



OFFICE of INSPECTOR GENERAL
NATIONAL ARCHIVES and RECORDS ADMINISTRATION
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May 12, 2016

TO: David S. Ferriero
Archivist of the United States

FROM: James Springs *James Springs*
Inspector General

SUBJECT: *Second Evaluation under Public Law 111-258, the "Reducing Over-Classification Act"*

Public Law 111-258, Section 6(b) mandates Inspectors General of Federal departments, or agencies with an officer or employee who is authorized to make original classifications, shall carry out no less than two evaluations to: (A) assess whether applicable classification policies, procedures, rules, and regulations have been adopted, followed, and effectively administered within such department, agency, or component; and (B) identify policies, procedures, rules, regulations or management practices that may be contributing to persistent misclassification of material. The initial evaluation was to be completed no later than September 30, 2013 and the second evaluation by September 30, 2016. The second evaluation is to review progress made pursuant to the results of the first evaluation.

Our initial evaluation entitled *Evaluation under Public Law 111-258, the "Reducing Over-Classification Act"* was issued on September 20, 2013 and disclosed the National Archives and Records Administration (NARA) does not have original classification authority. However, the Director of the Information Security Oversight Office (ISOO) was designated with original classification authority by the Presidential Order, "Original Classification Authority," (OCA), dated December 29, 2009. ISOO, an administrative component of NARA, is responsible to the President for policy oversight of the Government-wide security classification system and the National Industrial Security Program. The Director of ISOO has responsibility for classification determinations in instances when there is an exceptional need to classify information but an agency with appropriate subject matter interest and classification authority cannot be readily determined. The Director of ISOO has never used this authority.

The Director of ISOO does not have a classification guide due to the lack of instances of this type of special classification. In addition, the ISOO develops security classification policies for the Government and evaluates the effectiveness of the security classification programs

established by federal agencies. The Director of ISOO would follow the policies found in Executive Order 13526, Part 1 and 32 CFR, Part 2001, Subparts B and C guidance, if needed.

Since the initial assessment determined the Director of ISOO was designated with original classification authority, but never used it, our second assessment determined if this authority was used after the completion of our initial assessment. We contacted the Acting Director of ISOO who confirmed that neither he nor the prior Director used original classification authority. In addition, he stated the information in our initial evaluation is still accurate.

Should you have any questions concerning this effort, or require additional information, please contact me on (301) 837-3000.

cc: Senator Ron Johnson, Chairman, U.S. Senate Committee on Homeland Security & Governmental Affairs
Senator Thomas R. Carper, Ranking Member, U.S. Senate Committee on Homeland Security & Governmental Affairs
Senator Richard Burr, Chairman, U.S. Senate Select Committee on Intelligence
Senator Dianne Feinstein, Vice Chairman, U.S. Senate Select Committee on Intelligence
Representative Michael McCaul, Chairman, House Committee on Homeland Security
Representative Bennie G. Thompson, Ranking Member, House Committee on Homeland Security
Representative Jason Chaffetz, Chairman, House Committee on Oversight and Government Reform
Representative Elijah Cummings, Ranking Member, House Committee on Oversight and Government Reform
Representative Devin Nunes, Chairman, House Permanent Select Committee on Intelligence
Representative Adam Schiff, Ranking Member, House Permanent Select Committee on Intelligence
William A. Cira, Acting Director, Information Security Oversight Office