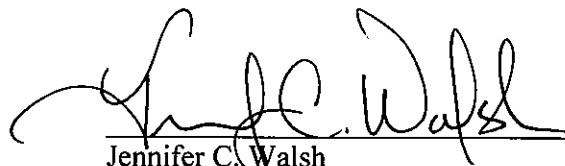


DETERMINATION OF THE ASSISTANT TO THE SECRETARY OF DEFENSE
(PRIVACY, CIVIL LIBERTIES, AND TRANSPARENCY)

Under the authority delegated to me by the Secretary of Defense, and in accordance with 10 U.S.C. § 130e, I have determined that Department of Navy's studies or reports concerning cracking and structural integrity throughout the Arleigh Burke Class, also known as DDG-51-Class, is Department of Defense critical infrastructure security information, and that the public interest consideration in the disclosure of such information does not outweigh preventing the disclosure of such information. Accordingly, this data is exempt from disclosure under Exemption 3 of the Freedom of Information Act (5 U.S.C. § 552(b)(3)).

Date: December 21, 2023



Jennifer C. Walsh
Performance Improvement Officer and Director
of Administration and Management

**STATEMENT OF THE BASIS FOR THE DETERMINATION BY
THE ASSISTANT TO THE SECRETARY OF DEFENSE (PRIVACY, CIVIL
LIBERTIES, AND TRANSPARENCY)**

In accordance with 10 U.S.C. § 130e, I reviewed the information provided to me by the Naval Sea Systems Command (NAVSEA) concerning the Department of the Navy's studies and reports concerning cracking and structural integrity throughout the Arleigh Burke Class destroyer, also known as DDG-51-Class. Following that review, I determined that such information qualifies as DoD critical infrastructure security information (DCRIT) and that the public interest consideration in the disclosure of such information does not outweigh preventing the disclosure of it. As defined by 10 U.S.C. § 130e (f), DCRIT includes:

sensitive but unclassified information that, if disclosed, would reveal vulnerabilities in Department of Defense critical infrastructure that, if exploited, would likely result in the significant disruption, destruction, or damage of or to Department of Defense operations, property, or facilities, including information regarding the securing and safeguarding of explosives, hazardous chemicals, or pipelines, related to critical infrastructure or protected systems owned or operated by or on behalf of the Department of Defense, including vulnerability assessments prepared by or on behalf of the Department of Defense, explosives safety information (including storage and handling), and other site-specific information on or relating to installation security.

The Arleigh Burke-class destroyer is the most capable and survivable Navy surface combatant. This higher capability ship is used in high-threat areas to conduct anti-air, anti-submarine, anti-surface warfare systems, and strike operations. The DDG-51 class destroyers are specifically constructed from a survivability-enhanced design that provides protection to personnel and vital systems. The DDG-51 has the longest production for any United States Navy surface combatant and is the first with an air-filtration system against nuclear, biological, and chemical warfare.

The category of information identified as DCRIT includes physical vulnerabilities of the structure of a class of Navy vessels. Gaining access to reports, studies, or other information individually or taken together about the cracking and the structural integrity of the DDG-class destroyers would reveal vulnerabilities in Department of Defense critical infrastructure that, if exploited, would likely result in the significant disruption, destruction, or damage of or to Department of Defense operation, property, or systems. It is imperative that adversaries or potential adversaries are denied access to information containing risk vulnerabilities, structural weakness and damage assessments because such knowledge could easily be used to determine areas vulnerable for attack of the DDG-51 class destroyers.

I considered the public interest in the disclosure of the studies and reports concerning cracking and structural integrity throughout the Arleigh Burke Class destroyer, also known as DDG-51-Class, and weighed this against the risk of harm that might result if this information were to be disclosed. Because the public interest in the disclosure of asset specific information is

minimal, and the risk of harm that might result from the disclosure of this specific information is extremely significant, I have determined that the protection of this information is critical to the security of the DoD infrastructure and should be exempt from disclosure.