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# A VARIETY OF DOE ORDERS REQUIRE REVIEWS TO TAKE PLACE

- DOE 200.1 Information Management Program
- DOE 241.1-1 Guide to the Management of Scientific and Technical Information
- DOE 475.1-1 Identifying Classified Information
- DOE 471.1 Unclassified Controlled Nuclear Information
- DOE 471.2A Information Security Program

# REVIEW REQUIREMENTS - DRIVERS

- ATOMIC ENERGY ACT (Classification, UCNI, Applied Technology, NNPI, ECI)
- VARIETY OF EXPORT CONTROL LAWS and REGULATIONS
- EXECUTIVE ORDER ON NATIONAL SECURITY INFORMATION (E.O. 12958)
- PRIVACY ACT
- FREEDOM OF INFORMATION ACT
- NATIONAL DEFENSE AUTHORIZATION ACT of 1997
- STEVENSON WYDLER ACT (TECHNOLOGY TRANSFER AND CRADA INFORMATION)
- NATIONAL COMPETITIVE TECHNOLOGY TRANSFER ACT of 1989

# TECHNICAL REPORTS - NOT THE ONLY AREA REQUIRING REVIEW

- PRESS RELEASES
- MEETING PRESENTATIONS BY FEDERAL EMPLOYEES
  - ◆ INTERNAL TO DOE
  - ◆ EXTERNAL TO DOE
- BUDGET AND FINANCIAL REPORTS
- FREEDOM OF INFORMATION ACT RESPONSES
- PRIVACY ACT RESPONSES
- ENVIRONMENTAL IMPACT STATEMENTS
- ENVIRONMENTAL RELEASE INFORMATION
- NUCLEAR MATERIALS INVENTORY INFORMATION
- ETC

# POTENTIAL PENALTIES FOR NO REVIEWS PRIOR TO RELEASE

- CLASSIFIED - UP TO \$100,000 fine
- UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION - UP TO \$110,000 fine for each occurrence
- EXPORT CONTROL - UP TO \$1,000,000 for each occurrence prescribed by a variety of laws and Regulations
- PROPRIETARY INFORMATION - Lawsuit will decide
- PREDECISIONAL - Administrative Sanctions and Embarrassment to the Agency
- CRADA - Law and or lawsuit
- PRIVACY ACT - \$ 5000 fine to individual and Agency for each release

# REVIEW SYSTEM

- INTERNAL FIELD OFFICE REVIEW (TIO FOCAL POINT)
  - ◆ TECHNICAL MONITOR
    - ✦ TECHNICAL ACCURACY
    - ✦ PROGRAM NEEDS
  - ◆ CLASSIFICATION OFFICER
    - ✦ RD, FRD, NSI, UCNI, ECI, Etc.
  - ◆ FOIA REVIEW
    - ✦ PROPRIETARY, PREDICISIONAL, PRIVACY, INVESTIGATIVE
  - ◆ LEGAL REVIEW
    - ✦ POTENTIAL LAWSUIT ISSUES
    - ✦ PATENT/COPYRIGHT

# ALTERNATIVE SYSTEM

- POTENTIAL FOR USING EXISTING SYSTEM
  - ◆ M&O CONTRACTOR SYSTEMS USUALLY EXIST
    - ✦ SOMETIMES PROVIDE TECHNICAL SUPPORT
    - ✦ COULD ALSO PROVIDE INTERFACE WITH OSTI
    - ✦ MAY PROVIDE SENSITIVE INFORMATION REVIEW PROCESS

# EXPORT CONTROL LAW, REGULATION AND GUIDELINES

- Department of Commerce Export Administration Regulations 15 CFR 730-774
- Department of Energy Assistance to Foreign Atomic Energy activities, 10 CFR 810
- Department of State, International Traffic and Arms regulations, 22 CFR 120-130
- Nuclear Regulatory Commission's Export and Import of Nuclear Equipment and Material, 10 CFR 110
- Department of Treasury, Office of Foreign Assets and Controls, 31 CFR 500-590

# EXPORT CONTROL LAW, REGULATION AND GUIDELINES (cont'd)

- Department of Treasury, Custom Regulations, 19 CFR 1-3624
- Department of Commerce Bureau of Census, 15 CFR 30-199
- Department Commerce International Trade Administration, 19 CFR 300-399
- Department of Justice Drug Enforcement Agency, 21 CFR 130-1399
- Department of Treasury, ATF, 27 CFR 47,55,178-179
- Department of Energy Export Control Guideline