOTAL ESTIMATED COSTS	\$ 8,544,790	\$ 10,424,790	\$10,404,790

Appendix 8 - Timetable to Implement Plan

ID	Task Name	1999	2000	2001	2002	2003	2004	2005
1	Implementation date of plan	◆ 1/28						
2	Secretary of Energy submits plan to Congress	◆ 1/28						
3	Agencies evaluate and certify record series as "highly unlikely" to contain RD/FRD	ONGOING						
4	Agencies may bulk declassify records they determine to be "highly unlikely" to contain RD/FRD	▶ ◆ ONGOING						
5	Agencies begin to develop plan describing program to implement plan requirements	◆ 1/28						
6	DOE requests agencies to submit names of individuals to be trained as Historical Record RD Reviewers	◆ 1/28						
7	DOE begins conducting 5-day training courses for Historical Record RD Reviewers	▶ ONGOING						
8	DOE/NARA conducts training seminars for agency personnel	1 ONGOING						

Appendix 8 - Timetable to Implement Plan

ID	Task Name	1999	2000	2001	2002	2003	2004	2005
9	Agencies submit to DOE locations of records being processed under section 3.4	◆ 2/11						
10	DOE evaluates agency compliance with plan requirements	▶ ONGOING						
11	DOE conducts QC review of records in process at NARA	▶						
12	DOE submits first summary of results of QA/QC reviews to NSC and Congress		◆ 1/28					
13	Agencies notify DOE of inadvertent releases occurring before enactment of section 3161	◆ 3/1						
14	DOE notifies agencies of suspected inadvertent releases occurring before enactment of section 3161 and not reported by agencies	◆ 3/1						
15	DOE notifies NSC and Congress of prior inadvertent releases		◆ 1/31					

Appendix 8 - Timetable to Implement Plan

ID	Task Name	1999	2000	2001	2002	2003	2004	2005
16	Agencies notify DOE of inadvertent releases occurring after enactment of section 3161							
17	DOE notifies agencies of suspected inadvertent releases occurring after enactment of section 3161							
18	DOE notifies NSC and Congress of new inadvertent releases							