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United States Department of State
and the Broadcasting Board of Governors
Office of Inspector General

Review of Department of State Headquarters Cable Drafting and Distribution Process

Report Number OIG-SIA-08-03, March 2008

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and the Broadcasting Board of Governors**

Office of Inspector General

PREFACE

This report was prepared by the Office of Inspector General (OIG) pursuant to the Inspector General Act of 1978, as amended, and Section 209 of the Foreign Service Act of 1980, as amended. It is one of a series of audit, inspection, investigative, and special reports prepared by OIG periodically as part of its responsibility to promote effective management, accountability, and positive change in the Department of State and the Broadcasting Board of Governors.

This report is the result of an assessment of the strengths and weaknesses of the office, post, or function under review. It is based on interviews with employees and officials of relevant agencies and institutions, direct observation, and a review of applicable documents.

The recommendations therein have been developed on the basis of the best knowledge available to the OIG and, as appropriate, have been discussed in draft with those responsible for implementation. It is my hope that these recommendations will result in more effective, efficient, and/or economical operations.

A handwritten signature in blue ink that reads "Marilyn Wanner".

Marilyn Wanner
Security and Intelligence Advisor

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EXECUTIVE SUMMARY

This Office of Inspector General (OIG) review examined the Department of State headquarters cable drafting and distribution process as it pertains to the protection of sensitive and classified information. The objectives of the review were (1) to determine the adequacy of the rules and regulations that govern cable drafting and subsequent distribution and (2) to determine whether these rules and regulations are being followed.

This review was conducted through interviews with officials in responsible program offices;¹ reviews of Department policies and memoranda, Executive Orders, and federal statutes; interviews with officials from 29 randomly selected Department bureaus and principal offices (see Appendix A); and a review of 384 randomly selected cables issued by Department headquarters during FY 2007.

This review found the majority of the rules and regulations governing cable drafting to be adequate. The least adequate area, according to cable approving officers, is the Department's Foreign Affairs Handbook (FAH) guidance regarding channel and distribution captions. However, during this review, the Bureau of Information Resource Management (IRM) issued an All Diplomatic and Consular Posts (ALDAC) cable² that retired numerous infrequently used channel and distribution captions and began a revision of the corresponding section of the FAH—5 FAH-2 H-440, Captions and Handling Instructions for Information Management Specialist (IMS). It was found that cable drafting rules and regulations are being followed except for those pertaining to the protection of personally sensitive information. Nearly 12 percent of the unclassified randomly selected cables were found to contain personally sensitive information.

This review found there to be adequate rules and regulations concerning cable distribution. However, this review found evidence that access to Department cables is being granted on a need-to-know basis in fewer than half of the randomly selected bureaus and principal offices.

¹The Bureau of Administration's Office of Information Programs and Services (A/ISS/IPS), the Bureau of Information Resource Management's Main State Messaging Center (IRM/OPS/MSO/MSMC), and the Bureau of Diplomatic Security's Information Security Program Office (DS/SI/IS).

²08 State 11467.

This review recommends that:

- The Department of State determine and promulgate through Department Notices and the Foreign Affairs Manual the specific types of information that require protection as personally identifiable information, and
- The Department require that individual cable access user privileges be based upon need-to-know requirements and be supervisory approved.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of this review were (1) to determine the adequacy of the Department's rules and regulations governing the drafting and distribution of Department cables as they pertain to the protection of sensitive and classified information and (2) to determine whether these rules and regulations are being followed. This review did not examine the physical storage or the electronic processing and storage of classified and Sensitive But Unclassified (SBU) information.

This review was conducted through interviews with officials in responsible program offices and reviews of Department policies and memoranda, Executive Orders, and federal statutes. In addition, interviews were conducted with a cable-approving officer³ in each of the 29 randomly selected bureaus and principal offices, and with the information management official⁴ in each of the 29 bureaus/offices who administers the bureau's/office's cable access program. Cable-approving officers were interviewed to determine whether the guidance they have received as cable approvers has been adequate. Information management personnel were interviewed to learn the process for controlling cable access by bureau/office personnel. Also, 384 cables⁵ were reviewed for proper classification, control of sensitive information, and use of captions, randomly selected from the 177,562 cables issued by Department headquarters during FY 2007 (October 1, 2006, to September 30, 2007).

This review is the first in a series of two reviews concerning the drafting and distribution of Department cables as they pertain to the protection of sensitive and classified information. The second review in this series will focus on the posting of Department cables to the Secret Internet Protocol Router Network (SIPRNet) via the SIPRNet Distribution (SIPDIS) caption.

³Of the 29 randomly selected bureaus, two bureaus/offices do not approve outgoing cables. In another bureau/office, only the Secretary approves outgoing cables, and she was not interviewed.

⁴Of the 29 randomly selected bureaus and principal offices, one bureau/office receives no cables, one bureau/office did not respond, and one bureau/office (the Bureau of Intelligence and Research (INR)) had a cable drafting and retrieval system that is not under Department of State control.

⁵Of the 384 cables, 301 were unclassified, 58 were classified, and 25 were labeled SBU.

This review was conducted at Department headquarters from August 31 to December 7, 2007, by Marilyn Wanner, Security and Intelligence Advisor; Thomas C. Allsbury, Deputy Security and Intelligence Advisor; Basil Temchatin, Audit Manager; and Vickie Huss, Senior Inspector.

BACKGROUND

Basis for Distribution/Access Control Requirements

The requirement for controlling the distribution of, and access to, Department cables is contained in federal law and Executive Orders. Executive Order 12958, as amended, states in Section 4.3, “Distribution Controls,” “(a) Each agency shall establish controls over the distribution of classified information to assure that it is distributed only to organizations or individuals eligible for access who also have a need-to-know the information.” In addition, the Privacy Act of 1974 (5 U.S.C. section 552a, as amended) requires that the Department and other federal agencies protect personal information about U.S. citizens and resident aliens.

Controlling Access to/Distribution of Cable Information

The access to, and the distribution of, Department cables are controlled by classification markings, captions, Traffic Analysis by Geography and Subject (TAGS), warning notices, and sensitivity controls.⁶ Comprehensive instructions concerning the use of these controls in the preparation of Department cables is contained in 5 FAH-1 H-210, *How to Use Telegrams*, and 5 FAH-1 H-230, *Preparing Telegrams in the Department*.

The classification requirements of Department cables are specified in 5 FAH-3 H-700, *E.O. 12958, As Amended, Telegram Classification Marking*. In addition, in January 2005, the Department issued the *Department of State Classification Guide* (DSCG 05-01) and has issued many Department Notices concerning the requirements of Executive Order 12958.

⁶Currently, the only sensitivity control is the SBU designation. However, with SMART, there are plans for eight categories within the SBU designation: “Personnel and Privacy Act,” “Contracting and Acquisitions,” “Visa Issuance,” “Law Enforcement,” “Infrastructure Protection,” “Design and Construction,” “Attorney-Client,” and “Deliberative Process.”

Captions, both distribution and channel restrict a cable's dissemination. Their use is not mandatory, but they provide cable drafting officers with a means to direct and control cable distribution. A list of currently available distribution captions is contained in 5 FAH-2 H-443, *What Are Distribution Captions*. An example of a distribution caption is EXDIS (exclusive distribution to officers with essential need-to-know) for highly sensitive traffic between the White House, the Secretary, Deputy, or under secretaries of State, and chiefs of mission. A list of currently available channel captions is contained in 5 FAH-2 H-444, *Channel Captions*. An example of a channel caption is HR Channel, which is used for cables between the Office of the Director General of the Foreign Service and posts on matters relating to personnel administration involving U.S. citizen employees.

Although TAGS designations are not intended to restrict a person's access to a cable, they are used by IRM to determine distribution. In the CableXpress and WebGram cable distribution applications, TAGS designations are one of the factors used to determine cable distribution (see section "Means of Accessing Department Cables" below), thus having the effect of limiting access.⁷

Warning notices can be used by cable drafting officers to alert the reader that special precautions are required in the handling and releasing of the information contained in the cable. The most well known and commonly used warning notice is "NOT RELEASABLE TO FOREIGN NATIONALS," commonly abbreviated as "NOFORN," which means that the information is not releasable to foreign nationals.⁸

The Foreign Affairs Manual, 12 FAM 540, *Sensitive But Unclassified Information (SBU)*, provides examples of types of information, including the personal information that is the subject of the Privacy Act, that are not classified but that warrant or require administrative control and protection from public or other unauthorized disclosure through the use of the SBU designation. In addition, the Department has issued several Department Notices concerning employee responsibilities under the Privacy Act.⁹

⁷A complete list of Department TAGS is contained in 5 FAH-3 H-100, *Subject TAGS Definitions*.

⁸A complete list of warning notices is contained in 12 FAM 529.11, *Warning Notices*.

⁹Notice 2006_12_090, "Reminder to All Personnel: Responsibilities Under the Privacy Act of 1974," dated 12/21/06; Notice 2006_06_060, "Reminder to All Employees: Responsibilities Under the Privacy Act of 1974," dated 6/12/06; Notice 2006_05_016, "Protection of Social Security Numbers Under the Privacy Act of 1974, as Amended," dated May 3, 2006; and Notice 2005_12_009, "Reminder to All Employees: Responsibilities Under the Privacy Act of 1974," dated 12/2/05.

Means of Accessing Department Cables

In addition to the person-to-person transfer of cables, the most commonly used means by which Department employees can access Department cables domestically are as follows:

- CableXpress is the most widely used means within the Department to both send and receive classified (Secret-high) and unclassified cables. It resides only on ClassNet, and it is administered by IRM.
- WebGram, also administered by IRM, is a centrally accessed system for cable retrieval. It cannot be used to create or edit cables. WebGram is available in both classified (Secret-high) and unclassified versions.
- Intelligence and Research Information Support System (INRISS) is a classified information message handling system used to process, disseminate, and produce all-source intelligence information. The system is connected to other intelligence community agencies providing access to electronic mail and remote databases, systems, and applications via intelligence community-sponsored networks. INRISS operating environment is Windows/ NT desktop/server and is available to every INR analyst at his or her desktop.
- Principal Officers Electronic Messaging System (POEMS) is a Secret-high, centrally accessed system, controlled by the Office of the Executive Secretariat, for cable distribution and retrieval. It cannot be used to create cables. POEMS serves all of the offices under the Secretary and all principal Department offices except for the Office of the U.S. Global Aids Coordinator, the Coordinator for Reconstruction and Stabilization Executive Secretary of the Foreign Service Grievance Board, the Office of the Director of U.S. Foreign Assistance, and the Office of International Women's Issues.
- Cable Archive Retrieval System (CARS) and the Diplomatic Research Service (DRS), administered by the Bureau of Administration (A), enable Department employees to retrieve cables from the Department's central archives. Through the CARS website, on the Department's classified Intranet website (ClassNet), Department personnel can search for individual cables by various categories, such as by key words, TAGS, key phrases, and the cable's message reference number. Through service provided by DRS, Department employees can send an e-mail to either the InfoAccess or DiplomaticResearch e-mail addresses on the Global Address List on either

ClassNet or OpenNet to request specific cables. All requested cables, even those that are unclassified, are sent to the requester by classified means, either through ClassNet or via classified fax.

Between September 2008 and September 2009, the Department plans to replace all of the above systems and programs, except for INRISS and DRS, with SMART.¹⁰ SMART is being deployed incrementally. As of February 2008, SMART was being tested domestically and at several overseas posts.¹¹ According to officials in the SMART program office, SMART is planned to be a centrally accessed, Microsoft® Outlook-based system with both classified and unclassified versions. According to the SMART website, among the benefits it will provide is the combining of cables, e-mails, and memoranda on a single platform with a centralized searchable archive.

¹⁰INRISS will remain in operation after the deployment of SMART, as it not under Department of State control. According to A/ISS staff, DRS will continue to function after the deployment of SMART because of the substantive research services it provides.

¹¹Embassies Stockholm, Belgrade, and Muscat and the Main State Messaging Center.

FINDINGS AND RECOMMENDATIONS

Cable Drafting

The majority of the interviewed cable approving officers from the randomly selected bureaus and principal offices stated that they have found the Department's guidance regarding cable classification, use of captions and warning notices, and privacy issues to be adequate. Only two (7 percent) of the interviewed officers found the Department's guidance regarding cable classification and privacy issues to be inadequate.¹² Six officers (23 percent) found the Department's guidance regarding channel and distribution captions and warning notices to be inadequate.¹³ However, IRM has conducted a review of the Department's cables captions and is revising 5 FAH-2 H-442 through H-445 to reduce and simplify the available distribution and channel captions. On February 4, 2008, IRM issued ALDAC cable 08 State 11467, which retired numerous infrequently used channel and distribution captions. The Department's warning notices, however, listed in 12 FAM 529.11, *Warning Notices*, were last revised in 1999, and the list contains notices that are no longer in common use in Department cables, such as "NO CONTRACT."¹⁴ OIG informally recommends that the Department update or rescind 12 FAM 529.11.

Except for privacy issues, the randomly selected cables from FY 2007 that were reviewed by OIG for proper classification, control of sensitive information, and use of captions corroborated the cable approving officers' generally favorable assessment of the guidance provided by the Department in these areas. Of the 58 classified cables that were reviewed, only one cable (1.7 percent) was found to have a classification error.¹⁵

¹²One interviewed cable-approving officer stated that the Department's guidance regarding privacy information lacked "specific, formal guidance."

¹³Of the interviewed cable-approving officers who found the Department's caption guidance to be inadequate, some of the comments were as follows: "It is unclear who is required to clear under each type," "There's not an adequate understanding of what's available and when it should be used," and "There are too many of them [caption categories]."

¹⁴Not releasable to contract personnel.

¹⁵The cable's classification statement lacked the classifying officer's name or a derivative source.

However, in spite of numerous Department Notices and ALDAC cables concerning employee responsibilities regarding the Privacy Act of 1974 and the need to treat social security numbers (SSN) as SBU information, 35 (11.6 percent) of the 301 unclassified cables were found to contain personally sensitive information. Ten of these 35 cables contained a person's name and full social security number, and the remaining 25 cables contained passport numbers and dates and places of birth.

It appears to OIG that a factor that may be contributing to the lapses in the protection of PII is the absence of the identification of the specific types of information that require protection. The Department Notices and ALDAC cables that have been issued concerning employee responsibilities regarding the Privacy Act and the need to treat SSNs as SBU information specifically identify only full SSNs as needing protection. They refer the reader to 12 FAM 540, *Sensitive But Unclassified Information*, for guidance on appropriate marking and handling of SBU information. While 12 FAM 540 provides numerous examples of categories of information to which SBU is "typically applied," including PII, it does not state the specific information that needs to be protected. For example, among the categories identified in 12 FAM is "passport" information. However, it is not clear what passport information needs to be protected. For example, should the fact that a person has a diplomatic passport be protected? Should the place and/or date of issue of the person's passport be protected? Similarly, in another listed category, "personnel," what specific types of personnel information need to be protected? Does a person's state of residence, whether the person is Civil Service or Foreign Service, and the person's retirement category need to be protected? Regarding SSNs, does only the full SSN require protection? Of the 301 unclassified cables, 52 cables (17.2 percent) were found to contain a person's name and the last four digits of the SSN.

Recommendation 1: The Bureau of Administration, in coordination with the Bureau of Diplomatic Security, should determine and promulgate through Department Notices and the Foreign Affairs Manual the specific types of information that require protection as personally identifiable information. (Action: A, in coordination with DS)

Cable Distribution

The classification markings, captions, TAGS, warning notices, and sensitivity controls available to cable drafting and approving officers provide those offices that distribute and provide access to Department cables the means for distributing and controlling access based upon need-to-know and privacy requirements.

With CableXpress and POEMS, establishing cable distribution and access is a two-step process. First, IRM maintains user profiles for each bureau and principal office based upon the captions, TAGS, and other cable identifiers¹⁶ specified by the office. These bureau/office profiles are updated annually. For those offices that use CableXpress, IRM's Telegram Distribution System (TeDS) feeds the bureaus'/offices' CableXpress file server only those cables that meet the criteria specified in the bureau/office profile. POEMS is fed separately from TeDS by means of a system called the Secretary's Telegram Processing System, but its distribution also follows the bureau/office profiles. As a second step in controlling cable distribution and access, the POEMS file server and each bureau/office CableXpress file server can further restrict employees' access to specific categories of cables. For example, a particular bureau/office may receive all cables with a specific distribution caption, but all employees in that bureau/office may not have a need-to-know the information in these captioned cables. In this case, the bureau's/office's systems administrator can remove this caption from the inbox definitions of these persons, thereby not allowing them to receive these captioned cables. With WebGram, which is centrally controlled, access privileges are established for each individual user by the bureau/office systems administrator at the time the user is granted access.

Based upon interviews with information management personnel in the randomly selected bureaus and principal offices, OIG determined that the user access privileges that are being granted to individual users can be grouped into three general categories—restricted, user requested, and office-wide—as shown in Table 1.

¹⁶Examples of “cable identifiers” are geographic locations or specific names, such as treaties, international organizations, or other searchable words, contained in the body of the cable.

Table 1: Categories of User Access Privileges Based on Bureau/Office Interviews

| Category | Number of Bureaus/Offices |
|----------------|---------------------------|
| Restricted | 13 |
| User Requested | 4 |
| Office-Wide | 9 |
| (See Note) | 3 |
| Total | 29 |

(Note: Of the 29 randomly selected bureaus/principal offices, one bureau/office receives no cables, one (INR) has a cable distribution system that is not under Department control, and one did not respond.)

In 13 of the 29 bureaus/offices, individual users' access to Department cables is restricted to those categories of cables that are approved by the user's supervisor, or that meet the need-to-know requirements of the individual. In four of the bureaus/offices, the user's access is determined by the office's/bureau's information management personnel based upon the user's request. No supervisory or managerial approval is required. In nine of the bureaus/offices, all users have access to the complement of cables in the bureau's/office's profile. Only for those 13 bureaus/offices in the first category is there any evidence that user access is being granted on a need-to-know basis.

With the full implementation of SMART, an individual user's access privileges will take on even greater importance. Whereas, at present, under CableXpress access to specific captions is a two step process—first being limited by the bureau's/office's profile and then being capable of being further limited by the individual user's access privileges—under the SMART infrastructure, access privileges will be determined solely by the individual's user profile as established by the SMART systems administrator. Furthermore, under the SMART infrastructure, a user's access profile will determine that person's access to specific categories of sensitive information.¹⁷

Recommendation 2: The Bureau of Information Resource Management, in coordination with the Bureaus of Diplomatic Security and Administration, should require that individual cable access user privileges be based upon need-to-know requirements and be supervisory approved. (Action: IRM, in coordination with DS and A)

¹⁷With SMART, there are plans for eight categories within the SBU designation, which are listed in footnote

Both DRS and CARS currently have mechanisms in place to preclude them from being used to bypass the limitations a person may have in his or her user profile.

With DRS, A has established controls to ensure that need-to-know requirements are being met in cable requests through DRS. If a requested cable has any restrictions, such as a restrictive distribution or channel caption, or is labeled SBU, DRS requests approval from the office that controls the distribution or channel caption, or the originator of the SBU cable, before releasing it to the requester. This applies even if the requester is from the office that is the caption controller.

CARS has taken a different approach toward limiting cable access on a need-to-know basis. The CARS database contains only those cables that have been determined by the originating bureaus and offices to be nonrestrictive (that is, they can be released to all Secret-cleared users). For this reason, CARS contains only about 10 percent of the Department's cable archive.

FORMAL RECOMMENDATIONS

Recommendation 1: The Bureau of Administration, in coordination with the Bureau of Diplomatic Security, should determine and promulgate through Department Notices and the Foreign Affairs Manual the specific types of information that require protection as personally identifiable information. (Action: A, in coordination with DS)

Recommendation 2: The Bureau of Information Resource Management, in coordination with the Bureaus of Diplomatic Security and Administration, should require that individual cable access user privileges be based upon need-to-know requirements and be supervisory approved. (Action: IRM, in coordination with DS and A)

INFORMAL RECOMMENDATION

The Department's warning notices, listed in 12 FAM 529.11, were last revised in 1999. This list contains notices that are no longer in common use in Department cables, such as "NO CONTRACT."

Informal Recommendation 1: The Department of State should update or rescind 12 FAM 529.11, *Warning Notices*. (Action: DS)

ABBREVIATIONS

| | |
|---------|--|
| A | Bureau of Administration |
| ALDAC | All Diplomatic and Consular Posts (cable) |
| CARS | Cable Archive Retrieval System |
| DRS | Diplomatic Research Service |
| DS | Bureau of Diplomatic Security |
| DSCG | Department of State Classification Guide |
| FAH | Foreign Affairs Handbook |
| FAM | Foreign Affairs Manual |
| INR | Bureau of Intelligence and Research |
| INRISS | Intelligence and Research Information Support System |
| IRM | Bureau of Information Resource Management |
| OIG | Office of Inspector General |
| PII | Personally Identifiable Information |
| POEMS | Principal Officers Electronic Messaging System |
| SBU | Sensitive But Unclassified |
| SIPDIS | SIPRNet Distribution |
| SIPRNet | Secret Internet Protocol Router Network |
| SMART | State Messaging and Archive Retrieval Toolset |
| SSN | Social Security Number |
| TAGS | Traffic Analysis by Geography and Subject |
| TeDS | Telegram Distribution System |

APPENDIX A

Randomly Selected Bureaus and Principal Offices Where Interviews Were Conducted

Executive Secretariat
Deputy Secretary
Director of U.S. Foreign Assistance
Counselor
Office of Civil Rights
Policy and Planning Staff
Office of War Crimes Issues
Under Secretary for Political Affairs
Under Secretary for Democracy and Global Affairs
Under Secretary for Public Diplomacy and Public Affairs
Director General: Bureau of Human Resources
Bureau of Economic, Energy, and Business Affairs
Bureau of European and Eurasian Affairs
Bureau of Legislative Affairs
Bureau of Intelligence and Research
Bureau of International Information Programs
Bureau of International Narcotics and Law Enforcement Affairs
Bureau of International Organization Affairs
Office of the Legal Advisor
Office of Medical Services
Bureau of Near Eastern Affairs
Bureau of International Security and Nonproliferation
Overseas Buildings Operations
Bureau of Oceans and International Environmental and Scientific Affairs
Bureau of Public Affairs
Bureau of Political-Military Affairs
Bureau of Resource Management
Bureau of South and Central Asian Affairs
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