



OFFICE OF INSPECTOR GENERAL

U.S. Department of Energy

INSPECTION REPORT

DOE-OIG-17-04

January 2017

**FOLLOWUP REVIEW OF CONTROLS
OVER THE DEPARTMENT'S
CLASSIFICATION OF NATIONAL
SECURITY INFORMATION**



Department of Energy
Washington, DC 20585

January 17, 2017

MEMORANDUM FOR THE SECRETARY

April Stephenson

FROM: April G. Stephenson
Acting Inspector General

SUBJECT: INFORMATION: Inspection Report for the “Followup Review of Controls Over the Department’s Classification of National Security Information”

BACKGROUND

The Department of Energy handles and manages a broad spectrum of classified information, including National Security Information (NSI). NSI may contain one or more specific types of information, such as intelligence activities or programs for safeguarding nuclear materials or facilities, and is classified in accordance with Executive Order 13526 and 32 Code of Federal Regulations Part 2001, both entitled “Classified National Security Information.” Federal requirements for NSI prescribe a uniform system for classifying and safeguarding NSI to ensure information can be shared without compromising its protection.

In March 2014, our report on the *Review of Controls Over the Department’s Classification of National Security Information* (DOE/IG-0904) determined that the Department had established and implemented critical elements of its classified NSI program. However, our review found that the Department could improve certain aspects of the NSI program, such as completing required self-assessments and revising guidance. Management agreed with the prior recommendations and implemented various corrective actions. Due to the importance of adequately protecting and sharing classified NSI, and in conjunction with a required Government-wide followup review conducted by a number of other Offices of Inspectors General, we initiated this inspection to assess the status of the Department’s implementation of the recommendations in our prior review. A significant quantity of the Department’s classified nuclear weapons-related information is Restricted Data and Formerly Restricted Data¹ and was not assessed during this review.

RESULTS OF INSPECTION

In general, the Department addressed the majority of the recommendations made in our prior report. Corrective actions had been implemented in response to five of seven recommendations.

¹ Restricted Data and Formerly Restricted Data is protected in accordance with the Atomic Energy Act of 1954, as amended, which provides different classification requirements than NSI, including exclusion from portion marking and automatic declassification.

Although the Department had made some progress, it had not fully addressed corrective actions for two recommendations, completing required oversight reviews and implementing revised Department Order 475.2B, “Identifying Classified Information,” which contains guidelines for properly marking electronic mail (email). Specifically, our followup review found that:

- Of the 232 documents and email selected for review, none had critical errors (e.g., underclassification), 17 had major errors (e.g., overclassification), and 153 had marking errors. The major errors included overclassification and incorrect declassification instructions.² The marking errors included missing or incomplete portion marking of documents and email and missing or incomplete derivative classifier’s agency or organization information. None of the errors we observed would likely result in the inappropriate release of classified information.
- The Office of Intelligence and Counterintelligence, which is responsible for performing oversight reviews for Headquarters as well as field intelligence elements and counterintelligence offices, had made some progress in completing required reviews in response to our prior recommendation. However, it had only conducted 33 percent of the required annual classification decision reviews and 67 percent of the required biennial classification program self-assessments.
- One of the two National Nuclear Security Administration (NNSA) sites in our review had not fully implemented the requirements of the 2014 revision to Order 475.2B. To its credit, NNSA recognized the need to fully implement Order 475.2B and, during our review, it issued a memorandum to all NNSA sites requiring they implement the part of the order regarding portion marking NSI email by September 30, 2016. If the required date could not be met, the sites were to submit an implementation plan within 30 days from the date of the memorandum that outlined projected milestones and an alternative implementation date. During our next review cycle, we plan to evaluate whether the requirement was effectively implemented.

We found that the Department implemented five of the seven recommendations, including updating NSI policies. The Department and NNSA also implemented training for preparing classified working papers, portion marking email, and addressing classification challenges. In addition, the Department provided guidance regarding the derivative classifier’s accountability.

The classification-related issues that we observed occurred, in part, because of a lack of attention to detail by some derivative classifiers, ineffective reinforcement of requirements by management, and infrequent classification of documents and email by some derivative classifiers. At one site, we observed a high rate of marking errors on documents related to a template that was based on an incorrect example in a classification marking guide.

Regarding the lack of required oversight reviews, a senior classification official in the Office of Intelligence and Counterintelligence stated that the office did not conduct all required reviews because of resource constraints and the decision to divert some resources to correcting issues

² Documents and email with errors were counted once, at the highest level of the error (i.e., documents and email with major errors were not included in the number of documents with marking errors).

discovered during previous classification program reviews. However, without all of the required classification reviews, incidents of classification marking errors may not be identified and corrected.

A senior NNSA official informed us that the primary reason for not fully implementing Order 475.2B was that some NNSA sites had expressed concerns about the cost and resources needed to adequately implement portion marking email on the classified computer networks. Although NNSA had not fully implemented Order 475.2B, the vast majority of the major and marking errors we identified during our review were not due to portion marking email at NNSA sites because our sample did not include a significant number of classified email from NNSA.

Striking a balance between protecting NSI and sharing information appropriately is difficult even in optimal circumstances. However, effective oversight, training, and well-developed guidance for those involved with classifying NSI are imperative if the Department is to be successful in this effort. We have made several recommendations designed to assist the Department with improving program management and execution of its classified NSI program.

MANAGEMENT RESPONSE

NNSA, Office of Intelligence and Counterintelligence, and Office of Environment, Health, Safety and Security management concurred with the recommendations and indicated that corrective actions had been taken or were planned to address the issues identified in our report.

NNSA management stated it formally promulgated guidance to its Federal and contractor organizations to begin marking emails on classified systems. The guidance also required NNSA to conduct initial training on the proper marking of classified emails, and required recertification training every 2 years.

Office of Intelligence and Counterintelligence management stated it planned on collaborating with the Department's Office of Classification to perform required biennial classification program self-assessments and annual classification decision reviews.

Office of Environment, Health, Safety and Security management informed us it planned to issue a memorandum to Department program offices reiterating requirements for electronic marking and the need to include the review of email in self-assessments. Management also agreed to revise examples in the *Classified Matter Protection and Control Marking Resource*. Although it agreed to revise the examples, Office of Environment, Health, Safety and Security management stated that it did not believe the *Classified Matter Protection and Control Marking Resource* was the sole contributing factor to the high rate of errors at one site. According to management, the examples in the marking resource are reference examples only and national directives take precedence over the examples if there are any discrepancies at any time. Accordingly, management stated that the *Classified Matter Protection and Control Marking Resource* does not constitute marking requirements and is not intended to serve as a replacement for timely and effective Federal oversight.

NNSA, Office of Intelligence and Counterintelligence, and Office of Environment, Health, Safety and Security management responses and planned actions are responsive to our recommendations. Regarding the response from Office of Environment, Health, Safety and

Security management on the *Classified Matter Protection and Control Marking Resource*, we agree that various factors contributed to the marking errors we identified at one site. For example, as discussed in the report, we also found missing information and declassification instruction errors that were attributed to a lack of attention to detail by the derivative classifiers. However, a high number of marking errors we identified were made because staff used an example in the *Classified Matter Protection and Control Marking Resource* that was incorrect. Users should be able to rely on the marking resource considering the stated purpose was to provide examples of acceptably marked classified matter.

Managements' formal comments are included in Appendix 4.

cc: Deputy Secretary
Chief of Staff
Administrator, National Nuclear Security Administration
Associate Under Secretary for Environment, Health, Safety and Security
Director, Office of Intelligence and Counterintelligence

FOLLOWUP REVIEW OF CONTROLS OVER THE DEPARTMENT'S CLASSIFICATION OF NATIONAL SECURITY INFORMATION

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FOLLOWUP REVIEW OF CONTROLS OVER THE DEPARTMENT'S CLASSIFICATION OF NATIONAL SECURITY INFORMATION

DETAILS OF FINDING

Our followup inspection determined that, in general, the Department of Energy had taken positive steps to implement the recommendations in our March 2014 report, *Review of Controls Over the Department's Classification of National Security Information* (DOE/IG-0904). Specifically, the Department had implemented corrective actions in response to five of seven recommendations. However, although it had made some progress, the Department had not fully addressed corrective actions for two recommendations, completing required oversight reviews and implementing revised Department Order 475.2B, "Identifying Classified Information," which contains guidelines for properly marking electronic mail (email). Specifically, our followup review found that:

- Of the 232 National Security Information (NSI) documents and email selected for review, none had critical errors (e.g., underclassification), 17 had major errors (e.g., overclassification), and 153 had marking errors.
- The Office of Intelligence and Counterintelligence (DOE-IN) had made some progress in completing the oversight reviews required in our prior recommendation, but it had only conducted 33 percent of its required annual classification decision reviews and 67 percent of its required biennial classification program self-assessments.
- One of the two National Nuclear Security Administration (NNSA) sites in our review had not fully implemented requirements of the 2014 revision to Order 475.2B. To its credit, NNSA recognized the need to fully implement Order 475.2B and, during our review, issued a memorandum to all NNSA sites requiring they implement the part of the order regarding portion marking NSI email by September 30, 2016. If the required date could not be met, the sites were to submit an implementation plan within 30 days from the date of the memorandum that outlined projected milestones and an alternative implementation date. During our next review cycle, we plan to evaluate whether the requirement was effectively implemented.

Protecting National Security Information

The Code of Federal Regulation (CFR) section on "Classified National Security Information" (32 CFR 2001) stipulates that classification markings be appropriately applied to documents³ to leave no doubt about the classified status of the information, level of protection, and duration of classification. Order 475.2B, which was revised in response to recommendations made in our prior report, implements 32 CFR 2001 by specifying that classified information be appropriately marked so that it can be protected against unauthorized dissemination. Appendix 3 in this report, "Example of a Classified National Security Information Document," provides an example of NSI classification markings. Since our prior review, the Office of Classification has issued guidance

³ The term "documents" as used in the report refers to email and documents, unless otherwise specified.

defining document classification errors, including categorizing errors as critical, major, and marking. Critical errors may result in exposing documents to individuals without the appropriate clearance levels (e.g., underclassified). Major errors may result in substantial mistakes as to how the document is protected (e.g., overclassified, which may negatively affect sharing of information). Marking errors are formal or procedural errors that do not substantially affect the protection of a document (e.g., not properly portion marking a document, which could preclude the document from being used as a source document).

Of the 232 documents selected for review, none had critical errors (e.g. underclassification), 17 had major errors (e.g. overclassification), and 153 had marking errors.⁴ Major errors included overclassification and incorrect declassification instructions. The marking errors included missing or incomplete portion marking of documents, and missing or incomplete derivative classifier's agency or organization information. None of the errors we observed would likely result in the inappropriate release of classified information.

Self-Assessments and Classification Decision Reviews

Order 475.2B requires Program Classification Officers, including DOE-IN, to conduct biennial self-assessments and annual classification decision reviews for their sites. In our March 2014 report, we found that DOE-IN had not conducted all of the required self-assessments and reviews. In response to our prior report recommendation, DOE-IN agreed to seek ways to increase the number of self-assessments and classification decision reviews. During this review, we determined that DOE-IN had made some progress in completing the required oversight reviews; however, more remains to be done. Specifically, from October 2015 through July 2016, DOE-IN had only completed 33 percent of the required annual classification decision reviews and 67 percent of the required biennial classification program self-assessments. A senior DOE-IN official indicated that since our March 2014 review, DOE-IN had taken several steps to increase the number of self-assessments and classification decision reviews. DOE-IN had hired a classification subject matter expert who is currently conducting reviews, trained another DOE-IN staff member to assist with the reviews, and trained and certified additional derivative classifiers solely for email.

The official further stated that DOE-IN had taken steps to ensure that reviews would be conducted in the future, including developing a list of sites and estimated dates for the reviews to be performed from fiscal years 2016 through 2018, conducting a briefing to non-DOE-IN classification officers outlining the difference in classification requirements for the Intelligence Community, and requesting volunteers from those classification officers to assist with conducting required reviews. The steps taken by DOE-IN are positive steps, but more needs to be done to ensure the required self-assessments and classification decision reviews are conducted. For example, the list of sites developed did not include all of the reviews and self-assessments required for fiscal years 2016 through 2018. Without all of the required classification reviews, incidents of classification marking errors may not be identified and corrected.

⁴ Documents with errors were counted once, at the highest level of the error (e.g., documents with major errors were not included in the number of documents with marking errors).

Revised Department Guidance

Although in 2014 the Department revised Order 475.2B in response to recommendations made in our prior report, we determined that one of the two NNSA sites covered in our review had not fully implemented the requirement to portion mark email in their original electronic format. A senior contractor official at one NNSA site indicated that implementing the email requirements would be difficult and resource intensive, and the same contractor submitted an implementation plan to NNSA requesting additional resources to fully implement this requirement. The contracting officer approved a contract modification to incorporate the requirements of Order 475.2B subject to an approved implementation plan. The contractor planned to take no action to implement the email marking portion of the order until a response was received from NNSA on the implementation plan.

During our review, NNSA issued a memorandum on April 15, 2016, providing formal direction for all users to mark email on classified Department systems with the appropriate classification level, category, and portion marking, as applicable. The memorandum required all NNSA sites to submit an implementation plan with relevant milestones by September 30, 2016, or within 30 days of the issuance of the memorandum. Furthermore, attached to the memorandum was a training program and a guidance document on the proper application of classification marking for email. The email training is required for all users of classified systems, both Federal and contractor. We believe NNSA's direction to fully implement the requirements of Order 475.2B for marking email is an important step toward ensuring that information in NSI email is appropriately identified and protected.

Contributing Factors and Impact

The classification-related issues that we observed occurred, in part, because of a lack of attention to detail by some derivative classifiers, ineffective reinforcement of requirements by management, and infrequent classification of documents by some derivative classifiers. At one site, we observed a high rate of marking errors on documents related to a template that was based on an incorrect example in a classification marking guide. The *Classified Matter Protection and Control Marking Resource* (dated January 2015), which is maintained by the Department's Office of Security Policy, included an example that did not conform to current requirements, and the users at the NNSA site appeared to be unaware of the inaccuracy.

Regarding the lack of required oversight reviews, a senior DOE-IN official stated that all required reviews were not conducted because of resource constraints and the decision to divert some resources to correcting issues discovered during previous classification program reviews. Two examples of issues that were provided by DOE-IN during our review were correcting known issues with the classification management tool, and developing and implementing additional derivative classifier training. Although DOE-IN is making progress, without all required classification reviews, incidents of classification marking errors may not be identified and corrected.

A senior NNSA official informed us that the primary reason NNSA did not implement portions of Order 475.2B was that some NNSA sites had expressed concerns about the cost and resources

needed to portion mark email on the secure computer network. Although NNSA had not fully implemented Order 475.2B, the vast majority of the major and marking errors we identified during our review were not due to portion marking email at NNSA sites because our sample did not include a significant number of classified email from NNSA.

Protecting NSI while sharing information as widely as possible presents a difficult challenge. Striking the balance between these very important national priorities is difficult without effective oversight, training, and well-developed guidance for those involved with classifying NSI. We noted that a number of classification program assessments by the Office of Classification found issues similar to those observed in our review, such as classification errors and DOE-IN's failure to conduct all required self-assessments and classification decision reviews. While the issues identified in this report are based on a judgmentally selected sample, when considered in conjunction with deficiencies identified by the Office of Classification during its assessments, the issues may affect the NSI classification processes at Department and NNSA elements we did not specifically test. We have made several recommendations to assist the Department with improving program management and execution of its classified NSI program.

RECOMMENDATIONS

To further improve the effectiveness of classifying National Security Information, we recommend that the Director, Office of Intelligence and Counterintelligence:

1. Ensure that all required biennial classification program self-assessments and annual classification decision reviews are completed for Headquarters and field intelligence elements and counterintelligence offices.

We also recommend that the Administrator, National Nuclear Security Administration, and the Associate Under Secretary for Environment, Health, Safety and Security (Health and Safety), in conjunction with Department program offices:

2. Ensure that requirements for marking documents, including email in their original electronic format, are reiterated at all NNSA and Department sites, respectively.

We further recommend that the Associate Under Secretary for Environment, Health, Safety and Security:

3. Ensure that examples in the *Classified Matter Protection and Control Marking Resource* are revised to reflect current marking requirements.

MANAGEMENT RESPONSE

NNSA, DOE-IN, and Health and Safety management concurred with the recommendations and indicated that corrective actions had been taken or were planned to address the issues identified in our report.

NNSA management stated it formally promulgated guidance to its Federal and contractor organizations to begin marking email on classified systems. The guidance also required NNSA sites to conduct initial training on the proper marking of classified emails, and required recertification training every 2 years.

DOE-IN management stated it planned on collaborating with the Department's Office of Classification to perform required biennial classification program self-assessments and annual classification decision reviews.

Health and Safety management informed us it planned to issue a memorandum to Department program offices reiterating requirements for electronic marking and the need to include the review of email in self-assessments. Health and Safety management also agreed to revise examples in the *Classified Matter Protection and Control Marking Resource*. Although it agreed to revise the examples, Health and Safety management stated that it did not believe the *Classified Matter Protection and Control Marking Resource* was the sole contributing factor to the high rate of errors at one site. According to Health and Safety management, the examples in the marking resource are reference examples only and national directives take precedence over the examples if there are any discrepancies at any time. Accordingly, Health and Safety management stated that the *Classified Matter Protection and Control Marking Resource* does not constitute marking requirements and is not intended to serve as a replacement for timely and effective Federal oversight.

Managements' formal comments are included in Appendix 4.

INSPECTOR COMMENTS

NNSA, DOE-IN, and Health and Safety management response and planned actions are responsive to our recommendations. Regarding Health and Safety's response on the *Classified Matter Protection and Control Marking Resource*, we agree that various factors contributed to the marking errors identified at the one site. For example, as discussed in the report, we also found missing information and declassification instruction errors that were attributed to a lack of attention to detail by derivative classifiers. However, a high number of marking errors we identified were made because staff used an example in the *Classified Matter Protection and Control Marking Resource* that was incorrect. Users should be able to rely on the marking resource considering the stated purpose was to provide examples of acceptably marked classified matter.

OBJECTIVE, SCOPE, AND METHODOLOGY

Objective

We conducted this inspection to assess the status of the Department of Energy's implementation of the recommendations in our March 2014 report on the *Review of Controls Over the Department's Classification of National Security Information* (DOE-IG-0904).

Scope

The inspection was performed between January 2016 and January 2017, at Department Headquarters in Washington, DC; the Nevada Field Office in Las Vegas, Nevada; and the Sandia National Laboratories in Albuquerque, New Mexico. The inspection was conducted under Office of Inspector General project number S16IS007.

Methodology:

To accomplish this inspection objective, we:

- Reviewed and analyzed Federal, Department, and site-specific implementing policies, procedures, and guidance regarding classifying National Security Information (NSI).
- Interviewed Department and National Nuclear Security Administration officials responsible for classification management.
- Interviewed contractor and Federal site officials including classification officers, original classifiers, and derivative classifiers responsible for classification.
- Selected and reviewed a judgmental sample of classified NSI documents (paper and electronic) from calendar year 2014 to May 2016.

We conducted this performance-based inspection in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*. Those standards require that we plan and perform the inspection to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusions and observations based on our inspection objective. We believe the evidence obtained provided a reasonable basis for our conclusions and observations based on our inspection objective. Accordingly, the inspection included tests of controls and compliance with laws and regulations to the extent necessary to satisfy the inspection objective. Because our review was limited, it would not necessarily have disclosed all internal control deficiencies that may have existed at the time of our inspection. Finally, we did not rely on computer-based data to satisfy our objective.

The National Nuclear Security Administration, Office of Intelligence and Counterintelligence, and Office of Environment, Health, Safety and Security management waived an exit conference on December 20, 2016.

PRIOR REPORT

Inspection Report on [Review of Controls Over the Department's Classification of National Security Information](#) (DOE/IG-0904, March 2014). The inspection found that the Department of Energy had established and implemented critical elements of its classified National Security Information (NSI) program. However, our review revealed that certain aspects of the NSI program could be improved. For instance, we determined that Order 475.2A, *Identifying Classified Information*, did not contain requirements to mark email while in its electronic format and guidance on how to formally challenge classification decisions external to the Department. We also found that all required classification oversight reviews had not been conducted. The classification related issues we observed occurred, in part, because of ineffective oversight of classification activities, and inadequate training and guidance.

Example of a Classified National Security Information Document

ALL CONTENTS BELOW ARE UNCLASSIFIED. MARKINGS ARE FOR EXAMPLE PURPOSES ONLY

SECRET//NOFORN

(U) PORTION MARKING BOOKLET

Banner and Dissemination Control Marking

(S) Portion marking is the assignment of classification and required caveats to each portion of a document.

(U) All NSI documents must be portion marked.

(C) Documents containing RD and/or FRD don't require portion marking. Portions of NSI documents containing FGI must so indicate.

Portion Marking

(U) Growth



This Chart contains information that is Confidential

Derivative Declassifier review required prior to declassification

Classified By: Joe Smith, Director, DOE,HS-91

Derived From: CG-APPLE-1, 9/16/01, DOE OC

Declassify On 20190101

Classification Authority Block

Declassification Instructions

SECRET//NOFORN

Banner and Dissemination Control Marking

Source: The example is based in part on a July 25, 2016, training module from the Headquarters General Course for Derivative Classifiers, Module E, Slide E-16, with our addition of explanatory text boxes.

Legend: U – Unclassified; S – Secret; C – Confidential; NSI – National Security Information; RD – Restricted Data; FRD – Formerly Restricted Data; FGI – Foreign Government Information

MANAGEMENT COMMENTS



Department of Energy
Washington, DC 20585

December 22, 2016

MEMORANDUM FOR RICKEY R. HASS
ACTING INSPECTOR GENERAL
OFFICE OF THE INSPECTOR GENERAL

FROM: MATTHEW B. MOURY *M.B. Moury*
ASSOCIATE UNDER SECRETARY FOR
ENVIRONMENT, HEALTH, SAFETY AND SECURITY

SUBJECT: COMMENTS FOR IG DRAFT INSPECTION REPORT:
"Followup Review of Controls Over the Department's
Classification of National Security Information" (S16IS007)

Thank you for your work on the inspection report conducted during 2016 at Department Headquarters in Washington, DC; the Nevada Field Office in Las Vegas, Nevada; and the Sandia National Laboratories in Albuquerque, New Mexico, to assess the Department's progress in the management and execution of its classified National Security Information (NSI) program.

Since the initial IG Report in 2014, "Review of Controls Over the Department's Classification of National Security Information" (DOE/IG-0904), the Department has made significant progress in raising awareness of the requirement to mark emails and in implementing that requirement. Significant time and resources have been spent discussing how to implement email marking, developing and tracking authorities, and developing training and oversight at DOE Headquarters and within the National Nuclear Security Administration (NNSA). However, it will take more time to fully implement email marking throughout the Department to ensure emails are appropriately marked. The Department needs to continue efforts to improve implementation and agrees that the recommendations contained in the report will assist in doing so.

The draft report contains three recommendations for action; one by the Office of Intelligence and Counterintelligence, one by the Administrator, National Nuclear Security Administration, and two by the Associate Under Secretary for Environment, Health, Safety and Security. The recommendations, management decisions, and action plans for each finding follow. We provide the following consolidated comments from the Office of Intelligence and Counterintelligence, the Office of Environment, Health, Safety and Security, and the National Nuclear Security Administration.



Office of Intelligence and Counterintelligence

Recommendation 1: The Director, Office of Intelligence and Counterintelligence: Ensure that all required biennial classification program self-assessments and annual classification decision reviews are completed for Headquarters and field intelligence elements and counterintelligence offices.

Management Decision: Concur

Action Plan: Collaborate with the DOE Office of Classification to perform required biennial classification program self-assessments and annual classification decision reviews.

Estimated Completion Date: September 30, 2017

Office of Environment, Health, Safety and Security

Recommendation 2: We also recommend that the Administrator, National Nuclear Security Administration, and the Associate Under Secretary for Environment, Health, Safety and Security, in conjunction with Department program offices: Ensure that requirements for marking documents, including email in their original electronic format, are reiterated at all NNSA and Department sites, respectively.

Management Decision: AU Agrees/Concurs. The implementation of national policy and corrective action plans are the responsibility of program offices line management. A memorandum from DOE Senior management will serve to inform program offices of the findings and to reiterate email marking requirements.

Action Plan: Send memorandum to DOE program offices reiterating requirements for electronic marking and the need to include review of email in self-assessments.

Estimated Completion Date: February 28, 2017

Recommendation 3: We further recommend that the Associate Under Secretary for Environment, Health, Safety and Security: Ensure that examples in *The Classified Matter Protection and Control Marking Resource* are revised to reflect current marking requirements.

Management Decision: AU agrees to revise *The Classified Matter Protection and Control (CMPC) Marking Resource*. Nonetheless, AU believes that the *CMPC Marking Resource* was not the sole contributing factor to the high rate of errors at one site.

The *CMPC Marking Resource* states, "These are reference examples only. U.S. Department of Energy (DOE) and national directives take precedence over the examples in this document if there are any discrepancies at any time." Accordingly, the CMPC

Marking Resource does not constitute marking requirements neither intended to serve as a replacement for timely and effective Federal oversight.

Action Plan: Update CMPC Marking Resource to revise (and/or) correct banner markings for Restricted Data and Formerly Restricted Data documents.

Estimated Completion Date: February 28, 2017

National Nuclear Security Administration

Recommendation 2: We also recommend that the Administrator, National Nuclear Security Administration, and the Associate Under Secretary for Environment, Health, Safety and Security, in conjunction with Department program offices: Ensure that requirements for marking documents, including email in their original electronic format, are reiterated at all NNSA and Department sites, respectively.

Management Decision: Concur

Action Plan: NNSA formally promulgated guidance to its Federal and Contractor organizations to begin marking emails on classified systems. This guidance required NNSA to conduct initial training on proper marking of classified emails and requires recertification training every 2 years. As a follow-up to the memoranda, a meeting was convened with Federal and Contractor classification officers from all NNSA sites on August 18, 2016, which discussed implementation and impacts. NNSA considers this recommendation closed based on actions already taken and planned.

Estimated Completion Date: Completed

If you have any questions regarding this response, please contact Nick Prospero at 301-903-9967.

FEEDBACK

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Office of Inspector General (IG-12)
Department of Energy
Washington, DC 20585

If you want to discuss this report or your comments with a member of the Office of Inspector General staff, please contact our office at (202) 253-2162.