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**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST**

NRC-2020-000206

1

RESPONSE  
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

DATE:

05/04/2020

**DESCRIPTION OF REQUESTED RECORDS:**

A copy of the NRC Declassification Guide (the NRC Declassification Guide approved by ISCAP, dated September 2018).

**PART I. -- INFORMATION RELEASED**

- ☐ The NRC has made some, or all, of the requested records publicly available through one or more of the following means: (1) <https://www.nrc.gov>; (2) public ADAMS, <https://www.nrc.gov/reading-rm/adams.html>; (3) microfiche available in the NRC Public Document Room; or FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>.
- ☒ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (See Part I.D -- Comments) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Part I.D -- Comments.

**PART I.A -- FEES**

AMOUNT

**\$0.00**

- ☐ You will be billed by NRC for the amount indicated.
- ☐ You will receive a refund for the amount indicated.
- ☐ Fees waived.
- ☐ Since the minimum fee threshold was not met, you will not be charged fees.
- ☐ Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request.

**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). See 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☒ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- ☒ You may appeal this final determination within 90 calendar days of the date of this response. If you submit an appeal by mail, address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-2 F43, Washington, D.C. 20555-0001. You may submit an appeal by e-mail to [FOIA.resource@nrc.gov](mailto:FOIA.resource@nrc.gov). You may fax an appeal to (301) 415-5130. Or you may submit an appeal through FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>. Please be sure to include on your submission that it is a "FOIA Appeal."

**PART I.C -- REFERENCES AND POINTS OF CONTACT**

You have the right to seek assistance from the NRC's FOIA Public Liaison by submitting your inquiry at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>, or by calling the FOIA Public Liaison at (301) 415-1276.

If we have denied your request, you have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS). To seek dispute resolution services from OGIS, you may e-mail OGIS at [ogis@nara.gov](mailto:ogis@nara.gov), send a fax to (202) 741-5789, or send a letter to: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. For additional information about OGIS, please visit the OGIS website at <https://www.archives.gov/ogis>.



**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST**

NRC

NRC-2020-000206

RESPONSE NUMBER

1

RESPONSE  
TYPE

☐

INTERIM

☒

FINAL

**PART I.D -- COMMENTS**

Signature - Freedom of Information Act Officer or Designee

**Stephanie A. Blaney**

Digitally signed by Stephanie A. Blaney  
Date: 2020.05.04 06:51:52 -04'00'

NRC-2020-000206



## RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

DATE:

05/04/2020

### PART II.A -- APPLICABLE EXEMPTIONS

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- ☐ Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- ☐ Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- ☐ Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
- ☐ Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
- ☐ Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
- ☐ 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the
- ☐ Other:
- ☐ Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
- ☐ The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
- ☐ The information is considered to be another type of confidential business (proprietary) information.
- ☐ The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- ☐ Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
- ☐ Deliberative process privilege.
- ☐ Attorney work product privilege.
- ☐ Attorney-client privilege.
- ☐ Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- ☒ Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
- ☐ (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
- ☐ (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
- ☐ (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
- ☐ (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
- ☒ (F) Disclosure could reasonably be expected to endanger the life or physical safety of any individual.
- ☐ Other:

### PART II.B -- DENYING OFFICIALS

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDO	SECY
Stephanie Blaney	FOIA Officer	responsive records	<input type="checkbox"/>	<input type="checkbox"/>
	Select Title/Office from drop-down list		<input type="checkbox"/>	<input type="checkbox"/>
	Select Title/Office from drop-down list		<input type="checkbox"/>	<input type="checkbox"/>
	Select Title/Office from drop-down list		<input type="checkbox"/>	<input type="checkbox"/>



~~OFFICIAL USE ONLY –  
SECURITY-RELATED  
INFORMATION~~

HR-NRC-18-1

# **(U) United States Nuclear Regulatory Commission Historical Records Declassification Guide**

September 2018

U.S. NUCLEAR REGULATORY COMMISSION  
Office of Nuclear Security  
and Incident Response  
Division of Security Operations

Use of this document is intended only for personnel who have been trained and authorized by the NRC.

## ~~OFFICIAL USE ONLY~~

May be exempt from public release under the Freedom of Information Act (5 U.S.C. 552), exemption number and category: 4, Commercial/Proprietary. U.S. Nuclear Regulatory Commission review required before public release.

**Name/Org:** Marissa G. Bailey, Director  
Division of Security Operations  
Office of Nuclear Security  
and Incident Response

**Date:** September 2018

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SECURITY-RELATED  
INFORMATION~~

**HR-NRC-18-1**

**(U) United States  
Nuclear Regulatory  
Commission  
Historical Records  
Declassification Guide**

September 2018

U.S. NUCLEAR REGULATORY COMMISSION  
Office of Nuclear Security  
and Incident Response  
Division of Security Operations

Approved by:

/RA/

---

Marissa G. Bailey, Director  
Dated October 11, 2018  
Division of Security Operations  
Office of Nuclear Security and  
Incident Response  
U.S. Nuclear Regulatory  
Commission

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Freedom of Information Act (5 U.S.C. 552),  
exemption number and category: 4,  
Commercial/Proprietary. U.S. Nuclear Regulatory  
Commission review required before public  
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**Name/Org:** Marissa G. Bailey, Director  
Division of Security Operations  
Office of Nuclear Security  
and Incident Response

**Date:** September 2018

**HR-NRC-18-1**

**(U) United States Nuclear Regulatory Commission  
Historical Records Declassification Guide**



**RECORD OF PAGE CHANGES**

<b>Change Number:</b>	<b>Date of Change:</b>	<b>Entered by (Initial/Date):</b>

**HR-NRC-18-1**

**(U) United States Nuclear Regulatory Commission  
Historical Records Declassification Guide**

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## INTRODUCTION

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### A. Use of the Guide

Users of this Guide should use their professional experience when reviewing classified national security information for declassification and conduct the appropriate research to prevent the continued withholding of information that should be released. This research should take into account information previously officially released by the U.S. Government, including information previously declassified by the Interagency Security Classification Appeals Panel (ISCAP):

<https://www.archives.gov/declassification/iscap/decision-table>

Only information detailed in the specific exemption elements in this Guide are authorized to be exempted from declassification at 25 years or later. All other information should be declassified unless the information may be exempted by another agency, or is Restricted Data or Formerly Restricted Data.

If the information falls into those categories it must be referred for review by those with the authority to make that determination in accordance with section 3.3(d)(3) of Executive Order (E.O.) 13526. Instructions on what information may be referred are contained in this Guide.

Before referring information to another government agency, confirm the agency has not waived their equity and is eligible to exempt information as identified in the most recent Information Security Oversight Office (ISOO) Notice that provides guidance on Agencies eligible to receive referrals, available on [www.archives.gov/isoo/notices](http://www.archives.gov/isoo/notices).

If information is not the equity of another agency, and its release does not cause damage to national security, it should be declassified. Other statutes or restrictions may apply before the information may be publically released.

### B. Scope

This guide describes specific NRC information classified as NSI that must remain classified for longer than 25 years, explains why the information is exempt, and provides a specific date, event, or duration for declassification of the information, unless the information identifies a confidential human source or a human intelligence source or reveals key design concepts of weapons of mass destruction.

This guide does not allow the NRC to incorporate exemptions into its classification guidance under section 2.2(e) of E.O. 13526.

### C. Cancellation

This guide supersedes the NRC's Declassification Guide, dated November 2012. As required, the NRC will update the agency's declassification guide and submit it to the Interagency Security Classification Appeals Panel (ISCAP) at least once every five years.

### D. Background

On December 29, 2010, the President signed Executive Order 13526, *Classified National Security Information*. This Order requires the automatic declassification of all classified records that (a) are more than 25 years old, and (b) have been determined to have permanent historical value under Title 44, United States Code. The Order also provides a limited set of exemptions to this general rule, allowing for continued protection of documents falling within specific categories. All classified records shall be automatically declassified December 31st of the year that is 25 years from the date of origin unless they have been reviewed and exempted from automatic declassification under this guide.

The requirements for automatic declassification do not apply to classification

determinations made under the Atomic Energy Act (AEA) of 1954. E.O. 13526, Section 6.2(a), states: "Nothing in this order shall supersede any requirement made by or under the Atomic Energy Act of 1954, as amended, or the National Security Act of 1947, as amended, "Restricted Data" and "Formerly Restricted Data" shall be handled, protected, classified, downgraded, and declassified in conformity with the provisions of the Atomic Energy Act of 1954, as amended, and regulations issued under that Act."

Since documents containing RD or FRD are not subject to the provisions of E.O. 13526, this automatic declassification provision does not apply to a number of NRC permanent historical documents. This fact is further emphasized in Section 3155(b) of Public Law 104-106, the National Defense Authorization Act for Fiscal Year 1996, which prohibits the automatic declassification of documents containing RD or FRD. Furthermore, Congress passed additional legislation (Section 3161 of Public Law 105-261, the National Defense Authorization Act for Fiscal Year 1999, and Section 3149 of Public Law 106-65, the National Defense Authorization Act for Fiscal Year 2000) that require specific procedures to ensure that records is not inadvertently released during the automatic declassification of records under E.O. 13526.

Regardless of any RD or FRD markings, documents that are requested under the Mandatory Declassification Review provisions of E.O. 13526 that contain information governed by the Order must be reviewed to determine if such information is exempt under the Order or if it can be released to the requester.

#### **E. Authority**

The AEA is the authority to classify certain information related to the design, manufacture, or utilization of atomic weapons and the production of special nuclear material, the release of which could risk the common defense and security. Government-wide regulations for classifying

and declassifying RD and FRD are contained in 10 Code of Federal Regulations (CFR) Part 1045, Nuclear Classification and Declassification.

E.O. 13526 is the authority to classify certain information that requires protection from unauthorized disclosure because it could cause damage to the national security. Government-wide requirements for classifying, safeguarding, and declassifying NSI are contained in 32 CFR Part 2001, *Classified National Security Information*.

Management Directive (MD) 12.2, "NRC Classified Information Security Program," establishes the program to identify information classified under the AEA or E.O. 13526 so that it can be protected against unauthorized disclosure.

#### **F. Automatic Declassification Provisions of E.O. 13526**

As previously stated, E.O. 13526 requires the automatic declassification no later than December 31st of the year that is 25 years from the date of origin, of all classified records that have been determined to have permanent historical value under Title 44, United States Code, whether or not such records have been reviewed. Subsequent to that date, a permanent historical NSI record is automatically declassified on December 31st of the year that is 25 years from the date of origin. However, information contained in such records may be determined to be exempt from automatic declassification by meeting at least one of the following nine criteria (defined in section 3.3(b) of E.O. 13526):

Twenty-five year exemption categories in E.O. 13526, are:

25X1: reveal the identity of a confidential human source, human intelligence source, a relationship with an intelligence or security service of a foreign government or international organization, or a nonhuman intelligence source; or impair the effectiveness of an intelligence method

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currently in use, available for use, or under development;

25X2: reveal information that would assist in the development, production, or use of weapons of mass destruction;

25X3: reveal information that would impair U.S. cryptologic systems or activities;

25X4: reveal information that would impair the application of state-of-the-art technology within a U.S. weapon system;

25X5: reveal formally named or numbered U.S. military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans;

25X6: reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States;

25X7: reveal information that would impair the current ability of United States Government officials to protect the President, Vice President, and other protectees for whom protection services, in the interest of the national security, are authorized;

25X8: reveal information that would seriously impair current national security emergency preparedness plans or reveal current vulnerabilities of systems, installations, or infrastructures relating to the national security;

25X9: violate a statute, treaty, or international agreement that does not permit the automatic or unilateral declassification of information at 25 years.

This guide identifies NRC classified records that falls under these exemptions and is, therefore, exempt from automatic declassification as approved by the Interagency Security Classification Appeals Panel.

Only 25X, 50X1-HUM, and 50X2-WMD exemptions may be applied to records reviewed in anticipation of automatic declassification at 25 years (i.e., in reviews conducted in 2018, for records dating between 1974 and 1998). Other than 50X1-HUM and 50X2-WMD, 50X exemptions may only be applied to records approaching automatic declassification at 50 years (i.e., in reviews conducted in 2018, for records dating between 1949 and 1973).

Records exempted under 25X shall be automatically declassified on December 31 of a year that is no more than 50 years from the date of origin of the record, unless an approved 50X exemption is applied within 5 years of the automatic declassification date. Records exempted under 50X shall be automatically declassified on December 31 of a year that is no more than 75 years from the date of origin of the record, unless an approved 75X exemption is later applied within 5 years of the automatic declassification date.

**G. Marking of Documents**

Marking standards for documents containing NSI have varied over the years. Historical documents may be marked National Security Information, Security Information, Defense Information, or simply be marked with a classification level [Confidential (C), Secret (S), or Top Secret (TS)]. In addition, documents dated prior to December 15, 1953 marked as "Restricted" or dated from July 18, 1949 through October 22, 1951, and marked as "Official Use Only", were then handled as classified and now are handled and protected as Confidential NSI pending review for classification. Documents with these markings should be included in reviews of NSI historical records.



#### H. Review of Historical Records

A derivative declassifier reviews each NSI record that is subject to section 3.3 of E.O. 13526 to determine if the information contained in the record is declassified or retains its classification. A record may retain its classification only if it contains information that is covered in this guide. Information that has been subject to automatic declassification may only be reclassified in accordance with the provisions of section 1.7(c) of E.O. 13526 and 32 CFR Part 2001.13.

During the review of historical records, a derivative declassifier may encounter a record that is unmarked but potentially contains RD or FRD, or a record that is marked NSI but potentially contains RD or FRD. In these cases, the derivative declassifiers, who are also derivative classifiers with authorities in the appropriate areas, should make a classification determination and classify or upgrade the documents as appropriate. If the derivative declassifier does not have the appropriate derivative classification authority, he or she should forward the record to a derivative classifier for the necessary classification determination.

NOTE: If a record marked as RD or FRD is downgraded to NSI, the document must be reviewed to determine if the NSI in the document is exempt from automatic declassification under E.O. 13526.

#### I. Declassification Date or Event

A specific declassification date or event is included for each topic that retains the classification of the information. If all such topics in a chapter or section have the same declassification date or event, the declassification date or event may be shown as a note at the beginning of the chapter or section. When the information is exempt from automatic declassification after 25 years, the following notation is used:

#### 101 Guidance topic

**Retain  
Classification  
[25Xn; sched]**

where

**25X** indicates the information is exempt from automatic declassification at 25 years.

**n** indicates the number of the exemption that applies.

**sched** indicates the schedule for declassification. The schedule will be a date, event, or duration beyond 25 years, but not to exceed 50 years.

Examples:

#### 102 Information reveals...

**Retain  
Classification  
[25X2;  
6/30/35]**

Explanation: The information in topic 102 is exempt from automatic declassification based on exemptions 25X2 and is declassified on June 30, 2035.

#### 103 Information reveals...

**Retain  
Classification  
[25X2; EV]**

NOTE: Declassify when the facility is closed and when no identical or similar facilities exist but no later than 50 years.

Explanation: The information in topic 103 is exempt from automatic declassification based on exemption 25X2. The NOTE will describe a specific event that must occur to declassify the information. A paraphrase of the note must be included on the "Declassify On" line on the document. If the specified event occurs

before 25 years, the information will be declassified at that time.

**104 The fact that...**

**Retain  
Classification  
[25X3; 40]**

Explanation: The information in topic 104 is exempt from automatic declassification based on exemption 25X3 and should remain classified for 40 years. A document containing such information must bear the notation 25X3 followed by a date (yyyy/mm/dd) for declassification 40 years from the date of the document.

**J. Basis of Exemption**

(b)(7)(F)

1. (b)(7)(F)

2. (b)(7)(F)

3. (b)(7)(F)

(b)(7)(F)

4. (b)(7)(F)

5. (b)(7)(F)



**K. Mandatory Declassification Reviews and Freedom of Information Act Reviews**

Mandatory Declassification Reviews (MDR) on records 25 years or older must also be in accordance with this Guide. Freedom of Information Act (FOIA) reviews of records 25 year old or older may apply the FOIA (b)(1) to only information that meets the exemption provisions of this Guide (FOIA exemptions (b)(2) through (b)(9) are in no way governed or addressed by this Guide).

**L. File Series Exemptions**

The NRC does not have any approved File Series Exemptions (FSEs). The process for FSE approval is in section 3.3(c) of E.O. 13526.

**M. Referrals**

All referrals to other agencies are to be made in accordance with section 3.3(d)(3) of E.O. 13526. Each of the following conditions must be met: the information must originate with another agency (or affect the interests or activities of that agency with respect to classified information); the information must reasonably be expected to fall into an exemption category; and the agency must be eligible to receive referrals as identified in an ISOO Notice, available on [www.archives.gov/isoo/notices](http://www.archives.gov/isoo/notices)

**N. National Declassification Center Sharing**

In accordance with section 3.7(c)(1) of E.O. 13526, this Guide, or detailed declassification guidance, will be provided to the Director of the National Declassification Center at the National Archives and Records Administration.

**O. Questions/Suggestions**

Any questions or suggestions concerning this guide by NRC employees or supporting contractor personnel may be forwarded using the Classification Issue/Comment Sheet found on the inside back cover. The completed comment sheet shall be sent, as appropriate, to the following classified or unclassified addresses:

Classified Address

Inner Enclosure:  
U.S. Nuclear Regulatory  
Commission  
Caller Box 2500  
Rockville, MD 20852-0963

ATTN: Chief, Information Security  
Branch, Division of Security  
Operations, Office of Nuclear  
Security and Incident Response

Outer Enclosure:  
U.S. Nuclear Regulatory  
Commission  
Caller Box 2500  
Rockville, MD 20852-0963

Unclassified Address

U.S. Nuclear Regulatory  
Commission  
Mail Stop 02D15  
Rockville, MD 20852-0963

ATTN: Chief, Information Security  
Branch, Division of Security  
Operations, Office of Nuclear  
Security and Incident Response

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## CHAPTER 1 – SAFEGUARDS AND SECURITY INFORMATION

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### A. General Information

(b)(7)(F)

(b)(7)(F)

### B. Broad Guidance

(b)(7)(F)



(b)(7)(F)



(b)(7)(F)



**C. Topics**

101

(b)(7)(F)

101.1

(b)(7)(F)

(b)(7)(F)

101.2

(b)(7)(F)

(b)(7)(F)

102

(b)(7)(F)

102.1

(b)(7)(F)

(b)(7)(F)

102.2

(b)(7)(F)

102.3

(b)(7)(F)

(b)(7)(F)

102.4

(b)(7)(F)

102.5

(b)(7)(F)

102.6

(b)(7)(F)

102.7

(b)(7)(F)

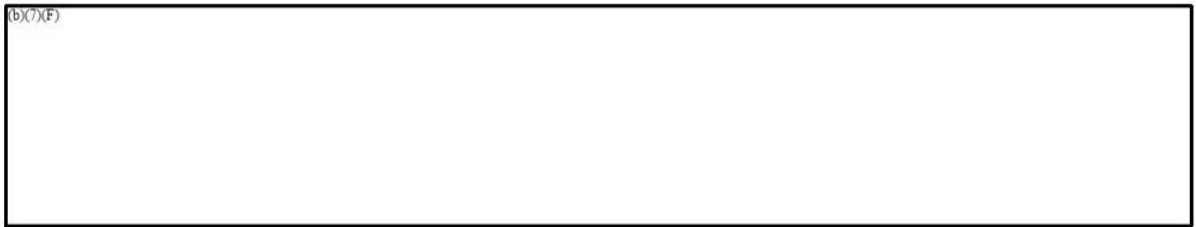
102.8

(b)(7)(F)

102.9



103



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## CHAPTER 2 – COMPROMISE OF CLASSIFIED INFORMATION

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### A. General Information

(b)(7)(F)

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### B. Broad Guidance

(b)(7)(F)

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(b)(7)(F)

A large rectangular box with a black border, representing redacted information.

### C. Classification of Compromised Information

(b)(7)(F)

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(b)(7)(F)



(b)(7)(F)



(b)(7)(F)



(b)(7)(F)



(b)(7)(F)



**D. Topics**

201

(b)(7)(F)

201.1

(b)(7)(F)

201.2

(b)(7)(F)

(b)(7)(F)



201.3

(b)(7)(F)

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(b)(7)(F)

A large rectangular black box redacting the content of section 201.3.

201.4

(b)(7)(F)

A rectangular black box redacting the content of section 201.4.

(b)(7)(F)

A large rectangular black box redacting the content of section 201.4.

201.5

(b)(7)(F)

A rectangular black box redacting the content of section 201.5.

(b)(7)(F)

A large rectangular black box redacting the content of section 201.5.

201.6

(b)(7)(F)

A rectangular black box redacting the content of section 201.6.

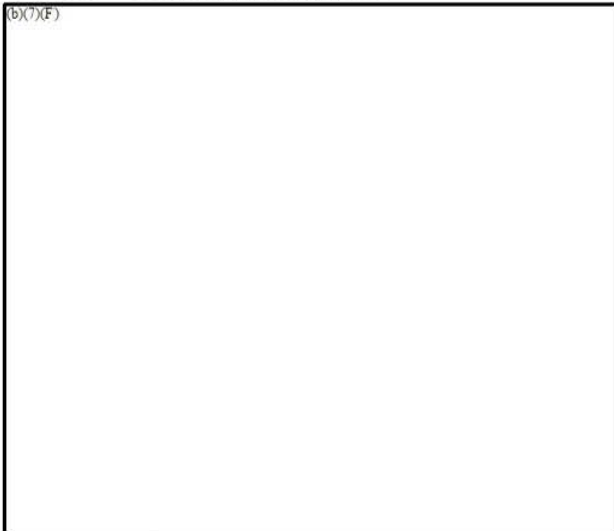
(b)(7)(F)

A large rectangular black box redacting the content of section 201.6.

## CHAPTER 3 – INFORMATION REGARDING FOREIGN RELATIONS

### A. General Information

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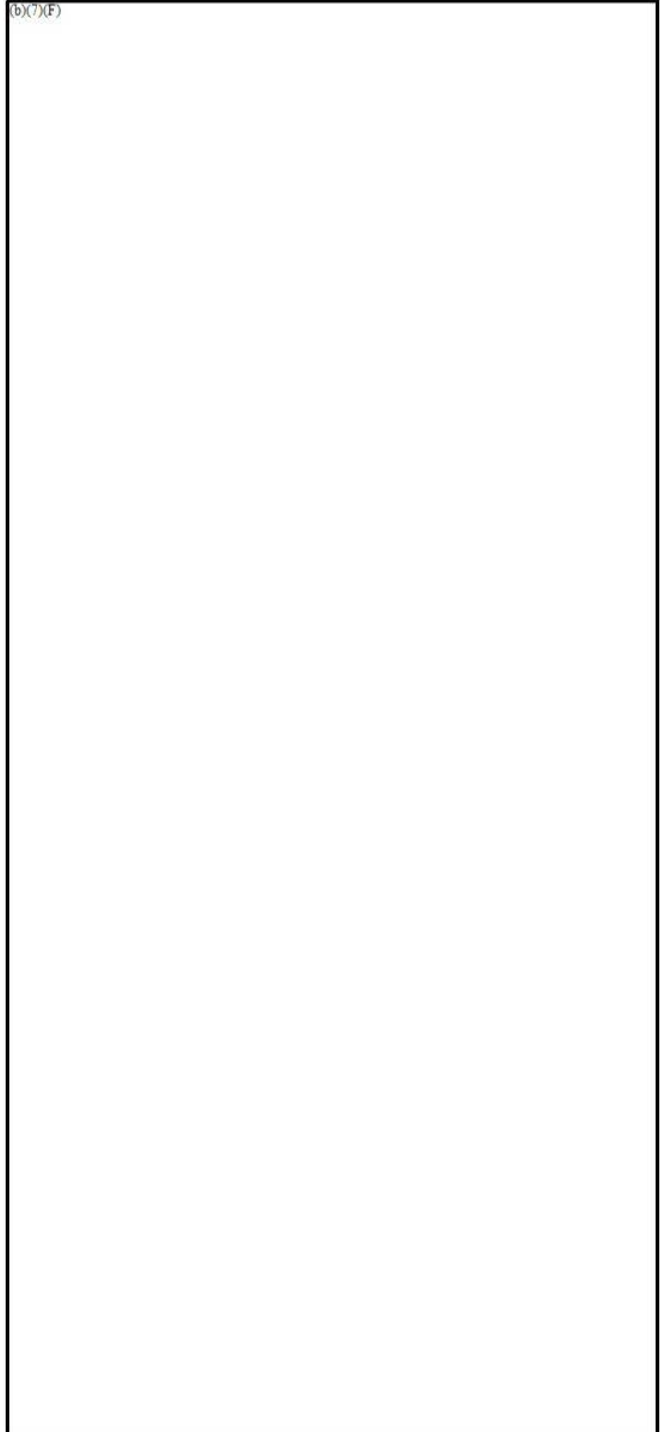
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### B. Broad Guidance

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**C. Topics**

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## APPENDIX A – DEFINITIONS

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**Access** – The ability or opportunity to gain knowledge of classified information.

**Adversary** – Any government, organization, group, or individual whose interests are adverse to those of the U.S. government in general and to those of the NRC in particular.

**Authorized Person** – A person who has a favorable determination of eligibility for access to classified information, has signed an approved nondisclosure agreement, and has a need-to-know.

**Automatic Declassification** – The declassification of information based solely upon:

- the occurrence of a specific date or event as determined by the original classification authority; or
- the expiration of a maximum time frame for duration of classification established under E.O. 13526.

**Classification** – The act or process by which information is determined to be classified information.

**Classification Guide** – A classification guide is a document prepared by an Original Classification Authority with cognizance over a specific subject to provide derivative classification sourcing for derivative classifiers. Classification guides include specific facts or topical elements within the subject area, the level of classification of those facts or topical elements, and information regarding the duration of classification and any dissemination or other controls that should be applied by derivative classifiers. Unlike source documents, classification guides generally allow for durations of classification that extend from the date that the derivatively classified document is created rather than from the date of the guide itself.

**Classified Information** – Information that has been determined pursuant to E.O. 13526 or any predecessor order or the AEA, as amended, to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

**Communications Security (COMSEC)** – Measures and controls taken to deny unauthorized persons information derived from telecommunications and ensure the authenticity of such telecommunications.

NOTE: Communications security includes cryptosecurity, transmission security, emission security, and physical security of COMSEC material.

**Confidential (C)** – Information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security that the original classification authority is able to identify or describe.

**Declassification** – The authorized change in the status of information from classified information to unclassified information.

**Declassification Event** – An event that eliminates the need for continued classification of information.

**Declassify On** – The portion of the classification/declassification authority block which indicates the duration of classification of a classified document.

**Derivative Classifier** – An individual authorized to determine that documents/materials area (a) unclassified, or (b) classified as RD, FRD, or NSI, in accordance with existing guidance or source documents.

**Derivative Classification** – Incorporating, paraphrasing, restating, or generating in new form information that is already classified, and marking the newly developed material consistent with the classification markings that apply to the source information. Derivative classification includes the classification of information based on classification guidance. The duplication or reproduction of existing classified information is not derivative classification.

**Derived From** – The portion of the classification authority block that specifies the classification source(s) of other derivative or originally classified documents.

**Design Basis Threat** – A policy statement that describes threats that are postulated for the purpose of establishing requirements for safeguards and security significant programs, systems, components, equipment, information or material.

**Foreign Government Information** - Information that is:

- a. Provided to the U.S. Government by a foreign government or governments, an international organization of governments, or any element thereof, with the expectation that the information, the source of the information, or both, are to be held in confidence;
- b. Produced by the United States pursuant to or as a result of a joint arrangement with a foreign government or governments or an international organization of governments, or any elements thereof, requiring that the information, the arrangement, or both are to be held in confidence; or
- c. Received and treated as "foreign government information" under the terms of a predecessor order to E.O. 13526.

**Formerly Restricted Data (FRD)** – Classified information jointly determined by the Department of Energy and the Department of Defense to be related primarily to the military utilization of nuclear weapons and removed (by transclassification) from the RD category pursuant to Section 142(d) of the AEA.

**Formula Quantity** – Strategic Special nuclear material, in any combination, in a quantity of 5000 grams or more computed by the formula, grams = (grams contained U-235) + 2.5 (grams U-233 + grams plutonium).

**Freedom of Information Act (FOIA)** – Statute that provides that any person has a right, enforceable in court, to obtain access to Federal agency records, except to the extent such records (or portions of them) are protected from public disclosure by one of nine exemptions.

**Information** – Any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics that is owned by, is produced by or for, or is under the control of the U.S. Government.

**National Security Information (NSI)** – Information that has been determined pursuant to an E.O. to require protection against unauthorized disclosure and that is so designated.

**Need-to-know** – (1) A determination by a person having responsibility for protecting or holding the sensitive information, be it classified information, SGI, or sensitive unclassified information, that a proposed recipient's access to the sensitive information is necessary in the performance

of an official and lawful requirement. (2) Knowledge, possession of, or access to, sensitive information including classified, safeguards, and/or sensitive unclassified information shall not be afforded to any individual solely by virtue of the individual's office, position, or security clearance.

**No Foreign Dissemination (also called NOFORN or NF)** – Caveat used for intelligence information to denote that the information is not releasable to foreign nationals.

**Non-Self Protecting** – Special nuclear material which has a total external radiation level less than 1 Gray (100 Rad) per hour at a distance of 1 meter (3.3 feet) from any accessible surface without intervening shielding.

**Original Classification** – An initial determination that information requires protection, in the interest of national security, protection against unauthorized disclosure.

**Restricted Data (RD)** – All data concerning: (1) design, manufacture, or utilization of atomic weapons; (2) the production of SNM; or (3) the use of SNM in the production of energy; but shall not include data declassified or removed from the RD category pursuant to Section 142 of the AEA.

**Secret (S)** – Information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security that the original classification authority is able to identify or describe.

**Sensitive Compartmented Information (SCI)** – Classified information concerning or derived from intelligence sources, methods, or analytical processes that requires handling within formal access control systems established by the Director of National Intelligence. Does not include NATO or RD information, as defined in Section II, Public Law 83-703 and the AEA.

**Source Document** – A classified document (regardless of medium) other than a classification guide from which information is extracted for inclusion in another document. The classification of the extracted information is determined by the classification markings shown in/on the source document.

**Special Nuclear Material (SNM)** – Plutonium, uranium-233, or uranium enriched in the isotopes uranium-233 or uranium-235, but does not include source material.

**Spent Nuclear Fuel (SNF)** – Fuel that has been withdrawn from a nuclear reactor following irradiation, has undergone at least one year's decay since being used as a source of energy in a power reactor, and has not been chemically separated into its constituent elements by reprocessing. Spent fuel includes the special nuclear material, byproduct material, source material, and other radioactive materials associated with fuel assemblies.

**Strategic Special Nuclear Material (SSNM)** – Means uranium-235 (contained in uranium enriched to 20 percent or more in the U-235 isotope), uranium-233, or plutonium.

**Top Secret (TS)** – Information, the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security that the original classification authority is able to identify or describe.

**Unauthorized Disclosure** – Communication or physical transfer of classified information to an unauthorized recipient.

**Vulnerability** – A weakness or system susceptibility that could be exploited.



## APPENDIX B – ABBREVIATIONS AND ACRONYMS

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10 CFR	Title 10 of the <i>Code of Federal Regulations</i>
AEA	Atomic Energy Act
C	Confidential
COMSEC	Communications Security
DUR	Duration
E.O.	Executive Order
EV	Event
FOIA	Freedom of Information Act
FRD	Formerly Restricted Data
MD	Management Directive
NRC	U.S. Nuclear Regulatory Commission
NSI	National Security Information
RD	Restricted Data
S	Secret
SCI	Sensitive Compartmented Information
SNF	Spent Nuclear Fuel
SNM	Special Nuclear Material
SSNM	Strategic Special Nuclear Material
TS	Top Secret
U	unclassified
U.S.	United States

(Classification when filled in)

CLASSIFICATION ISSUE/COMMENT SHEET		
<b>TO:</b> Chief, Information Security Branch Division of Security Operations Office of Nuclear Security and Incident Response  (See Introduction for Classified/Unclassified Address)		
<b>FROM:</b> _____	<b>NAME:</b> _____	<b>DATE:</b> _____
<b>CLASSIFICATION ISSUE:</b> (Describe the problem including the classification guide short title and the affected topics. Use additional pages/attachments, as necessary.)     		
<b>RECOMMENDED SOLUTION:</b> (To be completed by submitter. Use additional pages/attachments, as necessary.)     		
<b>ANALYSIS:</b> (To be completed by the NRC.)     		
<b>RECOMMENDATION:</b> (To be completed by the NRC.)     		
<b>NRC REVIEWER:</b> _____ <b>DATE:</b> _____		

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