§ 1017.15 Review process.

(a) Reviewing documents for UCN. Anyone who originates or possesses a document that he or she thinks may contain UCN must send the document to a Reviewing Official for a determination before it is finalized, sent outside of his or her organization, or filed. If the originator or possessor must send the document outside of his or her organization for the review, he or she must mark the front of the document with “Protect as UCN Pending Review” and must transmit the document in accordance with the requirements in §1017.27. The Reviewing Official must first determine whether the document is widely disseminated in the public domain, which means that the document under review is publicly available from a Government technical information service or depository library, for example, or that it can be found in a public library or an open literature source, or it can be accessed on the Internet using readily available search methods.

(1) If the document is determined to be widely disseminated in the public domain, it cannot be controlled as UCN. The Reviewing Official returns the document to the person who sent it to the Reviewing Official and informs him or her why the document cannot be controlled as UCN. This does not preclude control of the same information as UCN if it is contained in another document that is not widely disseminated.

(2) If the document is not determined to be widely disseminated in the public domain, the Reviewing Official evaluates the information in the document using guidance to determine whether the document contains UCN. If the Reviewing Official determines that the document does contain UCN, the Reviewing Official marks or authorizes the marking of the document as specified in §1017.16. If the Reviewing Official determines that the document does not contain UCN, the Reviewing Official returns the document to the person who sent it and informs him or her that the document does not contain UCN. For documentation purposes, the Reviewing Official may mark or authorize the marking of the document as specified in §1017.17(b).

(b) Review exemption for documents in files. Any document that was permanently filed prior to May 22, 1985, is not required to be reviewed for UCN while in the files or when retrieved from the files for reference, inventory, or similar purposes as long as the document will be returned to the files and is not accessible by individuals who are not Authorized Individuals for the UCN contained in the document. However, when a document that is likely to contain UCN is removed from the files for dissemination within or outside of the immediate organization, it must be reviewed by a Reviewing Official with cognizance over the information.

(c) Reviewing material for UCN. Anyone who produces or possesses material that he or she thinks may contain or reveal UCN must consult with a Reviewing Official for a determination. If the Reviewing Official determines that the material does contain or reveal UCN, the Reviewing Official authorizes the marking of the material as specified in §1017.16(b).

§ 1017.16 Unclassified Controlled Nuclear Information markings on documents or material.

(a) Marking documents. If a Reviewing Official determines that a document contains UCN, the Reviewing Official must mark or authorize the marking of
§ 1017.18 Joint documents or material.

If a document or material marked as containing UCNI is under consideration for decontrol and falls under the cognizance of another DOE organization or other Government agency, the Reviewing Official or Denying Official must coordinate the decontrol review with that DOE organization or other Government agency. Any disagreement concerning the control or decontrol of any document or material that contains UCNI that was originated by or