



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer and
Assistant Secretary for Administration
Washington, D.C. 20230

JUL 26 2005


Mr. J. William Leonard
Director
Information Security Oversight Office
National Archives and Records Administration
700 Pennsylvania Avenue, NW
Washington, D.C. 20408

Dear Mr. Leonard:

Enclosed you will find a revised U.S. Department of Commerce declassification plan. This plan supersedes the initial 2003 department's plan and any other plan submissions.

If you have any questions or concerns, please contact Parthenia Richardson, Special Projects Officer, Office of Security, U.S. Department of Commerce, at (202) 482-1408.

Sincerely,


Richard Yamamoto
Director for Security

Rec'd
JUL 27 2005

U.S. Department of Commerce
Declassification Program Activities

This plan is an update of the Department of Commerce declassification program activities based on the automatic declassification provisions of Executive Order 12958, Classified National Security Information, as amended, Section 3.3 and also supersedes the previous 2003 initial plan and 2004 update plan submissions.

The key personnel responsible for overseeing and coordinating the department's declassification activities are:

Senior Agency Official
Richard Yamamoto
Director, Office of Security
Office of Security
U.S. Department of Commerce
(202) 482-4371

Agency Classification and Declassification Coordinator
Parthenia Richardson
Special Projects Officer
Office of Security
U.S. Department of Commerce
(202) 482-1408

Section I. The total number of pages that have been reviewed from Fiscal Year 1995 through Fiscal Year 2004 (October 1994 through September 2004) that are subject to 3.3 of the order.

1. A preliminary review conducted by the department of record group 040, Office of the Secretary, revealed NARA reviewed approximately 126 boxes of material and applied the 1996 Systematic Declassification Guidance to declassify and made all appropriate decisions to include external agency referrals

Section. II. Estimate of U.S. Department of Commerce Records Subject to Automatic Declassification.

a. Total number of textual records expected to be reviewed by the December 31, 2006:

There are 1,020 FRC boxes located at the National Archives at College Park, MD and 53 FRC boxes located at the Washington National Records Center containing classified information subject to automatic declassification. The estimation of textual records that need to be reviewed by December 31, 2006 is 2,682,500. Note: The majority of the FRC boxes represent a mixture of classified and unclassified records.

b. Total number of textual records expected to be declassified by the December 31, 2006 deadline. 26,815 pages

c. Total number of textual records expected to be exempted from automatic declassification

There are no Department of Commerce textual records that fall within the approved exemption categories of the E.O. 12958, as amended. In 1996 the department issued a systematic declassification guidance (Attachment 1), which was shared with outside agencies and the National Archives Administration (NARA) allowing authorized holders of our classified information the authority to declassify Commerce equities with the exception of classified information pertaining to the National Telecommunication and Information Administration (NTIA) radio frequency spectrum. Holders were instructed to forward frequency spectrum documents to Commerce for review.

d. Total number of textual records expected to be excluded from automatic declassification. **None**

e. Total number of textual records expected to be referred for review to other agencies by our agency **26,815 pages**

f. Total number of textual records expected to be referred to our agency from other agencies for review

At the present time we do not have realistic basis for making such an estimate. To date the Interagency Referral Center at the National Archives Records Administration (NARA) does not identify any referrals for Commerce. However, referrals have been submitted to the department through the External Working Group from the Department of Army, State, NASA, and Central Intelligence Agency totaling an estimation of 2,000 pages.

NARA, CIA and the State Department have confirmed use of the Commerce Department 1996 Systematic Declassification Guidance to declassify Commerce equities. The department believes other agencies may have used the guidance as well, which explains the small amount of incoming Commerce referrals to date.

g. Total number of file series expected to be file series exempted. **None**

h. Total number of special media records expected to be reviewed for declassification

The initial 2003 department plan identified an estimated quantity of "electronic" media from the National Telecommunication Administration (NTIA) bureau within Commerce. This information is now being recognized as textual records, this information is in a classified database format known as the Interdepartment Radio Advisory Committee (IRAC) database and can be readily retrieved.

- i. Total number of special media records expected to be declassified. **None**
- j. Total number of special media records expected to be exempted from declassification. **None**
- k. Total number of special media records expected to be excluded from automatic declassification. **None**
- l. Total number of special media records expected to be referred to other agencies for review for declassification. **None**
- m. Total number of special media records expected to be referred to your agency for review. **None**
- n. Total number of special media file series expected to be files series exempted. **None**

Section III. Declassification Activities for Fiscal Year 2004 .

- a. Total quantity of textual records that were reviewed in Fiscal Year 2004. **None**
- b. Total quantity of textual records that were declassified in Fiscal Year 2004. **None**
- c. Total quantity of textual records that were exempted from declassification in Fiscal Year 2004. **None**
- d. Total quantity of textual records that were referred to other agencies in Fiscal Year 2004. **None**
- e. Total quantity of textual records that were referred to our agency from other agencies in Fiscal Year 2004. **None**
- f. Total quantity of special media that were reviewed in Fiscal Year 2004. **None**
- g. Total quantity of special that were media that were declassified in Fiscal Year 2004. **None**
- i. Total quantity of special media that were exempted in Fiscal Year 2004. **None**
- j. Total quantity of special media that were referred to other agencies in Fiscal Year 2004. **None**
- k. Total quantity of special media that were referred our agency from other agencies in Fiscal Year 2004. **None**

l. Total quantity of special media that were excluded from automatic declassification in Fiscal Year 2004. **None**

Section IV. Estimate aggregate quantity of records subject to 3.3 of E.O. 12958, as amended, for review in Fiscal Year 2005.

a. Estimated quantity of textual records that are expected to be reviewed in Fiscal Year 2005. **315,588 pages**

b. Total quantity of textual records that are expected to be declassified in Fiscal Year 2005. **3,155 pages**

c. Total quantity of textual records that are expected to be exempted from declassification in Fiscal Year 2005. **None**

d. Total quantity of textual records that are expected to be referred to other agencies from our agency in Fiscal Year 2005. **3,155 pages**

e. Total quantity of textual records that are expected to be referred to our agency from other agencies in Fiscal Year 2005. **This estimated amount is unknown**

f. Total number of textual documents that are expected to be excluded from automatic declassification in Fiscal Year 2005. **None**

g. Total quantity of special media that are expected to be reviewed in Fiscal Year 2005. **None**

h. Total quantity of special media that are expected to be declassified in Fiscal Year 2005. **None**

i. Total quantity of special media that are expected to be exempted in Fiscal Year 2005. **None**

j. Total quantity of special media that are expected to be referred to other agencies in Fiscal Year 2005. **None**

k. Total quantity of special media that are expected to be referred our agency from other agencies in Fiscal Year 2005. **None**

l. Total quantity of special media excluded from automatic declassification in Fiscal Year 2005. **None**

Section V. Aggregate quantity of records subject to 3.3 of E.O. 12958, as amended for Fiscal Year 2006.

- a. Estimated quantity of textual records that will be reviewed in Fiscal Year 2006.
2,366, 910pages
- b. Estimated quantity of textual records that will be declassified in Fiscal Year 2006.
23,660 pages
- c. Estimated quantity of textual records that will be exempted from automatic declassification in Fiscal Year 2006. **None**
- d. Estimated quantity of textual records that are expected to be referred to other agencies in Fiscal Year 2006. **23,660 pages**
- e. Estimated quantity of textual records that will be referred to our agency from other agencies in Fiscal Year 2006. **The estimated amount is unknown**
- f. Estimated number of textual documents that our agency expects to be excluded from automatic declassification in Fiscal Year 2006. **None**
- g. Estimated quantity of special media that can be delayed until December 31, 2011.
- h. Estimated quantity of special media that our agency expects to declassify by December 31, 2011. **None**
- i. Estimated quantity of special media that our agency expects to exempt by December 31, 2011. **None**
- j. Estimated quantity of special media that our agency expects to refer to other agencies by December 31, 2011. **None**
- k. Estimated quantity of special media expected to be referred to our agency from another agency by December 31, 2016. **None**

Section VI. Estimate aggregate quantity of records subject to 3.3 of E.O. 12958, as amended for Fiscal Year 2007.

a. Estimated quantity of textual records expected to be reviewed in Fiscal Year 2007. **145,000 pages**

b. Total quantity of textual records expected to be declassified in Fiscal Year 2007. **1,450 pages**

c. Total quantity of textual records expected to be exempted from declassification in Fiscal Year 2007. **None**

d. Total quantity of textual records expected to be referred to other agencies in Fiscal Year 2007. **1,450 pages**

e. Total quantity of textual records expected to be referred to our agency from other agencies in Fiscal Year 2007. **At the present time we do not have realistic basis for making such an estimate.**

f. Total quantity of textual documents expected to be excluded from automatic declassification in Fiscal Year 2007. **None**

g. Total quantity of special media expected to be reviewed in Fiscal Year 2007. **None**

h. Total quantity of special media to be declassified in Fiscal Year 2007. **None**

i. Total quantity of special media expected to be exempted in Fiscal Year 2007. **None**

j. Total quantity of special media expected to be referred to other agencies in Fiscal Year 2007. **None**

k. Total quantity of special media referred our agency from other agencies in Fiscal Year 2007. **None**

l. Estimated quantity of special media excluded from automatic declassification in Fiscal Year 2007. **None**

Section VII. The Department's Declassification Processes and Procedures

a. Office of Program Responsibility

The Senior Agency Official, Director of Security determines final approval and oversees implementation of all administrative functions that apply to declassification of Commerce records 25 years old and older determined under federal law to have permanent historical value.

The Office of Security, Assistant Director, Counterespionage Division is responsible for formulating the department's declassification plan and facilitating the department's declassification program activities by working closely with each bureau to provide declassification activity guidance; coordinate all appropriate training and to ensure declassification plans submitted to the Senior Agency Official contain the required information outlined in Bureau Responsibilities Section VII (b) below and provide recommendations to the Senior Agency Official of the department declassification program activities. The Counterespionage Division is also the focal point for all referrals from other executive branch agencies.

b. Bureau Responsibilities

Each bureau has responsibility to coordinate with their bureau records manager to identify records 25 years old and older and determined under federal law to have permanent historical value, bureau declassification plans are to be submitted to the Office of Security by November 31 of each year. Declassification plans will include amount and location of records subject to E.O. 12958, as amended, Section 3.3, identify any information expected to be exempted from automatic declassification Section 3.3 (b), identify subject matter experts responsible for conducting reviews, provide review time line process, and submit cost estimates for their declassification activities. To the extent possible, identified subject matter experts must possess a minimum Top Secret clearance to review bureau records stored at the National Archives at College Park, MD. Potential impediments to bureaus declassification program activities are to be reported to the Director, Office of Security immediately in writing.

c. Records and Their Locations

All Commerce permanently valuable historical records, 25 years old and older are maintained at the National Archives Records Administration (NARA) located at College Park, MD and the Washington National Records Center (WNRC), located in Suitland, MD.

d. Declassification Reviews

Declassification review teams compose of subject matter experts appointed by the each bureau head such as original or derivative classifiers, records managers and program analyst. Depending on record review amount, the Office of Security recommends each

bureau have at least two reviewers if not more with one senior reviewer. Reviewers are to use the department declassification guidance to make declassification decisions on Commerce equities (section VII (h) below). Reviewers will have to be delegated authority for declassification from the appropriate original classification authority in writing to the Director, Office of Security, before the reviewer can perform declassification reviews. All declassification reviews will include one review for a final decision determination, whether to declassify, or make appropriate equity referrals. The senior reviewer is responsible for mitigating any review subject to a second review and will make the final decision determination whether to declassify, exempt or make appropriate equity referrals. If the department has not identified any information to be exempted from automatic declassification, and if during the review process it is determined information falls under the exemption category in E.O. 12958, as amended Section 3.3 (b), the information subject to exemption should be provided to the Director, Office of Security. The Office of Security will update any current department declassification guidance and submit to the Director, Information Security Oversight Office for submission to the Interagency Security Classification Appeals panel for approval.

e. Referrals

This section sets forward the department referral process for handling all information subject to Automatic Declassification as prescribed by Section 3.3 of E.O. 12958, as amended, and:

- Is clearly Commerce information but is held by an agency outside of the department (Referrals to Commerce)
- Is Commerce information being held by one of the bureaus within Commerce (Referrals from one Commerce bureau to another Commerce bureau)
- Is information being held by Commerce, but belongs to another agency outside of the department (Referrals from Commerce to an outside agencies)

1. Referrals to Commerce from an outside agency

For referrals to Commerce from an outside agency not processed through the Interagency Referral Center, located at National Archives Records Administration (NARA), College Park, Maryland 20740: referrals can be made to the Director Office of Security, Room 1067, 14th & Constitution Ave., N.W. Washington, D.C. 20230.

2. Referrals from one Commerce bureau to another Commerce bureau

For referrals within the department: the bureau initiating the referral must contact the Original Classification Authority of the bureau in writing with a courtesy copy to the, Senior Agency Official, Director Office of Security. The receiving bureau shall make a

prompt declassification decision within 30 days of receipt and respond with a courtesy copy to the Senior Agency Official, Director Office of Security.

3. Referrals from Commerce to an outside agency

For information stored in security containers within the department, subject to automatic declassification and are still required for mission operational necessity, bureaus may send referrals directly to the agency in accordance with procedures established by the agency to whom the information is referred. Commerce bureaus may contact the Office of Security, Counterespionage Division for assistance.

4. Interagency Referral Center

- a. The Interagency Referral Center (IRC) is located at the National Archives Records Administration (NARA), Room 3700 in College Park, MD 20740; A Top Secret/Department of Energy Q clearance is needed to work in the IRC and is the central location where agencies can review records subject to E.O. 12958, Section 3.3 Automatic Declassification, whether to declassify, exempt and/or make the appropriate equity referrals to other agencies.
- b. NARA serves as the primary office for notifying the Office of Security, Counterespionage Division when Commerce equities are contained in outside agency documents at the IRC. For referrals to Commerce from an outside agency, each bureau will required to identify at least two subject matter experts to review Commerce equity referrals identified in IRC.
- c. For referrals from Commerce to an outside agency: reviewers will submit referrals to outside agencies using NARA directed guidelines.

f. Washington National Record Center

For classified information subject to automatic declassification stored at the Washington National Records Center (WNRC) located in Suitland, MD, bureaus may retrieve records from the WNRC for review at their location if records can be properly safeguarded. There is a cost associated for retrieving records from the WNRC or bureaus can elect to conduct reviews at the WNRC. Reviewers are to use the referral standards outlined in Section VI I (e) 2,3 for reviews conducted at the WNRC.

g. Training

Reviewers must attend mandatory Archival Document Handling training at NARA, College Park, MD before declassification reviews begin at the NARA facility. NARA staff provides this training. To enhance declassification knowledge and to prevent any inadvertent release of another agency equity, reviewers will be expected to attend any outside equity recognition training as provided by outside agencies. The Office of Security, Counterespionage Division will be responsible for providing declassification

review training as needed and will serve as a liaison for all outside agency training activities.

h. Tracking/Reporting

Each bureau is required to establish a database and track all decisions of each classified document reviewed, for declassification, exemption or equity referrals made to an outside agency and reporting of their results annually to the Senior Agency Official, Director Office of Security as part of the SF 311 report submitted to the Information Security Oversight Office. Recorded review results are essential to comply with E.O. 12958, as amended, Section 3.7.

i. Department of Commerce Declassification Guidance

In 1996 the department issued a Systematic Declassification Guidance (Attachment 1) for distribution within the department, the Archivist of the United States, and outside agencies allowing authorized holders of our classified information the authority to declassify our equities with the exception of classified information pertaining to the National Telecommunication and Information Administration (NTIA) radio frequency spectrum. Holders of this information were instructed to forward review request to the department.

The Director, Office of Security is currently working with Commerce bureaus in updating and issuing a new department declassification and systematic declassification guidance to be used during the review process of records subject to automatic declassification and to be shared with outside agencies.

j. Cost of the Department of Commerce Declassification Program

FY05 Funding: Personnel, \$370,000

FY06 Funding: Personnel, \$370,000

FY07 Funding: Personnel, \$185,000

h. Other Factors Supporting the Department's Declassification Program

Due to the upcoming December 31, 2006 deadline to review all permanently historical records 25 years old and older for declassification. To ensure compliance with E.O. 12958, as amended, Section 3.3. Based on a 17-month cycle beginning in August 2005, all bureaus within Commerce will be required to review a minimum amount depending on total record amount in order to meet the December 31, 2006 deadline. Commerce will review a minimum *63 boxes = *157,794 pages per month. Bureaus will be required to provide monthly results as outlined in section VII (h) above to the Office of Security, Counterespionage Division. Potential impediments to bureaus declassification program

activities for the remainder of FY05 and FY06 are to be reported to the Director, Office of Security immediately in writing.

k. Department of Commerce Declassification Authorities

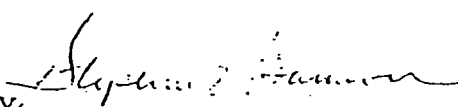
Bureau	Position/Title	Level
BIS	Antiboycott Policy Analyst	TS
BIS	Management Analyst	TS
BIS	Operating Committee Chairman	TS
BIS	Criminal Investigator	TS
BIS	Export Policy Analyst	TS
BIS	Export Policy Analyst	TS
BIS	Export Policy Analyst	TS
BIS	General Engineer	
ITA	Supervisory Program Analyst	TS
ITA	Director, Office of Textile & Apparels	TS
ITA	International Economist	TS
ITA	Director, Office of Multilateral Affairs	TS
ITA	Supervisory International Economist	TS
ITA	Security Specialist	TS
NTIA	Telecommunication Specialist	TS
NTIA	Telecommunication Specialist	S
NTIA	Supervisory Telecommunication Specialist	S
OS	Department Records Manager	TS
OS	Security Specialist	TS



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer
Assistant Secretary for Administration
Washington, D.C. 20230

MAR : 1996

MEMORANDUM FOR Department and Agency Declassification
Points of Contacts

FROM: Stephen E. Garmon
Director
Office of Security, 

SUBJECT: Systematic Declassification Guidance

The Department of Commerce has not exempted any file series from the automatic declassification provision, section 3.4(c) of Executive Order 12958. In addition, we are providing the attached systematic declassification guidance to allow authorized holders of our classified information to declassify most of our classified holdings at twenty (20) years. The only exception is classified information pertaining to the radio frequency spectrum. Holders of this information should refer all requests for review to the National Telecommunications and Information Administration (NTIA). NTIA acting on behalf of the Interdepartment Radio Advisory Committee, will consult with the affected agency(cies) prior to making the decision concerning the declassification of any radio frequency assignment.

The Department of Commerce, Office of Security, is the point of contact for authorized holders who may require assistance with the interpretation of these guidelines. Written requests for assistance should be directed to: The Director of Security, Department of Commerce, Room 5039 HCHB, 14th and Constitution Avenue, N.W., Washington, D.C., 20230. The office may also be contacted on (202) 482-4371, or by facsimile on (202) 501-6355.

Attachment.



U.S. DEPARTMENT OF COMMERCE

GUIDELINES FOR THE SYSTEMATIC DECLASSIFICATION AND CONTINUED PROTECTION OF COMMERCE CLASSIFIED INFORMATION

A. Authority and Assistance.

The Archivist of the United States and other Federal Agencies that maintain Commerce classified national security information are authorized to apply these systematic review guidelines to the information described below pursuant to Section 3, Executive Order 12958 as implemented in Information Security Oversight Office (ISOO) Directive No. 1. Experienced Commerce personnel will be designated to assist the Archivist and other holders in the application of these guidelines. Any questionable cases resulting from the application of these guidelines shall be referred to the Office of Security for resolution.

B. Information Subject to Automatic Declassification.

All classified information originated by the Department of Commerce or by defunct agencies whose records and/or functions were subsequently assumed by the Department of Commerce and which are now under the exclusive or final classification and declassification authority of this Department, will be declassified as it becomes twenty (20) years old with the following exception:

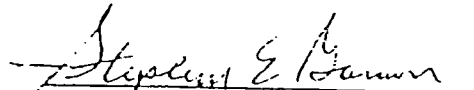
Classified information pertaining to frequency assignments, including frequency assignment lists will be referred to the Executive Secretary of the Interdepartment Radio Advisory Committee for declassification review.

C. Freedom of Information Act (FOIA) / Privacy Act Exceptions.

Information declassified as a result of the application of these guidelines may not be releasable to the public if it contains FOIA exempted, privacy or business proprietary information e.g., information subject to Section 12(c) of the Export Administration Act.

D. Effect on Earlier Systematic Review Guidelines.

These systematic review guidelines supersede all previous guidelines to automatically declassify Department of Commerce information.



Director, Office of Security

3-21-96

Date

1. Includes, but is not limited to, the following defunct agencies: U.S. Maritime Commission, Combined Raw Materials and Combined Production Resources Board, the War Production Board, the Office of Price Administration, the War Shipping Administration, the Civilian Production Administration, the Office of Temporary Concerns, and the Office of War Mobilization and Reconversion, and the Civil Aeronautics Administration.