



NATIONAL
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August 4, 2020

William Burr
National Security Archive
The George Washington University
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

Re: Mandatory Declassification Review Appeal MDR14-001

Dear Mr. Burr:

This is in response to your Mandatory Declassification Review (MDR) appeal dated October 31, 2013, in which you appeal the National Declassification Center's (NDC) response to your MDR request assigned number NW 24471. Your appeal was received in this office on November 1, 2013, and assigned tracking number MDR14-001.

In a letter dated April 15, 2004, you requested the declassification review of certain documents within Record Group (RG) 330, Records of the Office of the Secretary of Defense, accession 64A-3464. You specifically requested documents within Box 3, folder "A-471.6 29 August 1961."

In a letter dated October 21, 2013, the NDC provided you an interim response stating that the Department of Energy (DOE) declassified 11 documents totaling 18 pages; The Office of the Secretary of Defense (OSD) declassified 1 document totaling 1 page and exempted 1 document totaling 20 pages in its entirety; and the Department of the Air Force declassified 2 documents totaling 25 pages and exempted 1 document totaling 12 pages in its entirety pursuant to Executive Order (E.O.) 13526, Section 3.3(b)(2) and (b)(5). The NDC further stated that NARA must send copies of the remaining documents you requested to the appropriate agencies for further review and will notify you after they process the agencies determination. This appeal only addresses the 20 page document and the 12 page document that were held in full.

In your October 31, 2013 letter, you appealed the Original Classification Authorities (OCA) decisions stating, "I find it astonishing that the Defense Department chose to use the (b)(2) exemption to withhold a 50 year old document." You further state, "I ask that the Defense Department waive (b)(2) from this case." In reference to exemption (b)(5) you state, "Much

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information relating to the Single Integrated Operational Plan during this period is already in the declassified public record.”

In connection with the processing of your appeal, NARA consulted with the OCAs regarding the information at issue in your appeal. After completing a second review of their equities, the U.S. Air Force has determined their equities no longer warrant protection and can be released in full (12 pages, docID: 31123233). OSD has determined that some of the prior denied information may be released, and that the remaining information still warrants protection pursuant to E.O. 13526, Section 3.3(h)50X5. In extraordinary cases, agency heads may, within 5 years of the onset of automatic declassification, propose to exempt additional specific information from declassification at 50 years. Information is also being withheld pursuant to 42 U.S.C. 2168(a)(1)(C), the protection from dissemination of information relating to the design, manufacturing, or utilization of any atomic weapon or component if the design, manufacture, or utilization of such weapon or component was contained in any information declassified or removed from the Restricted Data category (20 pages, docID: 31123231).

Although I am the appellate authority, NARA has limited authority to declassify national security information contained in federal documents accessioned into our holdings. Such authority is maintained by the OCA that created the record. As such, I am deferring to OSD in denying their portions of your appeal.

Accordingly, your appeal is granted in part and denied in part. A copy of the released documents are enclosed.

If you are dissatisfied with my action on your appeal, E.O. 13526 permits you to file an appeal to the Interagency Security Classification Appeals Panel (ISCAP), the highest appellate body for MDR decisions within 60 days of the date of this letter. Appeals to ISCAP may be sent by email, postal mail, or facsimile to:

Executive Secretary, ISCAP
C/O Information Security Oversight Office
The National Archives Building
700 Pennsylvania Avenue, NW, Room 100
Washington, D.C. 20408
Telephone: (202) 357-5250
FAX: (202) 357-5907
E-Mail: iscap@nara.gov

Appeal letters should be specific enough for the ISCAP staff to identify the documents and their location and should contain information regarding the agency level process fulfilled by the requestor. Along with your request letter, you should attempt to provide the ISCAP staff with all pertinent unclassified correspondence regarding the appeal that you have received. To ensure receipt of your appeal during the ongoing COVID-19 pandemic, we strongly suggest submitting your appeal to ISCAP via email.

Sincerely,

Debra Steidel Wall

DEBRA STEIDEL WALL
Deputy Archivist of the United States