The Department of Justice Office of the Inspector General (OIG) today released a report examining the Department's implementation of and compliance with requirements for ensuring the proper classification of information. The OIG conducted this audit pursuant to the *Reducing Over-Classification Act,* which directed OIGs to assess the adoption, compliance, and administration of their agencies' applicable classification policies, procedures, rules, and regulations, and to identify any factors that may contribute to persistent misclassification of material.

The OIG found that DOJ has established classification policies and procedures, but has not effectively administered them to ensure that information is classified and disseminated appropriately. Although the OIG's review of a sample of classified documents created during fiscal year 2012 did not find indications of widespread misclassification, we identified deficiencies relating to the implementation of DOJ's classification program, including a persistent misunderstanding and lack of knowledge of certain classification processes by officials within DOJ components. We believe that the types of discrepancies identified and the causes of those discrepancies indicate that DOJ is susceptible to misclassification.

The OIG found several documents in which unclassified information was inappropriately identified as being classified and many documents that either did not contain required classification markings or contained incorrect classification markings. In addition, we found that the National Security Division, the Criminal Division, and the Drug Enforcement Administration incorrectly categorized many decisions to classify information as "original" classification decisions when, in fact, a classifying official had previously classified the information in question. Officials who inappropriately apply original decisions rather than adopting the decision previously made risk causing information that should be treated similarly to be classified differently across programs. This practice could also result in classifiers providing directions about classification levels, dissemination controls, or declassification dates that are inconsistent with previously established directions.

The OIG identified several factors that contributed to DOJ components incorrectly classifying and marking documents, including weaknesses in DOJ's implementation of classification standards, the limited distribution of automated tools designed to improve the classification and marking processes, and weaknesses in the application of security education and training programs. Moreover, although the Security and Emergency Planning Staff (SEPS) within the Justice Management Division (JMD) has developed oversight and review processes for classified national security information, we found that SEPS has encountered problems executing and overseeing those procedures, in part because of insufficient resources devoted to these responsibilities and in part because of weaknesses in infrastructure, training, and controls throughout DOJ.

The OIG made 14 recommendations to JMD to help improve the Department's classification management program and better implement classification procedures. JMD concurred will all 14 recommendations.

The report can be found on the OIG's website at: http://www.justice.gov/oig/reports/2013/a1340.pdf.