Description of document:	National Security Agency (NSA) Inspector General (OIG) documents regarding declassification review at NSA 2016
Requested date:	04-October- 2014
Release date:	17-September-2025
Posted date:	20-Oct-2025
Source of document:	National Security Agency Attn: FOIA/PA Office Inspector General 9800 Savage Road, Suite 6932 Fort George G. Meade, MD 20755-6932 Fax: 443-479-3612 Online FOIA Submission Form FOIA.gov

NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 79339B
17 September 2025

This responds to your Freedom of Information Act (FOIA) request of 4 October 2014 for "a copy of any NSA Office of Inspector General reporting, audits, investigations, inspections, management reviews or other documents concerning the declassification review function at NSA. Documents created or dated since January 1, 2004." A copy of your request is enclosed. Your request has been processed under the FOIA and a document responsive to your request is enclosed. Information has been protected from the enclosure.

This Agency is authorized by various statutes to protect certain information concerning its activities. We have determined that such information exists in this document. Accordingly, those portions are exempt from disclosure pursuant to the third exemption of the FOIA, which provides for the withholding of information specifically protected from disclosure by statute. The specific statute applicable in this case is Section 6, Public Law 86-36 (50 U.S. Code 3605).

In addition, personal information regarding individuals has been withheld from the enclosures in accordance with 5 U.S.C. 552 (b)(6). This exemption protects from disclosure information that would constitute a clearly unwarranted invasion of personal privacy. In balancing the public interest for the information you request against the privacy interests involved, we have determined that the privacy interests sufficiently satisfy the requirements for the application of the (b)(6) exemption.

Please be advised that the Agency reasonably foresees that disclosure of the withheld information would be harmful to an interest that is protected by the identified exemption.

Since these withholdings may be construed as a partial denial of your request, you are hereby advised of this Agency's appeal procedures.

If you decide to appeal this decision, you should do so in the manner outlined below. NSA will endeavor to respond within 20 working days of receiving any appeal, absent any unusual circumstances.

- ξ The appeal must be sent via U.S. postal mail, fax, or electronic delivery (e-mail) and addressed to:

  NSA FOIA/PA Appeal Authority (P132)
  National Security Agency
  9800 Savage Road STE 6932
  Fort George G. Meade, MD 20755-6932

  The facsimile number is 443-479-3612.
  The appropriate e-mail address to submit an appeal is FOIA_PA_Appeals@nsa.gov.

- ξ It must be postmarked or delivered electronically no later than 90 calendar days from the date of this letter. Decisions appealed after 90 days will not be addressed.
- ξ Please include the case number provided above.
- ξ Please describe with sufficient detail why you believe the denial of requested information was unwarranted.

You may also contact our FOIA Public Liaison at foialo@nsa.gov for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Rd. - OGIS
College Park, MD 20740
ogis@nara.gov
877-684-6448
(Fax) 202-741-5769

Please note that the document provided to you on 15 September 2025 in response to FOIA case #75336 was also determined to be responsive to this request.

Sincerely,

Sally A. Nicholson

SALLY A. NICHOLSON
Acting Chief, FOIA/PA Office
NSA Initial Denial Authority

Encls:
a/s

NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE

INSPECTOR GENERAL REPORT

(U) Audit of Compliance with the Reducing Over-Classification Act

AU-16-0001

16 August 2016

(U) This report might not be releasable under the Freedom of Information Act or other statutes and regulations. Consult the NSA/CSS Inspector General Counsel before releasing or posting all or part of this report.

(U) OFFICE OF THE INSPECTOR GENERAL

(U) Chartered by the NSA Director and by statute, the Office of the Inspector General conducts audits, investigations, inspections, and special studies. Its mission is to ensure the integrity, efficiency, and effectiveness of NSA operations, provide intelligence oversight, protect against fraud, waste, and mismanagement of resources by the Agency and its affiliates, and ensure that NSA activities comply with the law. The OIG also serves as an ombudsman, assisting NSA/CSS employees, civilian and military.

(U) AUDITS

(U) The audit function provides independent assessments of programs and organizations. Performance audits evaluate the effectiveness and efficiency of entities and programs and their internal controls. Financial audits determine the accuracy of the Agency's financial statements. All audits are conducted in accordance with standards established by the Comptroller General of the United States.

(U) INVESTIGATIONS

(U) The OIG administers a system for receiving complaints (including anonymous tips) about fraud, waste, and mismanagement. Investigations may be undertaken in response to those complaints, at the request of management, as the result of irregularities that surface during inspections and audits, or at the initiative of the Inspector General.

(U) INTELLIGENCE OVERSIGHT

(U) Intelligence oversight is designed to ensure that Agency intelligence functions comply with federal law, executive orders, and DoD and NSA policies. The IO mission is grounded in Executive Order 12333, which establishes broad principles under which IC components must accomplish their missions.

(U) FIELD INSPECTIONS

(U) Inspections are organizational reviews that assess the effectiveness and efficiency of Agency components. The Field Inspections Division also partners with Inspectors General of the Service Cryptologic Elements and other IC entities to jointly inspect consolidated cryptologic facilities.

AU-16-0001

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
OFFICE OF THE INSPECTOR GENERAL

16 August 2016

TO: (U) DISTRIBUTION

SUBJECT: (U) Report on the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001)—ACTION MEMORANDUM

1. (U) This report summarizes our audit of compliance with the Reducing Over-Classification Act and incorporates management's response to the draft report.

2. (U//~~FOUO~~) In accordance with NSA/CSS Policy 1-60, *NSA/CSS Office of the Inspector General*, and IG-11731-14, *Follow-up Procedures for OIG Report Recommendations*, actions on OIG audit recommendations are subject to monitoring and follow-up until completion. Therefore, we ask that you provide a written status report concerning each planned correction action categorized as "OPEN." If you propose that a recommendation be considered closed, please provide sufficient information to show that actions have been taken to correct the deficiency. If a planned action will not be completed by the original target completion date, please state the reason for the delay and forward a revised target completion date to [redacted] Follow-up Program Manager, at DL D1_Followup (ALIAS) D1.

3. (U//~~FOUO~~) We appreciate the courtesy and cooperation extended to the auditors throughout the review. For additional information, please contact [redacted] at [redacted]

(b)(3)-P.L. 86-36

[redacted]
Acting Inspector General

(b)(3)-P.L. 86-36
(b)(6)

(U) This report might not be releasable under the Freedom of Information Act or other statutes and regulations. Consult the NSA/CSS Inspector General Counsel before releasing or posting all or part of this report.

AU-16-0001

(U//~~FOUO~~) DISTRIBUTION:
ADPR
B1
BM&I
CoS
FAD
NCR CENTCOM [redacted]
NSOC
[redacted]
SAE
SID
TD

(U//~~FOUO~~) cc:
DL BMA_IG_Actions
DL BMI_Registry
DL D_DJ_Tasker (ALIAS) D
DL DP_REG
DL K_Registry
DL s02_frontoffice(Alias) S02
DL SIDIGLIAISON
DL TD_REGISTRY
DL TD_Strat_Ops_Grp
CoS [redacted]
IG
D1 [redacted]
D11
D12
D13
D14

(b)(3)-P.L. 86-36

(U) TABLE OF CONTENTS

(U) EXECUTIVE SUMMARY

(U) Overview

(U//~~FOUO~~) Public Law 111-258, the Reducing Over-Classification Act, requires the Inspector General of each department or agency of the U.S. government with an officer or employee authorized to make original classifications to carry out no fewer than two evaluations to assess whether applicable classification policies, procedures, rules, and regulations have been adopted, followed, and effectively administered within the agency and to identify policies, procedures, rules, regulations, and management practices that may be contributing to persistent misclassification of material. The National Security Agency/Central Security Service (NSA) Office of the Inspector General's (OIG) first evaluation, *Report on the Audit of NSA's Compliance with Public Law 111-258, the Reducing Over-Classification Act* (AU-13-0005), 7 August 2013, included five findings and 17 recommendations to improve the Agency's information security program. The present evaluation is the second that Public Law 111-258 requires.

(U) Highlights

(U//~~FOUO~~) Our review of progress made pursuant to the OIG's initial assessment of the Agency's information security program revealed the following:

- **(U//~~FOUO~~) The information security program remains non-compliant** (U//~~FOUO~~) Classification guides exceed the five-year review requirement, and embedded classification tools have not been updated. Also, classification advisory officers remain unaware of the classification challenge process.
- **(U//~~FOUO~~) Derivative classification decisions continue to be improper** (U//~~FOUO~~) Our review of internal and external Agency communications revealed marking errors and classification discrepancies. In addition, the Agency continues to use retired code words despite Office of the Director of National Intelligence guidance.
- **(U//~~FOUO~~) Agency affiliates are not fulfilling training requirements** (U//~~FOUO~~) Approximately [redacted] percent of NSA affiliates did not complete CLAS1000 in calendar years 2014 and 2015. [redacted]

(b)(3)-P.L. 86-36

(U) Management action

(U) The actions planned by management meet the intent of all recommendations.

I. (U) INTRODUCTION

(U) Background

(U) Objective

(U) Public Law 111-258, the Reducing Over-Classification Act (7 October 2010), was enacted to prevent over-classification and promote sharing of unclassified homeland security and other information. The Act requires that the Inspector General of each department or agency of the U.S. government with an officer or employee authorized to make original classifications carry out no fewer than two evaluations to assess whether applicable classification policies, procedures, rules, and regulations have been adopted, followed, and effectively administered within the agency and to identify policies, procedures, rules, regulations, and management practices that may be contributing to persistent misclassification of material. The law stipulates that the second evaluation shall review progress made pursuant to the results of the first evaluation.

(U//~~FOUO~~) The present audit is the second evaluation that the Act requires. The results of the National Security Agency/Central Security Service (NSA) Office of the Inspector General's (OIG) first audit were documented in the *Report on the Audit of NSA's Compliance with Public Law 111-258, the Reducing Over-Classification Act* (AU-13-0005), 7 August 2013. The objective of the current audit is to evaluate progress made pursuant to the OIG's initial assessment of classification policies, procedures, rules, and regulations.

(U) Previous audit findings

(U//~~FOUO~~) The first audit report included five findings in information security program management, original classification, derivative classification, the information security self-inspection program, and information security training and education. The OIG issued 17 recommendations to resolve the audit findings. At the start of the current audit, four of the original recommendations were still open:

- (U//~~FOUO~~) Recommendation 4: Implement the Agency's classification tool revisions for Microsoft Office applications (ACTION: Enterprise Information Technology Services (T3)).[1]
- (U//~~FOUO~~) Recommendation 5b: Ensure that all identified embedded classification tools are updated to comply with Executive Order (E.O.) 13526 and NSA/CSS Policy Manual 1-52 (ACTION: Mission Capabilities (T1)).[2]

[1] (U//~~FOUO~~) This recommendation was closed during the current audit.

[2] (U//~~FOUO~~) E.O. 13526, *Classified National Security Information*, prescribes a uniform system for classifying, safeguarding, and declassifying national security information. 32 C.F.R. Part 2001 is the implementing directive for E.O. 13526. This recommendation was closed during the current audit.

- (U//~~FOUO~~) Recommendation 10: Coordinate with the Office of the Director of National Intelligence (ODNI) and the Department of Justice to develop a classification guide that adequately addresses the Foreign Intelligence Surveillance Act Amendments Act §702 (ACTION: Associate Directorate for Policy and Records (DJ)).
- (U//~~FOUO~~) Recommendation 11: Comply with Controlled Access Program Coordination Office (CAPCO) guidance to eliminate the use of retired code words, or obtain a waiver for non-compliant software applications (ACTION: Information Sharing Services Group (S1S)).[3]

(U) Progress made since first audit

(U//~~FOUO~~) In response to the original audit recommendations, the Agency has improved its information security program. NSA/CSS Policy Manual 1-52, *NSA/CSS Classification Guide*, which describes the fundamental procedures critical for protecting and accessing NSA classified national security information, was updated to comply with E.O. 13526 and 32 Code of Federal Regulations (C.F.R.) Part 2001. Provisions were added to declare that individuals who engage in the classification challenge process may not be subject to retribution and to include the responsibility, approach, and frequency of self-inspections.

(U//~~FOUO~~) Annex A to NSA/CSS Policy Manual 1-52 was added to require that the Agency's classification tools include a personal identifier of the person who applies derivative classification markings, the source document or classification guide, and declassification information. In addition, the Agency's classification tool for Microsoft Office applications has been modified to allow users to manually insert a classification guide into the classification authority block rather than defaulting to NSA/CSS Policy Manual 1-52.

(U//~~FOUO~~) NSA personnel performance objectives for all supervisory and non-supervisory employees were modified to include the proper handling and protection of classified information in accordance with E.O. 13526.

(U//~~FOUO~~) We also found that Information Security Policy (DJ2) has improved the Agency's information security self-inspection program, which includes regular reviews and assessments of the Agency's information security program, to meet the requirements of E.O. 13526 and 32 C.F.R. Part 2001. DJ2 has also modified the annual mandatory training CLAS1000 course, *Elements of Classification and Marking*, to improve the quality of the training and ensure that it remains current.

[3] (U//~~FOUO~~) ODNI Policy and Strategy now oversees the Security Markings Program (formerly CAPCO). This recommendation will be replaced by recommendation 10 in this report because both recommendations require the same actions. This recommendation is now closed.

II. (U) FINDINGS AND RECOMMENDATIONS

(U//~~FOUO~~) FINDING ONE: Information Security Program Is Non-Compliant

(U//~~FOUO~~) The Agency's information security program remains non-compliant with E.O. 13526 and 32 C.F.R. Part 2001 because classification guides exceed the five-year review requirement and embedded classification tools have not been updated. In addition, classification advisory officers (CAOs) remain unaware of the classification challenge process. As a result, the Agency may be misclassifying information.

(U) Information Security Program Management Update

(U) First audit results

(U//~~FOUO~~) The OIG's first audit found that the Agency's information security program does not comply with E.O. 13526 because of outdated program guidance, a flawed classification tool, and a deficient classification challenge process. Specifically, the report stated that:

- (U//~~FOUO~~) Agency classification guides were not updated at least once every five years as required by the implementing directive 32 C.F.R. Part 2001,
- (U//~~FOUO~~) Agency classification tools did not comply with E.O. 13526 because they lacked a derivative classifier identifier and accurate classification sources and declassification dates, and
- (U//~~FOUO~~) Agency classifiers were not familiar with the classification challenge process.

(U//~~FOUO~~) To assess the Agency's progress pursuant to the OIG's first audit, we reviewed all DJ2's classification guides to determine whether any were older than five years. We met with the tasked organizations for open recommendations regarding classification tools to obtain status updates and anticipated completion dates. To determine whether programs lacked classification guides and to gauge awareness of the classification challenge process, we surveyed a sample of CAOs.

(U) Outdated classification guides

(U) 32 C.F.R. §2001.16 mandates that agencies conduct periodic fundamental classification guidance reviews. The frequency of the reviews shall be determined by each agency considering factors such as the number of classification guides and the

volume and type of information they cover. However, a review shall be conducted at least once every five years.

(U//~~FOUO~~) As of November 2015, DJ2's web page listed 132 active classification guides, excluding exceptionally controlled information (ECI) guides.[4] We reviewed each guide to determine whether the issue date was on or before November 2010 in accordance with the five-year requirement. We found six classification guides older than five years (Table 1).

(U) Table 1. Classification Guides Past the Five-Year Requirement

(U//~~FOUO~~)

#	Title	Date	Point of Contact (POC)
1-04	(U) Classification Guide for DECKPIN	29 June 2010	National Security Operations Center Operations (K1)
2-01	(U) COMINT Classification Guide	11 July 2006	Signals Intelligence Directorate (SID)
2-7	(U) Classification Guide for NSA/CSS Use of Languages/ Dialects	19 January 2010	SID
2-48	(U//~~FOUO~~) [redacted]	4 August 2009	SID Oversight and Compliance (SV)
10-2	(U//~~FOUO~~) Classification Guide for NSA/CSS Activities at [redacted]	3 September 2009	[redacted] (F78)
10-11	(U//~~FOUO~~) [redacted]	28 April 2010	DJ

* (U//~~FOUO~~) A separate recommendation was not included because the review and update of this guide was recommended in the OIG's first audit report. This recommendation remains open.

(U//~~FOUO~~)

(b) (3)-P.L. 86-36

(b) (3)-P.L. 86-36

(U//~~FOUO~~) Of particular significance, the communications intelligence (COMINT) classification guide is an integral part of an overall signals intelligence (SIGINT) classification guide structure. It provides guidance on proper classification of COMINT and COMINT-related information to those conducting SIGINT and COMINT activities across the worldwide NSA enterprise and to users of SIGINT and COMINT information. Of the 25 documents selected for review for proper derivative classification, the classification levels for five were said to be based on the COMINT guide (see Finding Two for a full description of this testing). Because this guide is more than nine years old, users are basing derivative classification decisions on outdated guidance, which could lead to misclassified information.

(U//~~FOUO~~) Another important outdated classification guide is the [redacted] FISA governs the conduct of certain electronic

[4] (U//~~FOUO~~) Classification guides for the ECI program are managed by SIGINT Policy and Corporate Issues Staff (S02), in collaboration with the ECI control authorities. Because of the extreme sensitivity of the COMINT sources, methods, and activities that ECI protects, access to these classification guides is typically managed on a strict need-to-know basis.

surveillance activities within the United States and against U.S. persons, regardless of location, and requires that collection be authorized by the U.S. Foreign Intelligence Surveillance Court.

(U//~~FOUO~~) The first audit found that the [redacted] did not include certain facts regarding statistics [redacted] Recommendation 10 from the first audit, therefore, required DJ to coordinate with ODNI and the Department of Justice to develop a classification guide that adequately addresses FAA §702. We met with SIGINT Policy and Corporate Issues Staff (S02) representatives to learn the status of this guide. The initial target completion date for this recommendation was 31 December 2014. The update process has taken longer than expected because of the number of organizations that must provide input. The information owner assessed that the document would go into formal coordination by the end of March 2016.

(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

[redacted]

(U) Review and update the *Classification Guide for DECKPIN 1-04*.

(ACTION: K1)

(U) Management Response

(U//~~FOUO~~) **AGREE** The *Classification Guide for Mission Assurance 1-1*, which supersedes the *Classification Guide for DECKPIN 1-04*, was signed on 29 April 2016.

(U) OIG Comment

(U) The action taken meets the intent of the recommendation. This recommendation has been closed.

[redacted]

(U) Review and update the *COMINT Classification Guide 2-01*.

(ACTION: SID)

(U) Management Response

(U//~~FOUO~~) **AGREE** The updated *Classification Guide for Communications Intelligence (COMINT) 2-1* was signed on 5 May 2016.

(U) OIG Comment

(U) The action taken meets the intent of the recommendation. This recommendation has been closed.

(U) RECOMMENDATION 3

(U) Review and update the *Classification Guide for NSA/CSS Use of Languages/Dialects 2-7.*

(ACTION: SID)

(U) Management Response

(U//~~FOUO~~) **AGREE** The updated *Classification Guide for NSA/CSS Use of Languages/Dialects 2-7* was signed on 20 May 2016.

(U) OIG Comment

(U) The action taken meets the intent of the recommendation. This recommendation has been closed.

(U) RECOMMENDATION 4

(U//~~FOUO~~) Review and update the *Classification Guide for NSA/CSS Activities at* [redacted] *10-2.*

(ACTION: F78)

(U) Management Response

(U//~~FOUO~~) **AGREE** The updated *Classification Guide for NSA/CSS Activities at* [redacted] *10-2* was signed on 8 April 2016.

(U) OIG Comment

(U) The action taken meets the intent of the recommendation. This recommendation has been closed.

(b) (3)-P.L. 86-36

(U) RECOMMENDATION 5

(U//~~FOUO~~) Review and update the *Classification Guide* [redacted] *10-11.*

(ACTION: NSA/CSS Representative to Central Command)

(U) Management Response

(U//~~FOUO~~) **AGREE.** NCR CENTCOM is coordinating an update to the classification guide with [redacted] Once the final draft has been agreed upon by both organizations, it will be staffed through DJ for approval and publication.

(U) OIG Comment

(U) The planned action meets the intent of the recommendation.

(U//~~FOUO~~) Classification guides lack original classification authority (OCA) signature

(U//~~FOUO~~) Our classification guide review also revealed six classification guides that did not contain an OCA signature (Table 2).

(U) Table 2. Classification Guides Lacking OCA Signature

(U//~~FOUO~~)

#	Title	Date	POC
2-01	(U) COMINT Classification Guide	11 July 2006	SID
2-11	(U) Classification Guide for NSA/CSS Cover Activities	22 April 2015	[redacted]
2-48	(U//~~FOUO~~) [redacted]	4 August 2009	SID SV
10-16	(U) Classification Guide for Foreign Affairs	31 May 2013	Foreign Affairs Directorate (FAD)
10-29	(U) Classification Guide for Menwith Hill Station INDEX Organization	11 July 2012	Menwith Hill Station
11-7	(U) Classification Guide for NTOC Cybersecurity Operations	24 October 2014	NSA/CSS Threat Operations Center (NTOC)

(U//~~FOUO~~)

(b) (3)-P.L. 86-36

(b) (3)-P.L. 86-36

(U//~~FOUO~~) DJ2 was able to provide signed copies of classification guides 2-11, 10-16, 10-29, and 11-7. Although they found a signed copy of the COMINT guide, the signatory did not possess original classification authority at the time of signature. DJ2 was unable to locate a signed copy of the [redacted] however, recommendation 10 from the 2013 audit is still open, requiring a new guide be developed to adequately address FAA §702. Upon completion, this guide will have an original classification authority signature. E.O. 13526 requires that each classification guide be approved personally and in writing by an official who has program or supervisory responsibility over the information or by the senior agency official authorized to classify information at the highest level prescribed in the guide. Because these guides were not approved by an individual with original classification authority, it is unclear whether the classification decisions within the guides or subsequent derivative classifications were proper.

(U) RECOMMENDATION 1
(U//~~FOUO~~) Obtain the signature of an individual with original classification authority on the existing *COMINT Classification Guide 2-01* until the revised guide is implemented. **(ACTION: DJ)**

(U) Management Response

(U//~~FOUO~~) **AGREE** The updated *COMINT Classification Guide 2-01* was signed on 5 May 2016, eliminating the need for signature on the previous version.

(U) OIG Comment

(U//~~FOUO~~) The action taken meets the intent of the recommendation. This recommendation has been closed.

(U) CAO survey results

(U//~~FOUO~~) The OIG's first audit concluded that derivative classifiers were unfamiliar with the classification challenge process. To gauge current awareness of this process, we surveyed a sample of 51 CAOs from across the Agency.[5] Seventeen of the 47 respondents (36 percent) reported that they were not aware of the classification challenge process.

(U) Send a reminder to all registered CAOs detailing the classification challenge process.

(ACTION: DJ)

(U) Management Response

(U//~~FOUO~~) **AGREE** On 2 May 2016, the Chief of DJ2 sent an email to all registered NSA/CSS Classification Advisory Officers reminding them that classification challenges as defined in E.O. 13526 are covered in CAO training, and that information about the classification challenge process is available on NSANet. The Chief of DJ2 also posted this same information to Journal NSA – Classification Station.

(U) OIG Comment

(U) The action taken meets the intent of the recommendation. This recommendation has been closed.

(U//~~FOUO~~) We also asked the CAOs whether there is an adequate number of classification guides to perform their duties. [redacted] respondents [redacted] stated that there is not an adequate number of classification guides. [redacted]

[5] (U//~~FOUO~~) Our sample was pulled from DJ2's CAO Master Listing as of December 2015, which included [redacted] active CAOs. We separated the list by major organizations and directorates in accordance with the Agency directory and randomly selected three CAOs from each.

(b)(3)-P.L. 86-36

(U) RECOMMENDATION 8
(U) Survey all OCAs and registered CAOs to identify Agency programs and organizations lacking sufficient documented classification guidance. **(ACTION: DJ)**
(U) Management Response (U//~~FOUO~~) **PARTIALLY AGREE** DJ accepts this recommendation with the caveat that they expect the NSA21 reorganization to have significant impact on the number and placement of positions possessing original classification authority. DJ also expects CAOs' assigned organizations and projects to be affected. Therefore, the survey will be conducted after the NSA21 organizational structure reaches initial operating capability. **(U) OIG Comment** (U) The planned action meets the intent of the recommendation.

(U) RECOMMENDATION 9
(U//~~FOUO~~) Implement classification guidance for areas identified in the survey pursuant to Recommendation 8. **(ACTION: Information owners with DJ)**
(U) Management Response (U//~~FOUO~~) **PARTIALLY AGREE** DJ accepts this recommendation and will facilitate a review of existing and development of new classification guidance, as appropriate, based on Recommendation 8 results. **(U) OIG Comment** (U) The planned action meets the intent of the recommendation.

(U//~~FOUO~~) FINDING TWO: Derivative Classification Is Improper

(U//~~FOUO~~) Derivative classification decisions continue to be improper, which prevents the Agency from ensuring that classified information is protected and shared at the correct level. In addition, the Agency continues to use retired code words despite ODNI guidance.

(U) Derivative Classification Update

(U) First audit results

(U//~~FOUO~~) The first OIG audit concluded that Agency derivative classifications are sometimes improper because of unclear requirements and unsubstantiated classification decisions. The audit also found that sampled derivative classifiers did not understand the difference between marking manuals and classification guides, sometimes used outdated classification markings, and did not consistently carry forward classification levels from one document to another. A review of [redacted] sampled documents revealed that none referred to the appropriate classification guides as the source of classification. [redacted] sampled SIGINT reports contained the retired code words "UMBRA" and "SPOKE."

(b) (3)-P.L. 86-36

(U//~~FOUO~~) To assess progress since the first audit, we selected a sample of internal and external communications to review for proper derivative classifications. Using Appendix C from the Department of Defense's evaluation guide, we answered a series of questions for each document to determine whether the document had been classified correctly.[6] In addition, we met with representatives of SID and TD to obtain an update on the Agency's use of retired code words.

(b) (3)-P.L. 86-36

(U) Derivative classification testing

(U//~~FOUO~~) To determine whether Agency affiliates are derivatively classifying information properly, we selected a sample of internal and external communications. We reviewed [redacted] documents: [redacted] Agency mass-mailers, [redacted] SIGINT reports, [redacted] congressional notifications, [redacted] congressionally directed actions, [redacted] research papers, and the FY2015 Agency Financial Report (AFR), all at classification levels from CONFIDENTIAL to TOP SECRET. We asked the POCs to identify the classification guide used to derivatively classify the documents.

(U//~~FOUO~~) [redacted] documents seemed to be classified correctly on the basis of classification guides and POC justifications. We found [redacted] reports that contained instances of misclassification. One included ORCON in the document's classification banner line but did not have any portions of the document marked ORCON. In one document, a classified paragraph was added intentionally so that the

[6] (U//~~FOUO~~) To ensure comparable reports across the DoD components during the first audit, the DoD OIG issued an evaluation guide, *A Standard User's Guide for Inspectors General Conducting Evaluations Under Public Law 111-258, the "Reducing Over-Classification Act."*

paper could be published in the *Journal of Sensitive Cyber Research and Engineering*, which contains only classified publications.

(U//~~FOUO~~) Of the [redacted] documents reviewed, we were unable to determine whether [redacted] had been classified correctly because the POC was unable to identify the original classification guidance.

(U//~~FOUO~~) We also identified marking errors within the documents. For example, the person who applied the derivative classification markings was not identified by name and position or personal identifier in [redacted] documents [redacted] documents [redacted] were missing portion markings. One document was classified TOP SECRET but did not contain a classification authority block. POCs reported that [redacted] documents [redacted] had been derivatively classified using multiple sources; however, a list of the sources was not included in any of these reports.

(b) (3)-P.L. 86-36

(b) (3)-P.L. 86-36

(U//~~FOUO~~) 32 C.F.R. Part 2001 requires derivative classifiers to identify the source document or the classification guide on the "Derived From" line of the classification authority block. In [redacted] of the reviewed documents, NSA/CSS Policy Manual 1-52 was listed on the "Derived From" line. Although NSA/CSS Policy Manual 1-52 is described as the Agency's overarching classification guide, it does not contain guidance on the classification levels of specific information; therefore, including NSA/CSS Policy Manual 1-52 on the "Derived From" line does not identify the true source on which derivative classification was based.

(U) FY2015 AFR

(U//~~FOUO~~) NSA's annual AFR is a conglomeration of input received from across the Agency. Organizations are tasked to provide brief narratives, which are compiled to produce the various sections of the report. CAO reviews are performed at the organization level, and DJ2 performs an overall CAO review before report publication. DJ2 provided an initial and final CAO review of the FY2015 AFR.

(U//~~FOUO~~) The FY2015 AFR contained [redacted] classified paragraphs and [redacted] classified tables. For each paragraph and table, we evaluated whether the information had been classified correctly in accordance with classification guides. All financial information, such as financial statement amounts and year-end account balances, were classified at the S//NF level in accordance with the *ODNI Classification Guide*.

(U//~~FOUO~~) We initially asked DJ2 for assistance in identifying the classification guides used for non-financial information. DJ2 verified that [redacted] over-classified paragraphs should have been marked U//FOUO. For example, one of the performance highlights paragraphs [redacted] had been marked as S//SI//REL when it should have been U//FOUO. DJ2 also identified one paragraph within the notes section of the report that was under-classified; it had been marked S but should have been S//NF.

(b) (3)-P.L. 86-36

(U//~~FOUO~~) Despite that the FY2015 AFR had been reviewed for proper classification several times and at several levels, classification errors were still found in the published report.

(b) (3)-P.L. 86-36

(U) Retired code words

(U//~~FOUO~~) The OIG's first audit found that [redacted] sampled FY2012 SIGINT reports contained the outdated classification markings "UMBRA" and "SPOKE." COMINT information formerly protected by these code words should have been protected as special intelligence (SI).

(U//~~FOUO~~) Recommendation 11 in the first audit report requires that S1S comply with CAPCO guidance to eliminate the use of retired code words or obtain a waiver for non-compliant software applications. The most recent update that S1S provided to the OIG on this recommendation focused on only one of the Agency's messaging systems currently in use. The update stated that, at final operating capability (projected first quarter 2017), the new [redacted] will be compliant. We met with TD representatives to discuss the [redacted] As of November 2015, seven percent of the messages in the current version of [redacted] contained "SPOKE" and 50 percent contained "COMINT," both of which have been retired. At that time, only 43 percent of [redacted] messages contained the current "SI" marking.

(b) (3)-P.L. 86-36

(U//~~FOUO~~) TD representatives also informed us that [redacted] is only one messaging system using retired code words. Another example is the CRITICOMM system, which uses the "COMINT" marking. Agency messaging systems continue to use retired code words because eliminating them [redacted]

(b) (3)-P.L. 86-36

(U//~~FOUO~~) [redacted]

(U//~~FOUO~~) As noted in our first report, ODNI has requested that NSA eliminate the code words or obtain an exemption to continue using the obsolete markings. The Agency has not obtained an exemption.

(U) RECOMMENDATION 10

(U//~~FOUO~~) Create a plan (requirements, concept of operations, resources, schedule) to deliver the capabilities required for bringing [redacted] messaging systems into compliance with ODNI policy.

(ACTION: TD with [redacted] and SID)

(b) (3)-P.L. 86-36

(U) Management Response

(U//~~FOUO~~) **AGREE** TD will create a plan to deliver the capabilities required for bringing [redacted] messaging systems into compliance with the policy.

(b)(3)-P.L. 86-36

(U) OIG Comment

(U) The planned action meets the intent of the recommendation. The plan's implementation will be considered for a potential future audit.

(U) This recommendation will replace Recommendation 11 from AU-13-0005 because both recommendations require the same actions. Recommendation 11 from AU-13-0005 is now closed.

(U//~~FOUO~~) Obtain a waiver for the continued use of retired code words until Agency software applications are compliant or decommissioned .

(ACTION: NSA CIO)

(U) Management Response

(U//~~FOUO~~) **AGREE** The NSA CIO will obtain a waiver for the continued use of retired code words until Agency software applications are compliant or decommissioned.

(U) OIG Comment

(U) The planned action meets the intent of the recommendation.

(U//~~FOUO~~) FINDING THREE: Information Security Education and Training Is Non-Compliant

(U//~~FOUO~~) The Agency's information security education and training program is not compliant with E.O. 13526 because approximately [redacted] percent of NSA affiliates did not complete CLAS1000 in calendar years 2014 and 2015 and [redacted] As a result, employees could be making classification decisions outside their authority.

(b) (3)-P.L. 86-36

(U) Information Security Education and Training Update

(U) First audit results

(U//~~FOUO~~) The OIG's first audit found that employees [redacted] Although NSA/CSS Policy 1-52 requires that all civilian and military personnel complete annual information security training, an average of [redacted] and [redacted] percent of these populations, respectively, did not complete CLAS1000 in calendar years 2011 and 2012. In addition, the Agency [redacted]

(U) Mandatory classification training

(b) (3)-P.L. 86-36

(U) E.O. 13526 states that persons who apply derivative classification markings shall receive training in the proper application of derivative classification principles, with an emphasis on avoiding over-classification, at least once every two years. Derivative classifiers who do not receive such training shall have their authority to apply derivative classification markings suspended until they have completed the training.

(U//~~FOUO~~) CLAS1000, *Elements of Classification and Marking*, is the Agency's annual mandatory training course that provides information on the fundamental principles, processes, and responsibilities that make up the U.S. information security program.

(U//~~FOUO~~) The first OIG report listed the percentages of NSA employees who had not completed CLAS1000 in calendar years 2011 and 2012 (Table 3).

(U) Table 3. NSA Employees Who Did Not Complete CLAS1000 2011 & 2012

(U//~~FOUO~~) ~~(U)~~

Employee Category*	Percentage in 2011	Percentage in 2012
Civilian		
Military		
Contractor		

* (U) The numbers are calculated as a running tally of personnel who enter and leave throughout the year. The totals, therefore, are higher than the number of personnel at the Agency at any single point in the year.

(U)

(b) (3)-P.L. 86-36

(U//~~FOUO~~) To provide an update for the second audit, we obtained CLAS1000 completion data from the corporate data warehouse for calendar years 2014 (Table 4) and 2015 (Table 5).

(U) Table 4. CLAS1000 Compliance Data for CY2014

(U//~~FOUO~~) (U)

[redacted]ory*	Percentage Compliant	Percentage Non-Compliant
Civilian		
Contractor		
Integree		
Military		

* (U) Data is based on all NSA affiliates listed in Searchlight at the end of CY2014.

(U)

(b)(3)-P.L. 86-36

(U) Table 5. CLAS1000 Compliance Data for CY2015

(U//~~FOUO~~) (U)

[redacted]	Percentage Compliant	Percentage Non-Compliant
Civilian		
Contractor		
Integree		
Military		

* (U) Data is based on all NSA affiliates listed in Searchlight at the end of CY2015.

(U)

(b)(3)-P.L. 86-36

(U//~~FOUO~~) [redacted] According to NSA/CSS Policy 1-52, the Associate Director for Policy and Records, as the Senior Agency Official, shall remove original or derivative classification authority from those who have not received the required training. We asked the Associate Directorate for Education and Training (ADET) and DJ2 whether there are mechanisms to enforce compliance with this annual mandatory training requirement. We also asked whether any non-compliant affiliates have had their original or derivative classification authority removed. [redacted]

AU-16-0001

(U//~~FOUO~~) Implement a process to suspend original and derivative classification authority for affiliates who have not fulfilled the mandatory CLAS1000 training requirement as E.O. 13526 requires. **(ACTION: Chief of Staff)**
(U) Management Response (U//~~FOUO~~) **AGREE** CoS will work to implement a process to suspend classification authority(ies) for affiliates who have not received the mandated training. **(U) OIG Comment** (U) The planned action meets the intent of the recommendation.

III. (U) SUMMARY OF RECOMMENDATIONS

(U) RECOMMENDATION 1

(U) Review and update the *Classification Guide for DECKPIN 1-04.*

(U) Action: K1
(U) Status: Closed

(U) RECOMMENDATION 2

(U) Review and update the *COMINT Classification Guide 2-01.*

(U) Action: SID
(U) Status: Closed

(U) RECOMMENDATION 3

(U) Review and update the *Classification Guide for NSA/CSS Use of Languages/Dialects 2-7.*

(U) Action: SID
(U) Status: Closed

(U) RECOMMENDATION 4

(U//~~FOUO~~) Review and update the *Classification Guide for NSA/CSS Activities at* [redacted] *10-2.*

(U) Action: [redacted]
(U) Status: Closed

(b)(3)-P.L. 86-36

(U) RECOMMENDATION 5

(U//~~FOUO~~) Review and update the *Classification Guide* [redacted] *10-11.*

(U) Action: NSA/CSS Representative to Central Command
(U) Status: Open
(U) Target Completion Date: 31 August 2016

(U) RECOMMENDATION 6

(U//~~FOUO~~) Obtain the signature of an individual with original classification authority on the existing *COMINT Classification Guide 2-01* until the revised guide is implemented.

(U) Action: DJ
(U) Status: Closed

(U) RECOMMENDATION 7

(U) Send a reminder to all registered CAOs detailing the classification challenge process.

(U) Action: DJ
(U) Status: Closed

(U) RECOMMENDATION 8

(U) Survey all OCAs and registered CAOs to identify Agency programs and organizations lacking sufficient documented classification guidance.

(U) Action: DJ
(U) Status: Open
(U) Target Completion Date: 1 January 2017

(U) RECOMMENDATION 9

(U//~~FOUO~~) Implement classification guidance for areas identified in the survey pursuant to Recommendation 8.

(U) Action: Information owners with DJ
(U) Status: Open
(U) Target Completion Date: TBD by auditee, however for tracking purposes the OIG assigns a target completion date of 8 August, 2017, one year from the final report release date

(U) RECOMMENDATION 10

(U//~~FOUO~~) Create a plan (requirements, concept of operations, resources, schedule) to deliver the capabilities required for bringing [redacted] messaging systems into compliance with ODNI policy.

(U) Action: TD with [redacted] and SID
(U) Status: Open
(U) Target Completion Date: 1 December 2018

(b)(3)-P.L. 86-36

(U) RECOMMENDATION 11

(U//~~FOUO~~) Obtain a waiver for the continued use of retired code words until Agency software applications are compliant or decommissioned.

(U) Action: NSA CIO
(U) Status: Open
(U) Target Completion Date: 1 December 2018

(U) RECOMMENDATION 12

(U//~~FOUO~~) Implement a process to suspend original and derivative classification authority for affiliates who have not fulfilled the mandatory CLAS1000 training requirement as E.O. 13526 requires.

(U) Action: Chief of Staff
(U) Status: Open
(U) Target Completion Date: 31 July 2017

IV. (U) ABBREVIATIONS AND ORGANIZATIONS

(U) ADET	Associate Directorate for Education and Training
(U) AFR	Agency Financial Report
(U) CAO	Classification advisory officer
(U) CAPCO	Controlled Access Program Coordination Office
(U) C.F.R.	Code of Federal Regulations
(U) CIO	Chief Information Officer
(U) COMINT	Communications intelligence
(U) DJ	Associate Directorate for Policy and Records
(U) DJ2	Information Security Policy
(U) DoD	Department of Defense
(U) ECI	Exceptionally controlled information
(U) E.O.	Executive Order
(U//~~FOUO~~) F78	[redacted]
(U) FAA	FISA Amendments Act
(U) FAD	Foreign Affairs Directorate
(U) FISA	Foreign Intelligence Surveillance Act
(U//~~FOUO~~) K1	[redacted] Operations
(U) NSA	National Security Agency/Central Security Service
(U)	[redacted]
(U) OCA	Original classification authority
(U) ODNI	Office of the Director of National Intelligence
(U) OIG	Office of the Inspector General
(U) PAA	Protect America Act
(U) POC	Point of contact
(U//~~FOUO~~) S1S	[redacted]
(U) SID	Signals Intelligence Directorate
(U) SIGINT	Signals intelligence
(U) SV	SID Oversight and Compliance
(U//~~FOUO~~) T1	[redacted]
(U) TD	Technology Directorate
(U) TS	Information Security

(U//~~FOUO~~)

(b)(3)-P.L. 86-36

(U) APPENDIX A: ABOUT THE AUDIT

(U) Objectives

(U//~~FOUO~~) The overall objective of the audit was to evaluate progress made pursuant to our initial assessment of classification policies, procedures, rules, and regulations documented in the *Report on the Audit of NSA's Compliance with Public Law 111-258, the "Reducing Over-Classification Act"* (AU-13-0005), 7 August 2013.

(U) Scope and Methodology

(U//~~FOUO~~) Audit fieldwork was conducted from November 2015 to March 2016. Our review focused on progress made in the Agency's information security program since August 2013. To assess progress, we reviewed the updated NSA/CSS Policy Manual 1-52, associated standard operating procedures, current classification guidance, and mandatory training. We conducted a survey of randomly selected classification advisory officers (CAOs) from across the Agency to identify programs and organizations lacking classification guidance and to gauge awareness of the classification challenge process. We reviewed a random sample of internal and external Agency communications, including Agency mass-mailers, signals intelligence reports, research papers, congressional notifications, congressionally directed actions, and the FY2015 Agency Financial Report, to test for proper derivative classification.

(U//~~FOUO~~) For each of the open recommendations from the OIG's first audit, we met with the tasked organizations to determine status and projected completion dates. We also met with Information Security Policy (DJ2) management to identify changes made to the Agency's information security program since the first audit.

(U//~~FOUO~~) We conducted this audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions according to our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions according to our audit objectives.

(U) Use of Computer-Processed Data

(U//~~FOUO~~) We relied on computer-processed data to support our Finding Three. We completed basic checks to determine the completeness and accuracy of the CLAS1000 compliance statistics pulled from the corporate data warehouse. Specifically, we requested the raw data, by individual, and recalculated the number of

compliant and non-compliant affiliates for calendar years 2014 and 2015 to validate the summary information initially provided from the corporate data warehouse.

(U) Previous Coverage

(U//~~FOUO~~) The *Report on the Audit of NSA's Compliance with Public Law 111-258, the "Reducing Over-Classification Act"* (AU-13-0005), 7 August 2013, documented the results of the OIG's first over-classification audit required by Public Law 111-258. The report included five findings in the areas of information security program management, original classification, derivative classification, the information security self-inspection program, and information security training and education. Seventeen recommendations were instituted as a result of these findings.

(U) Managers' Internal Control Program

(U//~~FOUO~~) As part of the audit, we assessed the organization's control environment pertaining to the audit objectives, as set forth in NSA/CSS Policy 7-3, *Managers' Internal Control Program*, 14 February 2012. Our review of the Associate Directorate for Policy and Records' most recent Statement of Assurance and Vulnerability and Process Assessment revealed two main risks that related to the audit objective: the risk that information will be inappropriately marked and released to non-cleared individuals, and the risk that there are insufficient resources to meet the declassification responsibilities prescribed in E.O. 13526. We identified several internal controls to ensure that information is classified correctly, including the CAO program, résumé reviews, prepublication reviews, NSA affiliate non-disclosure agreements, Agency self-inspections, and a partnership between DJ2 and [redacted] for spillage.

(b)(3)-P.L. 86-36

(U) APPENDIX B: FULL TEXT OF MANAGEMENT RESPONSES

(U) F78 RESPONSE

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Security Classification

NATIONAL SECURITY AGENCY/ CENTRAL SECURITY SERVICE MEMORANDUM

DATE: 25 Apr 2016

REPLY TO ATTN OF: F78 [redacted]

SUBJECT: (U) Draft Report: Compliance with Reducing Over-Classification Act (AU-16-0001)

TO: D13

(b) (3)-P.L. 86-36

(U//~~FOUO~~) In regards to the subject report, F78 [redacted] was tasked to respond to Recommendation 4. Review and update the classification guide for NSA/CSS Activities at [redacted] 10-2.

(U//~~FOUO~~) The [redacted] Classification Guide 10-2 has been updated and was approved by the Associate Director for Policy and Records on 8 April 2016. This guide was subsequently published by DJ2. [redacted]

(U) If you need additional information, please don't hesitate to contact me.

(U//~~FOUO~~) [redacted]
Chief of Staff [redacted]

(b) (3)-P.L. 86-36

FORM A6796A APR 2016 *(Supersedes Optional Form (OF) 10 which was cancelled by GSA 10/99)*

Derived From:
Dated:
Declassify On:

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Security Classification

(U) DJ RESPONSE

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Office of Policy and Records
Response to Audit Report (AU-16-0001) to
The Office of the Inspector General

May 10, 2016

Subject: (U) DJ Response to the Report from the Audit of Compliance with the "Reducing Over-Classification Act" (AU-16-0001)

(U//~~FOUO~~) The Office of Policy and Records (DJ) is responding to Recommendations in the NSA/CSS Office of the Inspector General (OIG) Report entitled, "Reducing Over-Classification Act" (AU-16-0001). A response to the specific finding(s)/recommendation(s) assigned to AD PR follow:

Finding/Recommendation 6: (U//~~FOUO~~) Obtain the signature of an individual with original classification authority on the existing *COMINT Classification Guide 2-01* until the revised guide is implemented.

Management's Response: (U) CONCUR--On 05 May 2016, SID Director, MG Potter, signed the updated COMINT Classification Guide, 2-1. DJ2 posted the new version to the Classification Guides website. The new guide replaces the old, so there is no need to update the old guide.

Corrective Action: (U) Completed 5 May 2016.

Finding/Recommendation 7: (U) Send a reminder to all registered CAOs detailing the classification challenge process.

Management's Response: (U) CONCUR--On 02 May 2016, Chief DJ2 sent an e-mail to all registered NSA/CSS Classification Advisory Officers (CAO) reminding them that Classification Challenges as defined in Executive Order 13526 are covered in CAO training, and that information about the Classification Challenge process is available on NSANet in the NSA/CSS Policy Manual 1-52 "The NSA/CSS Classification Guide." Chief DJ2 also posted the same information to Journal NSA – Classification Station.

Corrective Action: (U) Completed 6 May 2016. Similar reminders will be sent in the future.

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Finding/Recommendation 8: (U) Survey all OCAs and registered CAOs to identify Agency programs and organizations lacking sufficient documented classification guidance.

Management's Response: (U//~~FOUO~~) PARTIALLY CONCUR--DJ accepts this recommendation with the caveat that we expect the NSA21 reorganization to have significant impact on the number and placement of positions possessing Original Classification Authority (OCA). We also expect CAOs' assigned organizations and projects to be affected. Therefore, this survey would be better conducted after the NSA21 organizational structure reaches Initial Operating Capability (IOC), at which time we will have a better understanding of which positions require OCA. Further, while DJ2 can conduct a survey of OCAs and CAOs, Department of Defense Manual 5200.45 – "Instructions for Developing Security Classification Guides" clearly places responsibility for determining the need for classification guides on the OCAs:

- Original Classification Authorities (OCAs) shall:
  - Issue and disseminate security classification guidance for each system, plan, program, project, or mission involving classified information under their jurisdiction.
  - Review security classification guidance issued under their authority once every 5 years to ensure currency and accuracy, or sooner when necessitated by significant changes in policy or in the system, plan, program, project, or mission, and update the guides as required.
  - Revise, whenever necessary for effective derivative classification, the security classification guides issued under their authority.

Planned Corrective Action: (U) Survey OCAs to identify gaps in documented classification guidance.

Status of Action: (U) Awaiting IOC of NSA21 and identification of appropriate OCA positions.

Proposed Target Completion date: (U) Date for completion of OCA and/or CAO survey – 1 January 2017

Finding/Recommendation 9: (U//~~FOUO~~) Implement classification guidance for areas identified in the survey pursuant to Recommendation 8.

Management's Response: (U) PARTIALLY CONCUR-- DJ accepts this recommendation but notes that sufficient procedures are already in place in DJ2 to facilitate classification guide development once an OCA determines a need for guidance.

Planned Corrective Action: (U) Facilitate review of existing and development of new classification guidance, as appropriate, based on Recommendation 8 results.

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Status of Action: (U) Pending IOC of NSA21 and completion of OCA and/or CAO survey as described in Recommendation 8 and response.

Proposed Target Completion date: (U) TBD

(U//~~FOUO~~) If you have further questions or require additional information on the AD PR response to this report, please contact Patrick Bomgardner, [redacted] (b) (3)-P.L. 86-36

[redacted]
DAVID J. SHERMAN
Associate Director for Policy and Records

(b) (3)-P.L. 86-36
(b) (6)

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

AU-16-0001

(U) CoS RESPONSE

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Security Classification

NATIONAL SECURITY AGENCY/ CENTRAL SECURITY SERVICE MEMORANDUM

DATE: 20 June 2016

REPLY TO ATTN OF: NSA/CSS Chief of Staff

SUBJECT: (U) NSA CoS Response to the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001)

TO: NSA/CSS OIG

(U//~~FOUO~~) Thank you for the opportunity to review and comment on the draft report for the Audit of Compliance with the Reducing Over-Classification Act. Recommendation 12. With the provision below, I concur with the recommendation.

(U//~~FOUO~~) **Recommendation 12:** "Implement a process to revoke original and derivative classification authority for affiliates who have not fulfilled the mandatory Class1000 training as Executive Order 13526 requires."

(U//~~FOUO~~) **CoS Management Response:** Concur. While I concur with the recommendation in the report, I request that the wording of the recommendation be amended to read "Implement a process to suspend...[.]" since this language corresponds with the provisions of EO13526. With this change, my staff will work to implement a process to suspend classification authority(ies) for affiliates who have not received the mandated training. **Completion Date: 31 July 2017.**

(U//~~FOUO~~) The points of contact for this action are [redacted] If you have further questions, or require additional information concerning this response, please contact them directly at [redacted]

[redacted]
ELIZABETH R. BROOKS
NSA/CSS Chief of Staff

(b) (3)-P.L. 86-36

(b) (6)

FORM A6796A APR 2015 *(Supersedes Optional Form (OF) 10 which was cancelled by GSA 10/96)*
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20410601

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Security Classification

(U) SID RESPONSE

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

SIGNALS INTELLIGENCE DIRECTORATE
Memorandum

18 July 2016

FROM: Signals Intelligence Directorate (SID)

TO: Office of the Inspector General (OIG)

SUBJ: (U//~~FOUO~~) SID Revised Final Response to the Draft Report on the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001)

(U) This memorandum provides the NSA/CSS OIG a response to the subject draft report.

(U//~~FOUO~~) During the audit, the OIG evaluated progress made pursuant to its initial assessment of classification policies, procedures, rules, and regulations included in the 2013 Report on the Audit of NSA's Compliance with Public Law 111-258, the "Reducing Over-Classification Act."

(U//~~FOUO~~) The OIG identified four recommendations for SID remediation: 2 **(S02)**, 3 **(S02)**, 10 **(S1S)**, and 11 **(S1S)**. SID concurs with the IG findings for recommendations 2, 3, 10, and 11, and concurs as action lead for recommendations 2 and 3. SID coordinated transfer of recommendation 10 to the Technology Directorate, and recommendation 11 to the NSA Chief Information Officer for resolution.

(U//~~FOUO~~) Please contact [redacted] if you have any questions.

Encl: a/s

(b) (3)-P.L. 86-36

[redacted]
(b) (3)-P.L. 86-36
(b) (6)
Deputy Chief of Staff f
SIGINT Policy & Corporate Issues (S02)

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

NSA/CSS OFFICE OF INSPECTOR GENERAL

(U//~~FOUO~~) SID Revised Final Response to the Draft Report on the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001)

(U//~~FOUO~~) SID is required to provide management corrective actions for the subject draft report. In accordance with IG-11357-12, *"Coordinating Office of Inspector General Reports,"* the OIG will evaluate the management response and determine whether changes to a finding, conclusion, or recommendation can be supported.

(U) SID agrees with the IG findings and action lead for Recommendations 2 and 3. SID coordinated transfer of Recommendations 10 and 11 to the Technology Directorate and the NSA Chief Information Officer, respectively, for resolution.

Rec#	Action Element	Corrective Action Plan	Target Completion Date
2	S02	**Recommendation:** (U) Review and update the COMINT Classification Guide 2-01. (U) SID concurs with the IG finding, and as action lead. (U//~~FOUO~~) **Rationale for closure:** On 5 May 2016, the SIGINT Director approved the updated Classification Guide For Communications Intelligence (COMINT) *See Tab A.* (U//~~FOUO~~) POC: [redacted]	(U) SID requests closure of Recommendation 2.
3	S02	**Recommendation:** (U) Review and update the Classification Guide for NSA/CSS Use of Languages/Dialects 2-7. (U) SID concurs with the IG finding, and as action lead. (U//~~FOUO~~) **Rationale for Closure:** On 20 May 2016, the SID Deputy Director for Analysis & Production approved the updated Classification Guide For NSA/CSS Use of Languages/Dialects 2-7. *See Tab B.* (U//~~FOUO~~) POC: [redacted]	(U) SID requests closure of Recommendation 3.
10	S1S	**Recommendation: (U//~~FOUO~~)** Implement a plan to transition [redacted] messaging systems to the current "S1" marking.	(U) SID requests transfer of Recommendation 10 to the Technology

(b) (3)-P.L. 86-36

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

		(U) SID agrees with the IG finding, and has coordinated transfer of Recommendation 10 to the Technology Directorate (TD) for resolution. SID and TD offer the below revised language to enable TD to resolve the IG finding and recommendation. **(U//~~FOUO~~) Revised Language for Recommendation 10:** (U//~~FOUO~~) Create a plan (requirements, CONOP, resources, schedule) to deliver the capabilities required for bringing [redacted] messaging systems into compliance with the policy. (U) Action lead: TD, with [redacted] and SID as contributors. **(U//~~FOUO~~) Corrective Action Plan:** TD will create a plan to deliver the capabilities required for bringing [redacted] messaging systems into compliance with the policy. (U//~~FOUO~~) POCs: [redacted]	Directorate. A target completion date of 1 December 2018 has been identified.
11	S1S	**Recommendation:** (U//~~FOUO~~) Obtain a waiver for the continued use of retired code words until Agency software applications are compliant. (U) SID agrees with the IG finding, and has coordinated transfer of Recommendation 11 to the NSA Chief Information Officer (NSA CIO) for resolution. SID and NSA CIO offer the below revised language to enable NSA CIO to resolve the IG finding and recommendation. **(U//~~FOUO~~) Revised Language for Recommendation 11:** (U//~~FOUO~~) Obtain a waiver for the continued use of retired code words until Agency software applications are compliant or decommissioned. (U) Action lead: NSA CIO, with DJ as contributor. **(U//~~FOUO~~) Corrective Action Plan:** The NSA CIO will obtain a waiver for the continued use of retired code words until Agency software applications are compliant or decommissioned. (U//~~FOUO~~) POCs: [redacted] NSA CIO, [redacted] Dave Sherman [redacted] DJ/E&P, [redacted] DP/E&J, [redacted]	(U) SID requests transfer of Recommendation 11 to the NSA Chief Information Officer. A target completion date of 1 December 2018 has been identified.

(b) (3)-P.L. 86-36

(b) (3)-P.L. 86-36

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

(U) CIO RESPONSE

[redacted] NSA-D13 USA CIV

From: [redacted] NSA-TC2 USA CIV
Sent: Wednesday, July 27, 2016 8:59 AM
To: [redacted] NSA-D13 USA CIV
Cc: [redacted] NSA-T USA CIV
Subject: RE: (U) OIG Overclassification Audit Comments

(b) (3)-P.L. 86-36

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Brian,

Thanks for your phone call. Below is the verbiage from [redacted] email at 3:34 PM on July 15th and we agree to this wording with no additional changes. Let me know if you need anything else.

- (U//~~FOUO~~) Recommendation 10 will now read: **(U//~~FOUO~~) Create a plan (requirements, CONOP, resources, schedule) to deliver the capabilities required for bringing [redacted] messaging systems into compliance with the policy. (ACTION: TD Lead with [redacted] and SID) (Capabilities with [redacted] and Directorate of Operations)**

- (U//~~FOUO~~) Recommendation 11 will now read: **(U//~~FOUO~~) Obtain a waiver for the continued use of retired code words until Agency software applications are compliant or decommissioned. (ACTION: NSA CIO Lead with DJ/E&P)**

(U) Respectfully,
(U) [redacted]
(U) Associate Deputy CIO

[redacted]

(b) (3)-P.L. 86-36

From: [redacted] NSA-D13 USA CIV
Sent: Wednesday, July 27, 2016 8:40 AM
To: [redacted] NSA-TC2 USA CIV [redacted]
Subject: (U) OIG Overclassification Audit Comments

(b) (3)-P.L. 86-36

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Good morning Dana,

(U) I am following up on our phone conversation regarding the CIO acceptance of recommendation 11 in the Audit of Compliance with the Over-classification Act. After you have had an opportunity to review the email from [redacted] dated 15 July 2016 at 3:34pm, please advise if the CIO's office is okay with the changes.

V/r,
[redacted]

(U//~~FOUO~~)

1

(U) K1 RESPONSE

[redacted] NSA-D13 USA CIV

From: [redacted] NSA-K01 USA CIV
Sent: Monday, June 13, 2016 12:09 PM
To: [redacted] NSA-D13 USA CIV
Cc: DL k_registry (ALIAS) K02; [redacted] NSA-K01 USA CIV
Subject: (U) [redacted] Response: Draft Report: Compliance with the Reducing Over-Classification Act (AU-16-0001)"

(b)(3)-P.L. 86-36

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Good Morning,

[redacted] response for the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001) #1-04
Classification Guide for DECKPIN:
(U) Classification Guide For Mission Assurance 1-1 Supersedes the DECKPIN Classification Guide , 01-04, dated 20 June 2010. The Classification Guide For Mission Assurance 1-1 was Approved by Howard C. Larabee, Director, NSOC on 29 April 2016.
Our apologies for the delay.

Thank you,

[redacted]

(b)(3)-P.L. 86-36

[redacted]

(b)(3)-P.L. 86-36

From: [redacted] NSA-D13 USA CIV
Sent: Friday, June 10, 2016 11:36 AM
To: [redacted] NSA-K01 USA CIV; [redacted]
Cc: [redacted] NSA-D13 USA CIV; [redacted]
Subject: RE: (U) !!PAST DUE!! Draft Report: Compliance with the Reducing Over-Classification Act (AU-16-0001)
Importance: High

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[redacted]

(U) I am following up on my emails below. When can we expect to receive [redacted] formal comments to the draft report on the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001)?

Thanks,

[redacted]

(U//~~FOUO~~)

1

AU-16-0001

(U) NSA/CSS REPRESENTATIVE TO CENTRAL COMMAND RESPONSE

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Security Classification

NATIONAL SECURITY AGENCY/ CENTRAL SECURITY SERVICE MEMORANDUM

DATE: 26 May 2016

REPLY TO ATTN OF: NCR CENTCOM

SUBJECT: (U) Draft Report on the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001)

TO: Office of the Inspector General

(U//~~FOUO~~) The NSA/CSS Representative to Central Command (NCR CENTCOM) has reviewed the draft report on the Audit of Compliance with the Reducing Over-Classification Act (AU-16-0001). In accordance with NSA/CSS Policy 1-60, *NSA/CSS Office of the Inspector General*, and IG-11727-14, *Coordinating Office of the Inspector General Reports*, NCR CENTCOM agrees with Recommendation 5:

(U//~~FOUO~~) Review and update the *Classification Guide* [redacted] *10-11.*

(U//~~FOUO~~) NCR CENTCOM is coordinating an update to the classification guide with [redacted] Once the final draft has been agreed upon by both organizations, it will be staffed through the classification guide process with the Associate Directorate for Policy and Records (DJ) for approval and publication.

(U) Suspense: 31 August 2016

Steven G. Finley
COL USA
Deputy NCR CENTCOM

(b) (3)-P.L. 86-36

FORM A6796A APR 2015 *(Supersedes Optional Form (OF) 10 which was cancelled by GSA 10/98)*
Derived From: _____
Dated: _____
Declassify On: _____

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Security Classification