



**DEPARTMENT OF THE NAVY
DECLASSIFICATION PLAN**

20 December 2004

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1. Purpose. This Plan sets forth the actions of the Department of Navy (DON) for compliance with Section 3.3 of Executive Order (EO) 12958, as amended. This Plan, a living document, will be updated as necessary, or at least once every year, to ensure the protection of classified national security information and to support a commitment to open Government and the free flow of information.

2. Scope. This Plan pertains to all classified DON records determined under Federal law to have permanent historical value wherever they may be stored.

3. Management of the Declassification Review Program

a. The Director, Naval Criminal Investigative Service/Chief of Naval Operations, Special Assistant for Naval Investigative Matters and Security (CNO (N09N)) is designated as the senior agency official responsible for establishing policy for implementing the DON Declassification Program in accordance with requirements of EO 12958, as amended. The CNO (N09N) also serves as Chairman of an oversight committee chartered to provide executive level oversight to the declassification review process (see paragraph 3.d., below). The address and phone number is:

Director
Naval Criminal Investigative Service/CNO (N09N)
716 Sicard Street, SE, Suite 2000
Washington Navy Yard, DC 20388-5830
(202) 433-8800

b. The Assistant for Information and Personnel Security (CNO (N09N2)) is responsible for issuing DON policy and guidance used for the continued protection and systematic downgrading and declassification of information under the cognizance of the DON. The address and phone number is:

Naval Criminal Investigative Service
WNY, Bldg. 176 (ATTN:NCIS 22D/CNO N09N2)
716 Sicard Street, SE, Suite 2000
Washington Navy Yard, DC 20388-5830
(202) 433-8841

c. The DON Declassification Program Manager (CNO (N09N2)), is responsible for overall management of the DON declassification

program. The Program Manager works with the DON Records Manager to identify all records with permanent historical value that contain classified national security information stored within the National Archives and Federal Records Center System. The address and phone number is:

Naval Criminal Investigative Service
WNY, Bldg. 176 (ATTN:NCIS 22D3/CNO N09N2)
716 Sicard Street, SE, Suite 2000
Washington Navy Yard, DC 20388-5830
(202) 433-3207

d. A Secretary of the Navy (SECNAV) charter established the requirement for high-level oversight of the declassification effort to ensure full compliance with EO 12958, as amended. Thus, the Department of the Navy Declassification Oversight Committee was established in December 1997. The Director, Naval Criminal Investigative Service/Chief of Naval Operations, Special Assistant for Naval Investigative Matters and Security, is the committee Chairman and the Director of Naval History is the Co-Chair. Additionally, representatives from the General Counsel of the Navy, Assistant Secretary of the Navy (Research Development and Acquisition), Assistant Secretary of the Navy (Manpower and Reserve Affairs, Chief of Naval Operations (Records Management), Commandant of the Marine Corps, as well as selected members from the Academic community with appropriate backgrounds in permanently valuable historical records, are designated members. The committee meets on a quarterly basis for updates on the status of the declassification program by the DON Declassification Program Manager.

4. Authority for Original Classification/Declassification. The SECNAV derives Original Classification Authority (OCA) from the President through EO 12958, as amended by EO 13292 of 28 March 2003, and further augmented by the Information Security Oversight Office's (ISOO) Classified National Security Information Directive No. 1 of 22 September 2003.

a. The authority to originally classify information as TOP SECRET, SECRET and CONFIDENTIAL rests with the SECNAV and officials delegated the authority. The SECNAV personally designates certain officials to be TOP SECRET OCAs. The authority to originally classify information as SECRET or CONFIDENTIAL is inherent in TOP SECRET original classification authority. The SECNAV authorizes the CNO (N09N) to designate

certain officials as SECRET OCAs. The authority to originally classify information as CONFIDENTIAL is inherent in SECRET original classification authority. OCAs are designated by virtue of their position. Original classification authority is not transferable and shall not be further delegated. The Chief of Naval Operations, Assistant for Information and Personnel Security (N09N2), maintains the list of positions in the "Department of the Navy Information Security Program Regulation," SECNAVINST 5510.36, Chapter 4, Exhibit 4A. The OCA list is periodically updated and accessible at the CNO (N09N2) web page at www.navysecurity.navy.mil (Appendix A).

b. Security classification guidance for all DON systems, plans, programs, projects, and operations is consolidated and issued in a series of directives known collectively as the Retrieval and Analysis of Navy Classified Information (RANKIN) Program, which is explained in OPNAVINST 5513.1E, "Department of the Navy Security Classification Guides." A list of RANKIN Program security classification guides is included at Appendix E. These guides serve both legal and management functions by recording and disseminating original classification determinations made under EO 12958, as amended, and predecessor Orders. RANKIN guides are the primary reference source for derivative classifiers to identify the level and duration of classification for specific information elements. Officials conducting surveys of records and declassification reviewers applying declassification guidance must be trained, experienced and knowledgeable of the entire set of RANKIN Program security classification guides.

c. Security declassification guidance for all DON information is consolidated into one directive, OPNAVINST 5513.16A, "Declassification of 25-Year Old DON Information" (Appendix C). This guidance has been approved by the Interagency Security Classification Appeals Panel (ISCAP) (Appendix D). For several decades DON declassification guidance has directed that all information be automatically declassified after a prescribed period (25 years under EO 12958, 30 years under EO 12356 and 20 years under EO 12065) unless specifically identified and properly exempted by the OCA. OPNAVINST 5513.16A does not authorize public release of declassified or unclassified records; other directives govern those release considerations.

5. Records and their Locations. DON records with permanent historical value are located throughout the United States at virtually all Federal Records Centers, Regional Archives, the National Archives and Records Administration and the Naval Historical Center.

6. Fiscal Year 1995 through Fiscal Year 2004 Statistics

a. The total number of textual records reviewed for declassification: 521,623,608 pages.

b. The total number of textual records declassified: 302,854,667 pages.

c. The total number of textual records exempted from declassification: 83,303,290 pages.

d. The total number of textual records excluded from automatic declassification: 103,229,312 pages.

e. The total number of textual records referred for review to other agencies by DON: 32,340,664 pages.

f. The total number of textual records referred to DON for review by other agencies: 20-30 million pages.

g. The total number of textual records file series that were file series exempted: None

h. The total number of special media records reviewed for declassification: 95,928,700 pages.

i. The total number of special media records declassified: 42,880,129 pages.

j. The total number of special media records exempted from declassification: 23,502,531 pages.

k. The total number of special media records excluded from automatic declassification: 20,145,027 pages.

l. The total number of special media records referred to other agencies for review: 9,401,013 pages.

m. The total number of special media records referred to DON for review: 10,000,000 pages.

n. The total number of special media records that were file series exempted: None

7. Fiscal Year 2004 Statistics

a. The total quantity of textual records that were reviewed: 5,463,794 pages. The previous DON Declassification Plan did not provide itemized FY04 estimates.

b. The total quantity of textual records declassified: 3,422,956 pages.

c. The total quantity of textual records exempted: 1,147,526 pages.

d. The total quantity of textual records referred to other agencies: 663,860 pages.

e. The total quantity of textual records referred to DON: 47,472 pages.

f. The total quantity of textual records excluded from automatic declassification: 229,584 pages.

g. The total quantity of special media that were reviewed: 749,972 pages.

h. The total quantity of special media declassified: 335,238 pages.

i. The total quantity of special media exempted: 183,743 pages.

j. The total quantity of special media referred to other agencies: 157,494 pages.

k. The total quantity of special media referred to DON: 75,000 pages.

l. The total quantity of special media excluded from automatic declassification: 73,497 pages.

12/20/2004

8. Fiscal Year 2005 Estimates

a. The quantity of textual records to be reviewed:
13,617,136 pages.

b. The quantity of textual records to be declassified:
7,906,502 pages.

c. The quantity of textual records to be exempted:
2,175,303 pages.

d. The quantity of textual records to be referred to other agencies: 843,711 pages.

e. The quantity of textual records to be referred to the DON: 150,000 pages.

f. The quantity of textual records to be excluded from automatic declassification: 2,695,390 pages.

g. The quantity of special media to be declassified:
809,021 pages.

h. The quantity of special media to be declassified:
361,632 pages.

i. The quantity of special media to be exempted:
198,210 pages.

j. The quantity of special media to be referred to other agencies: 169,894 pages.

k. The quantity of special media to be referred to DON:
15,000 pages.

l. The quantity of special media to be excluded from automatic declassification: 79,284 pages.

9. Number of Records Requiring Review by 31 December 2006

a. The quantity of textual records reviewed: 34,435,430 pages. In the FY 04 DON Declassification Plan it was estimated that 55,280,000 pages of records remained that would require review prior to 31 December 2006. However, the Naval Sea Systems Command (NAVSEASYS COM) has aggressively assessed all supporting

documentation of their declassification review efforts and have completed a reconciliation of their database. As a result, NAVSEASYS COM estimates that they have 13.5 million pages of records vice the previously reported 26,000,000 pages. This explains the variance in the two figures.

b. The quantity of textual records declassified:
19,994,205 pages.

c. The quantity of textual records exempted: 5,500,972 pages.

d. The quantity of textual records referred to other agencies: 2,133,600 pages.

e. The quantity of textual records referred to DON:
300,000 pages.

f. The quantity of textual records to be excluded from automatic declassification: 6,816,185 pages.

g. The quantity of special media that can be delayed until 31 December 2011: 90,000,000 pages of microfilm, 9,450,000 pages of microfiche and 36,220 pages of audiotapes. ISOO letter of 2 September 2004, concurs with DON determination to delay special media until 2011.

h. The quantity of special media declassified: 710,391 pages.

i. The quantity of special media exempted: 389,364 pages.

j. The quantity of special media referred to other agencies:
333,740 pages.

k. The quantity of special media referred to DON: 75,000 pages.

10. Estimate of Fiscal Year 2007 Records Requiring Review

a. The quantity of textual records reviewed: 4,032,500 pages.

b. The quantity of textual records declassified: 2,341,270 pages.

c. The quantity of textual records exempted: 643,990 pages.

d. The quantity of textual records referred to other agencies: 250,015 pages.

e. The quantity of textual records referred to DON: 500,000 pages.

f. The quantity of textual records to be excluded from automatic declassification: 798,032 pages.

g. The quantity of special media reviewed: 640,000 pages.

h. The quantity of special media declassified: 286,000 pages.

i. The quantity of special media exempted: 156,800 pages.

j. The quantity of special media referred to other agencies: 62,720 pages.

k. The quantity of special media referred to DON: 100,000 pages.

l. The quantity of special media excluded from automatic declassification: 134,400 pages.

11. Exempt File Series Description

a. An agency head may exempt from automatic declassification classified national security information, a group or file series (A "file series" is also described in the ISOC's guidance as an "integral file block.") of records if the release of a substantial portion of the records within the file series would be expected to remain exempt based on the provisions of EO 12958, as amended, Section 3.3(b) and (c). Within the DON, this is delegated from the SECNAV to the CNO (N09N), under his responsibility as the DON Senior Security Official. Section 3.3(d) of EO 12958, as amended, states: "At least 180 days before information is automatically declassified under this section, an agency head or senior agency official shall notify the Director of the ISOO, serving as Executive Secretary of the

Panel, of any specific information beyond that included in a notification to the President under section 3.3(c) of EO 12958, as amended, that the agency proposes to exempt from automatic declassification. The notification shall include:

(1) a description of the information, either by reference to information in specific records or in the form of a declassification guide:

(2) an explanation of why the information is exempt from automatic declassification and must remain classified for a longer period of time; and

(3) a specific date or event for declassification of the information, except for the identity of a confidential human source or a human intelligence source, as provided in Section 3.3(b) of EO 12958, as amended. The Panel may direct the DON not to exempt the information or to declassify it at an earlier date than recommended. The agency head may appeal such a decision to the President through the Assistant to the President for National Security Affairs. The information will remain classified while such an appeal is pending."

b. DON commands will notify the DON Declassification Program Manager to request file series exemptions. The requests for the files series exemptions will be consolidated and forward to the ISOO. The following are examples of categories of information that may require, but not anticipated at this time, to require a file series exemption:

General Description	Exemption Categories
Antisubmarine warfare, ship/submarine designs, Electronic Warfare, Command Files, Chemical, Biological, Radiological, Nuclear (CBRN) Information, Munitions Effectiveness/Target Vulnerability, Weapon Systems	25X1, 25X3, 25X4, 25X5
Raw/annotated data, research and development, budgets, Weapon Systems	25X2, 25X4,
Intelligence Records, Intelligence Billet Validation, domestic, foreign, scientific and technical intelligence matters, Sources and Methods	25X1, 25X1-human, 25X2, 25X3, 25X5, 25X6, 25X7, 25X8, 25X9

General Description	Exemption Categories
Classification Guides, Nuclear Protection Plans, Physical Security, Force Protection Planning, Personnel Investigations	25X1, 25X2, 25X3, 25X4,
Nuclear Reactor Records, Munitions Effectiveness/Target Vulnerability	25X2, 25X4

c. The DON has no "file series exemption" as defined in paragraph 11.a., above. However, the DON does have a "file series exemption" on designated files (9200/9210 Series) of the Naval Sea Systems Command that are abundant with information that requires declassification in conformity with the provisions of the Atomic Energy Act of 1954. The file series consists of records that virtually all contain Restricted Data (RD), Formerly Restricted Data (FRD), or Naval Nuclear Propulsion Information (NNPI); e.g., propulsion plant records, nuclear and non-nuclear energy generating systems, steam propulsion units and plans, programs and policies related to the design, arrangement, maintenance, and repair of Naval nuclear-powered ships. Thus, excluding these records from automatic declassification. The ISOO concurred (ISOO letter of 3 December 1997) with Navy's understanding that any executive branch agency can exempt from automatic declassification any file series that are replete with RD/FRD.

12. Implementation Plan. The DON will take the following actions to ensure full compliance with Section 3.3 of EO 12958, as amended:

a. All DON commands that classify and/or maintain classified holdings will be responsible for:

(1) Identifying records, files, documents, and information that fall under the purview of Section 3.3 of EO 12958, as amended.

(2) Providing specific resources, such as manpower and financial support, that will be allocated to identify records and perform declassification reviews.

(3) Ensuring that all DON declassification reviewers receive training and be certified by the Department of Energy

(DOE) to meet the requirements of Section 3161(b)(1) of Public Law 105-261 for the review of DON records that could potentially contain Restricted Data (RD) or Formerly Restricted Data (FRD). This requirement will be met by ensuring that all DON reviewers (civilian, military and contractor personnel) attend the DOE, Historical Records Restricted Data Reviewers Course. All DOE training must be coordinated directly through the DOE, but the DON Declassification Program Manager can assist in coordinating these efforts.

(4) Complying with Public Laws 105-261 and 106-65 (Kyl/Lott amendment) by ensuring that all DON records with permanent historical value receive a page-by-page review.

(5) Schedule page-by-page re-reviews of selected DON records that were declassified during review prior to 1 October 1999.

(6) Implementing classification/declassification management training in accordance with legal requirements including; EO 12958, as amended, ISOO Directive No. 1, and Department of Defense and DON policy. OCA training is a web-based training program for DON OCAs and is available on the CNO (N09N2) web page "www.navysecurity.navy.mil."

(7) Tracking and data-basing declassification review decisions on all records that fall within the purview of Section 3.3 of EO 12958, as amended, and reporting results of their reviews annually to the DON Declassification Program Manager as part of the SF 311 report submitted to the ISOO. Recorded results of automatic declassification review decisions are essential to comply with Section 3.7 of EO 12958, as amended. A database template that has been effectively used to record declassification review decisions can be obtained by contacting the DON Declassification Program Manager at (202) 433-3207.

(8) Declassifying, where possible, as well as making available to the public, all records not otherwise requiring exemption as described in this Plan.

b. Declassification reviews and actions will be accomplished by:

(1) Declassification review teams composed of local subject matter experts such as original or derivative classifiers, security personnel, records management personnel, historians, and properly cleared and trained personnel at the command level and contractor personnel.

(2) Conducting initial declassification reviews by trained/experienced personnel utilizing appropriate DON Security Classification/Declassification Guides approved by an OCA and/or the ISCAP. Additionally, declassification reviews conducted by contractor personnel are afforded a secondary contractor Quality Assurance review and, as a final control check, the Government Contracting Officer's Representative (COR) conducts a monthly review of randomly selected records reviewed by the contractor.

(3) Conducting reviews ensuring compliance with Section 3.3 of EO 12958, as amended, the ISOO Implementing Direction No. 1, and observing all DOE requirements.

(4) Applying DON and non-DON governmental training programs and guidance on equity recognition of federal agencies' security concerns. The DON Declassification Program Manager will provide training materials to assist commands in recognizing information originated and owned by other agencies.

(5) Coordinating with the DON Declassification Program Manager to ensure that records are reviewed prior to their eligibility to be automatically declassified, and in compliance with the Systematic Review Requirements as set forth in Section 3.4 of EO 12958, as amended, pertaining to records, the declassification of which is based upon the degree of researcher interest and the likelihood of declassification upon review.

13. Referrals

a. Purpose. This paragraph establishes the process for handling all information that is subject to the provisions of Section 3.3 of EO 12958, as amended, "Automatic Declassification", and which has been referred within, or outside, the DON for review.

b. Scope. This process applies to all classified DON classified records that (1) are more than 25 years old as of 31 December 2006, and (2) have been determined to have permanent historical value under title 44, United States Code; and (3) are

subject to automatic declassification as prescribed by Section 3.3 of EO 12958, as amended, and:

(1) Is clearly DON information, but is held by another agency outside of the DON.

(2) Is DON information being held by one or more DON organizations, but belongs to another DON activity.

(3) Is information being held by the DON, but belongs to another agency outside of the DON.

c. Primary Point Of Contact: The DON Declassification Program Manager, commercial (202) 433-3207; Fax (202) 433-0717; or email lizabeth.lopez-potter@navy.mil is the single focal point for the processing of all referral activity on behalf of the DON.

14. Referral Process

a. Information forwarded to the DON by another agency will be processed as follows:

(1) The DON Declassification Program Manager will be the central control point for all DON referrals from other agencies.

(2) The DON Declassification Program Manager will be the central point of contact for all DON referrals to other agencies.

(3) The DON Declassification Program Manager will determine the appropriate command to conduct all incoming referral declassification reviews.

(4) The DON Declassification Program Manager will employ various methods and means of notifying other agencies of their equities contained in DON records collections subject to the provisions of EO 12958, as amended. The method of referral, e.g., paper copy, electronic, CD-ROM, will be based on the capability of the receiving organization.

(5) All suspense dates for referrals will be based on Section 3.3(e)(3) and (4) of EO 12958, as amended.

b. Referrals to another government organization. If information contained in documents held by a DON command but

originated by another agency is referred to the originating agency for review, the following process applies:

(1) Unless agreed to on a case-by-case basis, only information belonging to the originating agency, plus adequate identifying documentation, will be referred.

(2) Method of referral, e.g., paper copy, electronic, CD-ROM, will be based on the capability of the receiving agency.

(3) All suspense dates for referrals will be based on Section 3.3(e)(3) and (4) of EO 12958, as amended.

c. Means of Referral. Notification to equity agencies must be done in compliance with ISOO Implementing Directive No. 1, § 2001.34 (d). Agency notification must include, at a minimum, the following information:

(1) The approximate volume of the equity material (cubic feet or page count)

(2) The highest security classification of documents

(3) The exact location (to box level) of the documents

(4) Instructions to access the boxes containing the documents

(5) Accession Number or other identifying numbers

d. External Factors that may affect the DON's ability to complete all referred documents by 2006. Resources to process referrals are difficult to predict because metrics are not standardized on referrals from other agencies who may hold DON originated documents. Additionally, current restrictions on removal of boxes for referred documents from the National Archives and the costs of retrieving boxes from the Federal Records Centers are constraints and obstacles in the process.

15. Identification and Markings

a. This paragraph explains ISOO Implementing Directive No. 1, §2001.24, requirements for declassification markings.

(1) A uniform security classification system requires that standard markings be applied to declassified information.

(2) Markings shall be uniformly and conspicuously applied to leave no doubt about the declassified status of the information and who authorized the declassification.

(3) Prior to public release, the following markings shall be applied to records, or copies of records, regardless of media:

(a) The word, "Declassified."

(b) The name or personal identifier, and position title of the declassification authority or declassification guide;

(c) The date of declassification; and

(d) The overall classification markings that appear on the cover page or first page shall be lined with "Xs" or a straight line.

b. Additional Requirements. Documents that are reviewed for declassification but not for public release must include a statement that review for public release is required. Examples include information subject to the limitations contained in the Privacy Act of 1974, 5 USC §552a (2000); the Freedom of Information Act 5 USC §552; and export control laws such as the International Traffic in Arms Regulation contained within Section 38 of the Arms Export Control Act, 22 USC § 2778. Some of the DoD directives that also limit public release of information include DoD Directive 5230.24, "Distribution Statements for Technical Documents," and DoD Directive 5230.29, "Security and Policy Review of Information for Public Release." Section 1.6(e) of EO 12958, as amended, states that "**foreign government information** shall retain its original classification markings or shall be assigned a U.S. classification that provides a degree of protection at least equivalent to that required by the entity that furnished the information. Foreign government information retaining its original classification markings need not be assigned a U.S. classification marking provided that the responsible agency determines that the foreign government markings are adequate to meet the purposes served by U.S. classification markings." When the document is derivatively classified, and it meets the criteria of a file

series 25-year exemption, the document should be marked in accordance with agency security classification guides. Inappropriately marked documents risk having information inadvertently released throughout its life cycle, but especially when accessioned to other repositories.

16. Classification and Declassification Guides. The Chief of Naval Operations (N09N2) will coordinate its review cycle of security classification guides to correspond with Section 2.2 of E.O. 12958, as amended.

a. Review of all DON RANKIN Program Security Classification Guides is ongoing. The purpose of this review is to update the guides as required and to bring them into compliance with current requirements.

b. Commands issuing classification guidance will ensure that copies of all revisions and changes to established guidance be provided to the DON RANKIN Program Manager to enable dissemination to appropriate entities.

c. Declassification guidance will be included in each classification guide and updated every five years.

d. All classification/declassification guides will include, at a minimum, per ISOO Directive No. 1, Section 2001.32(b):

(1) the identity of the subject matter of the declassification guide;

(2) the identity of the original declassification authority by name or personal identifier, and position;

(3) the date of issuance or last review;

(4) the precise categories or elements of information

that:

(a) will be declassified,

(b) will be downgraded; or

(c) will not be declassified.

(5) Identify any related file series that have been exempted from automatic declassification pursuant to section 3.3(c) of EO 12958, as amended.

e. To the extent a guide is used in conjunction with the automatic declassification provisions in section 3.3 of EO 12958, as amended, the precise elements of information to be exempted from declassification to include:

(1) The appropriate exemption category listed in section 3.3(b) of EO 12958, and, when citing the exemption category listed in section 3.3(b)(9) of EO 12958, as amended, the applicable statute, treaty or international agreement; and,

(2) A date or event for declassification.

17. Costs of the DON Declassification Program:

a. DON estimates include the costs to complete initial reviews, referrals and re-review of selected DON records for compliance with the Kyl/Lott amendments. The following are actual, projected and anticipated costs for DON declassification programs through 31 December 2006 and estimates through 31 December 2006:

FY 04	-	\$4.2M
FY 05	-	\$8.5M
FY 06	-	\$8.8M

b. Some of the budget estimates are still considered unfunded requirements. The DON Command's responsible for the records must continue to request funding requirements on a yearly basis. Some Commands have submitted their requirements through a Program Objective Memorandum (POM) process and have been approved, while others remain unfunded. The Naval Sea Systems Command has aggressively resolved many database issues and records management problems during the last several months. They will reinstitute declassification review of their remaining records in January 2005.

c. KEI Pearson, Inc., the Executive Agent for the DON declassification effort since 1998, was awarded a one-year base contract with 4 option years on 13 December 2004.

18. Other Factors

a. The inherent factors that always remain a possibility, are unscheduled budget cuts during the declassification effort which would result in the loss of contract support.

b. The DON will continue to participate in the referral center reviews at the National Archives and Records Center (NARA) II and the new Joint Referral and Training Center, also located at NARA II.

c. The DON will participate in the National Security Council (NSC) equity training in FY05. Upon successful completion of the training, DON declassification reviewers will commence reviewing, for declassification, applicable NSC equities discovered in DON records.