

DDA 77-0050

5 January 1976

MEMORANDUM FOR: [redacted] Associate General Counsel

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FROM : [redacted] Assistant for Information, DDA

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SUBJECT : Historians Access to Classified Documents in Custody of NARS

REFERENCE : Memo to [redacted] from Acting Chief, History Staff, DDA, dtd 29 December 1976, same subject

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Having reviewed Dr. Pfeiffer's memorandum and the backup papers from NARS relating to the pending ICRC discussion of inter-agency agreement on access by agency historians to classified materials in the custody of NARS, I have concluded that such a procedure as proposed would be unacceptable as it would relate to CIA material. I recommend therefore that you as Agency representative to the ICRC point out to that body at the February meeting that because of our responsibilities relating to sources and methods, we cannot agree to the NARS proposal.

[redacted]

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AI/DDA [redacted] ydc (5 Jan 77)

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Distribution:

- Original - Addressee
- ✓ - DDA Subject (O-AI/DDA ICRC) w/reference (DDA 76-6435)
- 1 - DDA Chrono
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- 1 - C/ISAS w/reference


25 August 1976

Mr. John Cornett
Senior Program Analyst
Interagency Classification Review Committee
National Archives and Records Service
Room 405
8th and Pennsylvania Avenue, N.W.
Washington, D.C. 20408

Dear Mr. Cornett:

As you requested, attached are copies of the Agency's regulations on classification of national security information and an organizational chart for the Deputy Director for Administration. You will notice in the regulation that the DDA, Mr. John F. Blake, has the responsibility for implementation and management of the classification program. This function is located under the Assistant for Information for whom I work.

I look forward to meeting with you in September to discuss CIA's classification program.


Office of the Assistant for Information
Deputy Director for Administration

Enclosures

O/AI/DDA  ydc (25 August 1976)

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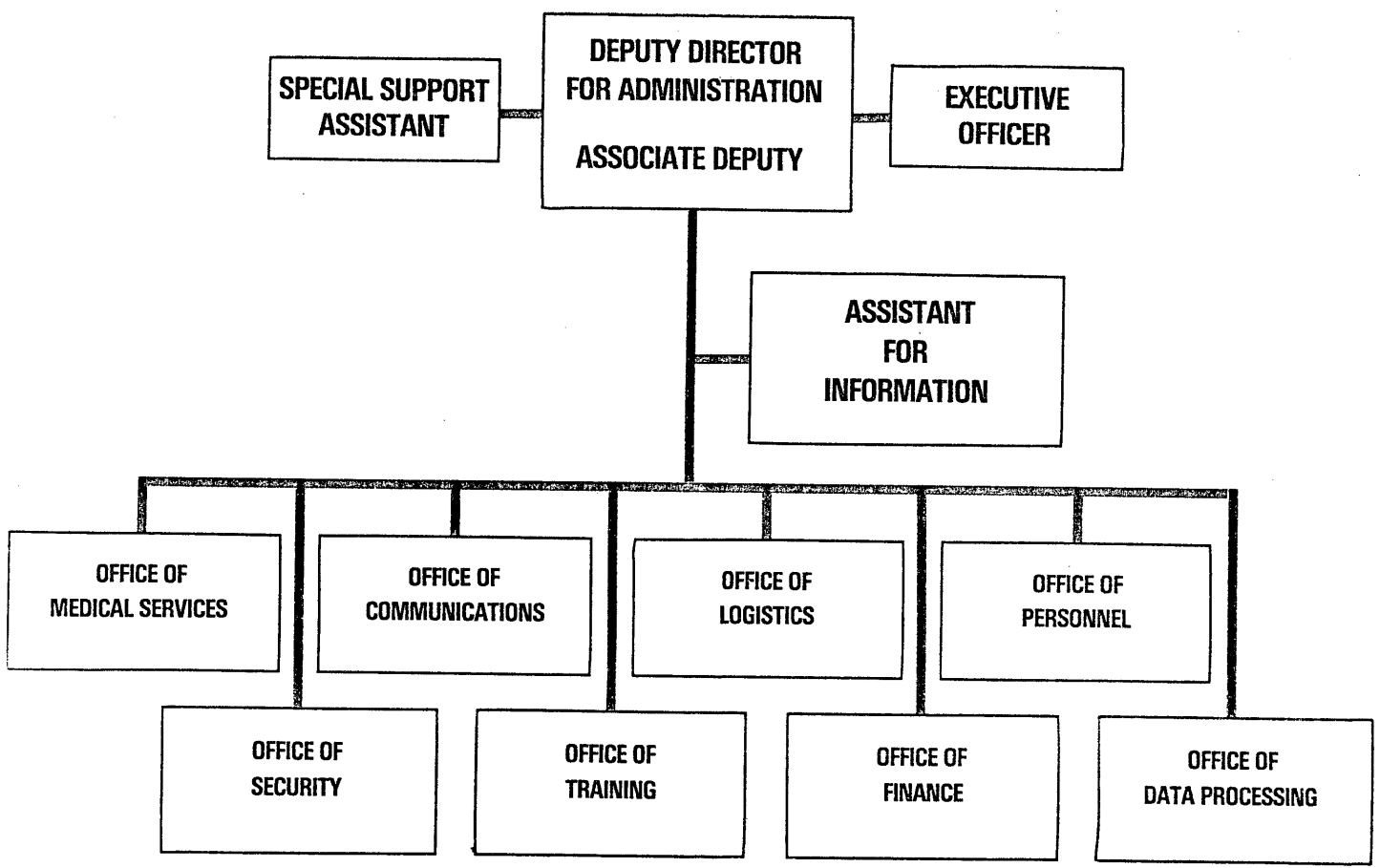
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ORGANIZATION
1 AUGUST 1976

DIRECTORATE FOR ADMINISTRATION



DD/A Registry
76/1170

OGC 76-1187
3/10/76

15 MAR 1976

Mr. Robert W. Wells
Executive Director
Interagency Classification Review Committee
National Archives Building
Seventh Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20408

Dear Mr. Wells:

It is my understanding that the ICRC is considering standardization for government usage of thirteen forms for handling classified materials. I applaud the goals of reducing government paperwork, but standardizing forms for use by agencies whose missions, requirements, procedures and classified inventories are so divergent seems impractical. Our position is that some of these forms are inappropriate for use by CIA or other agencies which have large volumes of classified material. In addition, many of CIA's information systems are automated and to institute the use of your forms would necessitate double work.

Attached is a detailed listing of the proposed forms, our reservations on them and recommendations for their use.

Sincerely,

John E. Blake

John F. Blake
Chairman
Information Review Committee

ISAS;EL:dr (9Mar76)

Distribution:

- Original - Addressee w/att
- 1 - OGC w/att
- ✓ 1 - ISAS w/att
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- 2 - DDA

ICRC Corresp

SF 182

Top Secret Access Record: Attached to all Top Secret documents and used to record identifying data of the documents and each person who has read it.

SF 204

Top Secret Cover Sheet: Attached to Top Secret documents when out of the file.

Agency Form 26, Top Secret Control and Cover Sheet, is used for the same purposes as the two proposed forms. Our form provides space for downgrading, destruction or outside Agency transmittal information. CIA urges the proposed two forms be made optional. Our Top Secret inventory is automated and the proposed forms are incompatible with our system. In addition, the Form 26 serves five purposes and replaces two proposed forms.

SF 188

National Security Classified Document Accountability Record: Used to control classified documents by document data, suspense date, office routing and copy reproductions.

Agency Forms 238 (6 part) and 717a (8 part) control document dissemination by the same data as the proposed form. The Agency forms are handy 3x5 NCR packets which mail clerks use to maintain suspense files of documents and replies. Our forms eliminate the need for each addressee to prepare a new abstract or suspense card for a document passing through an office. This method saves valuable employee and document transmittal time. We urge the proposed form be made optional.

SF 190

Secret Cover Sheet: Used to protect document while out of the file.

SF 191

Confidential Sheet: Used to protect document while out of the file.

Agency Form 610, Routing and Record Sheet. Although not originally designed as a cover sheet, this form does double duty by protecting the document and providing spaces for routine information. The form is used for both Secret

and Confidential material, thereby eliminating extra paperwork. Boxes are provided on the form so that appropriate classification information can be marked. We urge the proposed two forms be made optional, but for those agencies which do not handle classified material frequently the cover sheets might be useful.

SF 192

Visitor Register: Lists all individuals who visit facilities handling classified material or information.

Agency Form 604a, Official Pass, is prepared in duplicate and one copy given to the interviewer (escort). If a visitor must see another person in the building, this interviewer signs the form so that a complete record of a visitor's stops can be traced when the form is returned on departure. The proposed form does not allow for this. We urge the proposed form be made optional.

SF 193

Authorization for Reproduction and Dissemination of Classified Material: Used to record approval to reproduce copies of classified materials.

CIA has no similar form. The decision to reproduce classified material is left with the individual manager and copies are made only with his/her approval. Reproduction of Top Secret documents is prohibited and CIA regulation [redacted] implementing EO 11652 states the restraints to be exercised in the reproduction of any classified material. Standardization of this form seems wasteful and unnecessary; we strongly urge this form be made optional.

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SF 199

Receipt for National Security Classified Documents Released to Accredited Representatives of Foreign Nations.

CIA does not use such a form. Classified documents [redacted]

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[redacted] CIA urges this form be made optional.

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SF 204 Top Secret Cover Sheet.

See our comments for proposed SF 182.

SF 205 Authorization for Access to Classified National Security Information and/or Material: Authorizes an individual access to national security information for a specific project and also serves as a security acknowledgement.

Because the Director of Central Intelligence has the statutory obligation to protect intelligence sources and methods our security clearance forms, secrecy agreements and briefing/debriefing statements are unique. For other government agencies the proposed form might be useful. CIA urges this form be made optional.

SF 206 Request for or Notice of Change of Classification of National Security Information or Material: Used to request an agency to review documents for downgrading or to notify an agency of the downgrading action by the originator of classified documents.

CIA presently uses a memorandum to the appropriate agency to request that agency to review its documents in connection with a public request. We also use a memorandum to notify agencies of our own declassification actions. These actions are generally done on a large scale in connection with our declassification program. The proposed form would not be adequate for the purpose. We urge the proposed form be made optional.

(This form should be reviewed to comply with EO 11652 and to remove the notation "Group Markings" in several places on the form.)

SF 216 National Security Classified Document Destruction Certificate: Used as a record and certificate of proper destruction of national security information.

CIA uses several different forms to record destruction of national security information depending on the classification level and the media of the records. Form 26, as mentioned previously, contains space for recording

destruction of Top Secret information; Form 3647, "Certificate of Destruction of Material," is used for destruction of national security information held in special channels; Form 140, "Records Retirement Request," has space for accounting for destruction of records per GSA/NARS approved disposal schedules; Form 3536 is used to log distribution and ultimate destruction of national security information held in microform. We prefer an optional form because of the different media of our records, the automation of our Top Secret inventory and special internal security restrictions on sensitive classified materials. We urge this form be made optional.

SF 229

Security Container Information: Used to identify safe custodian.

Part 1 of this 3-part form contains name, address and home phone number of the safe custodian; this is attached to the outside of the container. Part 2 contains the combination which is placed inside the envelope, Part 3, and stored elsewhere.

Our safe combination information is automated and the Office of Security uses special computer-generated forms. No custodian information is displayed on the outside of the security container. CIA urges an optional form. If such a form is made mandatory for other agencies, we suggest that in the interests of privacy, the system be redesigned so that personal information is not displayed and so easily accessible on the container.

SF 241

Open/Locked Reversible Container Sign: Used on all containers of classified information.

The Agency used these open/locked signs for many years. Recently we began using magnetized signs which can be used on vault doors where the cardboard forms cannot. The cards rapidly wear out and need to be replaced frequently; the magnetized signs last indefinitely thus providing a long-run cost savings. CIA prefers an optional form, but if this form is

standardized, we will continue to use the magnetized signs on vault doors and other containers on which the proposed form cannot be attached.

Approved For Release 2007/07/10 : CIA-RDP86-00674R000200160001-3

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INTERAGENCY CLASSIFICATION REVIEW COMMITTEE

WASHINGTON, D.C. 20408

FEB 11 1976

Mr. John F. Blake
Chairman, Departmental Review
Committee
Room 7D26
CIA
Washington, D.C. 20505

Dear Mr. Blake:


It is indeed a pleasure for me to inform you of my selection as the new Executive Director of the Interagency Classification Review Committee (ICRC).

Having worked in the Program for a considerable period of time and particularly as Senior Program Analyst for the ICRC, I am well aware of the spirit of cooperation which has existed in the past between Agencies and the Committee. I solicit your support in maintaining and improving on that spirit of cooperation. Likewise, I am aware of the laudable achievements which have been made in implementing Executive Order 11652. However, much remains to be done in order for us to successfully fulfill our mutual responsibilities.

Over the past year the Committee staff has acquired some added capability for overseeing program implementation. In the days ahead we shall be directing maximum effort to fulfilling that responsibility through visits, coordination, analysis and inspections. I am firmly convinced that our mutual responsibilities can be more fully realized if a working relationship exists among all responsible for effective implementation. Therefore, I would welcome the opportunity to visit your office and meet with you and those members of your staff who work with the Committee to achieve the goals established by the President in Executive Order 11652. In particular, I would like to discuss any viewpoints or suggestions which you may have with respect to the implementation of the Executive Order and the NSC directive.

If a convenient time for such a meeting can be arranged in the near future, please let me know. My office phone number is 523-3011. I look forward to hearing from you.

Sincerely,


ROBERT W. WELLS
Executive Director

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Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION

[T. D. 7403]

PART 301—PROCEDURE AND ADMINISTRATION

Inspection of Returns by Committees of Congress Other Than Those Enumerated in Section 6103(d)

In order to clarify the authority of the President by Executive order to modify or waive in a particular instance or instances certain conditions and restrictions imposed by rules and regulations upon inspection of returns by committees of Congress other than those enumerated in section 6103(d) of the Internal Revenue Code of 1954, the regulations on procedure and administration (26 CFR Part 301) under section 6103 of such Code are amended as follows:

Section 301.6103(a)-101 is amended by revising (a) to read as follows:

§ 301.6103(a)-101 Inspection of returns by committees of Congress other than those enumerated in section 6103(d).

(a) Pursuant to the provisions of section 6103(a), any return with respect to income, estate, or gift tax imposed by the Code shall be open to inspection by any committee of the Congress, or any subcommittee of a committee of the Congress, specially authorized to inspect such returns by an Executive order issued under the aforementioned statutory provisions. Such inspection shall be subject to the conditions and restrictions imposed by the Executive order and, unless otherwise provided by such Executive order, the rules and regulations hereinafter prescribed.

Because this Treasury decision constitutes a general statement of policy and establishes rules of Departmental practice and procedure, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

RICHARD R. ALBRECHT,
*The General Counsel
of the Treasury.*

Approved:

GERALD R. FORD
THE WHITE HOUSE

JANUARY 22, 1976.

[FR Doc.76-4040 Filed 2-6-76;4:02 pm]

Title 27—Alcohol, Tobacco Products and Firearms

CHAPTER I—BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE TREASURY

[T.D. ATF-24]

PART 194—LIQUOR DEALERS

Adjusted Rate of Interest

Correction

In FR Doc. 76-3410 appearing on page 5103 in the issue for Wednesday, February 4, 1976, make the following changes:

1. In the third column, the second complete paragraph, the first line which presently reads "(3) The 7 percent rate would be as—" should read "(2) The 9 percent rate would be as—".

2. In the same column, the third complete paragraph, the first line which presently reads "(2) The 9 percent rate would be as—" should read "(3) The 7 percent rate would be as—".

Title 32—National Defense

CHAPTER XX—INTERAGENCY CLASSIFICATION REVIEW COMMITTEE

PART 2000—ADMINISTRATIVE PROCEDURES

Submission of Reports and Appeals Procedures

The Interagency Classification Review Committee (ICRC) has decided to revise Chapter XX, Part 2000 of its Rules and Regulations to prescribe procedures for the submission of reports.

Pursuant to section 7 of Executive Order 11652, "Classification and Declassification of National Security Information and Material" (37 FR 5209, March 10, 1972), the Committee was established by the National Security Council Directive Governing Classification, Downgrading, Declassification and Safeguarding of National Security Information (37 FR 10053, May 19, 1972), which both became effective on June 1, 1972. The Committee is composed of a Chairman designated by the President, the Archivist of the United States, and one senior representative from each of the Departments of State, Defense, and Justice, the Energy Research and Development Agency, the Central Intelligence Agency and the National Security Council staff. Representatives of other Departments in the executive branch may be invited to meet with the Committee on matters of particular interest to those Departments, but shall have no vote. The Committee meets regularly at a time and place designated by the Chairman. In the absence or incapacity of the Chairman, an Acting Chairman chosen by the Committee acts as Chairman for all purposes. A quorum of seven members, or their designated alternates, is required to consider or act on appeals to the Committee. Committee decisions in favor of declassification, in whole or in part, of

information or material determined by the Departmental Committee to require continued classification requires a majority vote of the members or their alternates present. In the absence of a majority vote, the determination of the Departmental Committee shall stand.

Part 2000 is revised to read as follows:

Subpart A—General

- Sec.
- 2000.1 Purpose.
- 2000.2 Scope.
- 2000.3 Jurisdiction.

Subpart B—National Security Information or Material Reports

- 2010.1 Original classification Authorities.
- 2010.2 Classification abuses.
- 2010.3 Unauthorized disclosures.
- 2010.4 Mandatory declassification review actions.
- 2010.5 Annual review lists.
- 2010.6 Annual declassification list.
- 2010.7 Quarterly summary.
- 2010.8 Listing of national security material requiring protection beyond 30 years.

Subpart C—Appeals Procedures

- 2020.1 Notice of an appeal.
- 2020.2 Exhaustion of other remedies.
- 2020.3 Acceptance of appeal.
- 2020.4 Consideration of appeal.
- 2020.5 ICRC review.
- 2020.6 Decision.

Subpart D—Forms

- 2030.1 Scope of Part.
- 2030.2 Standard Forms.

AUTHORITY: Sec. 7 Executive Order 11652, unless otherwise noted.

Subpart A—General

§ 2000.1 Purpose.

The purpose of this regulation is to prescribe—

(a) The jurisdiction and appeals procedures of the Interagency Classification Review Committee (ICRC); and

(b) Procedures and reports for quarterly, annual and special reporting by Departments to the ICRC.

§ 2000.2 Scope.

This regulation applies to all offices of the Executive Branch and Federal Departments which are authorized to originate classified material.

§ 2000.3 Jurisdiction.

The ICRC is authorized to—

(a) Ensure compliance with the provisions of Executive Order 11652, and implementing directives issued by the President through the National Security Council;

(b) Receive, consider, and take action on suggestions and complaints from persons within or without the Government with respect to the administration of the order; and

(c) Consider and act on appeals from a determination by a Departmental Committee or the Archivist of the United States that information or material classified by action taken pursuant to

RULES AND REGULATIONS

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Executive Order 11652, or its predecessor orders; requires continued classification under section 5 of Executive Order 11652.

Subpart B—National Security Information or Material Reports

§ 2010.1 Original classification authorities.

(a) The number of officials who have been designated as original Top Secret, Secret, and Confidential classification authorities pursuant to sections 2(A) and 2(B) of Executive Order 11652, as amended, must be reported to the ICRC quarterly by using Standard Form 244.

(b) The report must—

(1) Be typed and submitted in triplicate;

(2) Not contain any classified information; and

(3) Be Submitted no later than 30 calendar days after the end of each calendar quarter.

(c) Paragraph (a) of this section does not dispense with the provisions of section ID of the National Security Council Directive requiring a list of authorized classifiers to be maintained by each Department. The requirements of section XC of the NSC directive pertaining to the quarterly submission of lists of authorized classifiers shall be deemed satisfied upon the receipt of the SF 244, provided the Department is capable of providing prompt access to the current lists upon the request of the Chairman or the Executive Director.

§ 2010.2 Classification abuses.

(a) A classification abuse means—

(1) An unnecessary classification;

(2) An over or under classification;

(3) A failure to assign the proper downgrading and declassification markings;

(4) An improper application of classification markings;

(5) An improper placing of a document in an exempt declassification category;

(6) A classification exemption action taken without proper authority; and

(7) An improper delegation of classification authority.

(b) A reportable abuse means any of the actions described in paragraph (a) of this section except any such action which results exclusively from a decision on a judgmental factor as to which there exists a reasonable and good faith basis for disagreement.

(c) A reportable abuse which becomes known during the reporting period, including an abuse which is the result of an appropriate Departmental inspection program, must be reported to the ICRC quarterly by using Standard Form 322. Three typewritten copies of SF 322 must be submitted no later than 30 calendar days after the end of each calendar quarter. The report must not contain any classified information.

§ 2010.3 Unauthorized disclosures.

(a) An unauthorized disclosure is a communication or physical transfer of classified information or material to an unauthorized person.

(b) A reportable unauthorized disclosure means the deliberate or inadvertent release of classified information which warrants formal investigation and such investigation confirms that an important disclosure did occur.

(c) Reportable unauthorized disclosures must be reported—

(1) To the ICRC quarterly by using Standard Form 323; and

(2) In triplicate, no later than 30 calendar days after the end of each calendar year quarter.

§ 2010.4 Mandatory declassification review actions.

Summary information concerning all requests and appeals for mandatory declassification review of classified documents over 10 years old must be submitted, in triplicate, on Standard Forms 242 and 243, no later than 30 calendar days after the end of each calendar year quarter. No classified information may be included on these forms.

§ 2010.5 Annual review lists.

(a) An annual Review List of classified material not scheduled for automatic declassification must be submitted for review by the ICRC by April 1st of each year.

(b) The list must cover all documents which are—

(1) Exempt and over 10 years old;

(2) Specify an event for declassification; and

(3) In the Data Index System on or before December 31 of the previous calendar year.

(c) Sorting shall be in the following order: classifier in alphabetical sequence by last name and first name or initial; and classification category in descending order, "T," "S," then "C." The list shall be printed in the following sequence across the page: origin, classifier, classification category title or description, document date, subject, area code, declassification schedule, exemption category (if any), and declassification date. If any titles or descriptions are classified, such list shall carry the highest classification indicated.

§ 2010.6 Annual declassification list.

(a) The Annual Declassification List is a two-part listing of documents declassified on or before December 31 of the previous calendar year, and documents listed in the Annual Review List which, after review, have been determined should be declassified. The Annual Declassification List must be printed by subject and then by area code and must be submitted to the ICRC on September 1st of each year.

(b) The subject list must be printed across the page in the following sequence: subject, originating office, document date, area in unabbreviated form, title or description, and classification category. The area list must be printed in the same sequence across the page except area in abbreviated form shall appear in place of subject as the first item.

§ 2010.7 Quarterly summary.

(a) A quarterly summary must be submitted by each Department, Agency or organizational unit that creates classified records. The report must cover data related to the—

(1) Volume of documents being classified;

(2) Use of declassification schedules;

(3) Efforts to increase public access to declassified information; and

(4) Efforts to improve management of classified material.

(b) Reports must—

(1) Be submitted on Standard Form 324 in triplicate;

(2) Submitted no later than 30 calendar days after the end of each calendar year quarter; and

(3) Not contain any classified information.

§ 2010.8 Listing of national security classified material requiring protection beyond 30 years.

If records need to be exempt from the automatic declassification process and protected beyond 30 years, use Standard Form 325. Submit SF 325 to the Archivist of the United States with a letter substantiating protection beyond 30 years.

Subpart C—Appeals Procedures

§ 2020.1 Notice of an appeal.

(a) Hereinafter the terms "Departmental Committee" and "Department" include the Archivist, where appropriate.

(b) An appeal from a Departmental Committee's denial of a declassification request involving classified documents which are 10 or more years old must be submitted to the Executive Director, Interagency Classification Review Committee, National Archives and Records Service, Washington, D.C. 20408, within 60 days of the date the Departmental Committee's denial of a declassification request is received. The appeal shall include an identification or description of the document or documents for which declassification was requested, and a statement of the Department's action denying the request. Whenever possible, copies of all correspondence to and from the department concerned and a statement of the reasons why the requester's appeal should be granted should also be included.

§ 2020.2 Exhaustion of other remedies.

No appeal will be considered until the requester has exhausted all administrative remedies afforded him by the regulations of the department concerned. However, if the Departmental Committee has not acted at the expiration of 30 days of the date the request is appealed to the Departmental Committee, the requester may apply within 60 days thereafter to the Committee for appropriate relief.

§ 2020.3 Acceptance of appeal.

(a) An appeal of a determination denying a declassification request involving classified documents which are 10 or

more years old, shall be accepted for review by the Committee if, in the discretion of the Committee, the appeal raises substantive issues. The following indicate, but do not limit, the character of reasons for accepting an application for review—

- (1) The nature of the documents whose declassification is sought;
- (2) The relationship of the documents to other classified documents;
- (3) The likelihood of an early public release as a result of declassification; and
- (4) Disagreement between departments as to the proper classification of the information involved.

(b) To the extent required for this determination, the Chairman may request the department concerned to furnish copies of the documents, and a summary of their contents or other pertinent information. Requests for declassification which have been denied because the document has not been described with sufficient particularity to enable it to be identified, or because the record cannot be obtained with a reasonable amount of effort, will not be accepted by the Committee, as the denial is based on reasons other than its continuing classification.

(c) The Committee shall have no jurisdiction of appeals involving information classified pursuant to the Atomic Energy Act of 1954, as amended.

§ 2020.4 Consideration of appeal.

The requester will be promptly notified whether his appeal has been accepted for review. The Department from whose decision the appeal has been taken and accepted by the Committee, shall furnish to the ICRC members and staff copies of the following:

- (a) All correspondence to and from the requester;
- (b) The decision of the Departmental Committee denying the request; and
- (c) The classified documents in question and written justification for the denial.

§ 2020.5 ICRC review.

Normally, appeals to the Committee will be considered in the order that they are accepted for appeal. The Committee's review of the record will be in closed session in order to facilitate full inquiry into matters that are still classified. The burden of persuasion is on the Department to show that continued classification is required under the provisions of section 5 of Executive Order 11652. Upon the Committee's determination that the requested material no longer warrants classification in whole or in part, the Chairman shall, in consultation with the affected Department or Departments, assure that appropriate action is taken.

§ 2020.6 Decision.

The requester whose appeal has been accepted shall be notified in writing as to the Committee's decision. Should the appeal be denied in whole or in part, the notification shall include a statement, in unclassified form, explaining the reason for the decision.

Subpart D—Forms

§ 2030.1 Scope of subpart.

This subpart contains the Standard Forms (SF) that are prescribed for mandatory use in connection with the subject matter covered in other parts of Chapter XX.

§ 2030.2 List of forms.

The Standard Forms listed below may be obtained from the nearest General Services Administration (GSA) supply source.

SF 243 "Report of Mandatory Review Appeals to Departmental or Agency Committee"

SF 243 "Report of Mandatory Declassification Review Actions"

SF 244 "Report of Original Classification Authorities"

SF 322 "Report of Classification Abuses"

SF 323 "Report of Unauthorized Disclosures"

SF 324 "Quarterly Summary Report to the ICRC"

SF 325 "Listing of National Security Classified Material Requiring Protection Beyond 30 Years"

Issued in Washington, D.C. on February 6, 1976 and to become effective February 11, 1976.

JAMES B. RHOADS,
Acting Chairman.

[FR Doc.76-3885 Filed 2-10-76;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 204—DANGER ZONE REGULATIONS

Atlantic Ocean Off Wallops Island; and
Chincoteague Inlet, Virginia; Correction

In FR Doc. 76-3144 appearing on page 4918 in the issue for Tuesday, February 3, 1976, the title of the affected Section is incorrectly stated and should read as follows:

§ 204.25 Atlantic Ocean off Delaware Coast; antiaircraft artillery firing area, First U.S. Army. [Revoked]

By authority of the Secretary of the Army.

ROBERT G. FLOWERS,
*Lt. Colonel, U.S. Army,
Chief, Plans Office, TAGO.*

FEBRUARY 6, 1976.

[FR Doc.76-3984 Filed 2-10-76;8:45 am]

Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[Exemption Applications No. 18, No. 19 and
No. 20]

PART 531—PUBLICATION, POSTING, AND FILING OF FREIGHT RATES AND CHARGES IN THE DOMESTIC OFFSHORE TRADE

Exemption

Applications for extension of the currently existing exemptions from the Intercoastal Shipping Act, 1933, and the Shipping Act, 1916, and regulations ap-

plied thereto, for miscellaneous cargoes transported between all ports in the contiguous continental United States (except ports in the Mississippi River System above Baton Rouge, Louisiana) on the one hand and on the other the Arctic Coast of Alaska between Beechey Point, Tigvariak Island (Prudhoe Bay) via the Gulf of Alaska, the Bering Sea and the Arctic Ocean were published in the FEDERAL REGISTER on July 15 and September 8, 1975.

The applicants request that the present exemptions be extended for a three-year period terminating with December 31, 1978.

The effect of such exemptions would be a continuation of authority to provide transportation by barge to the area involved with freedom from tariff filing requirements and regulation with respect to the reasonableness of rates.

A protest was filed by Sea-Land Service, Inc., relative to the granting of the applications. Sea-Land is concerned because it operates a land/water route between Seattle and Prudhoe Bay which may be competitive with the barge route for which exemption is sought. Sea-Land operates under joint through rates (filed with a different regulatory agency) over which this Commission has no effective control. It is not a direct vessel service such as proposed here and the cargo handled by Sea-Land is apparently limited, by the nature of Sea-Land's service, to containerizable cargoes. The barge service involved here is concerned primarily with noncontainerizable cargoes. The requirements of the shippers using the barge transportation appear to be radically different from the requirements of shippers who would choose to use the combination land/water route of Sea-Land. Consequently, we do not think that the competition is significant. Sea-Land has not shown that the proposed exemptions would be detrimental to the commerce, nor that they would substantially impair effective regulation by the Commission or be unjustly discriminatory. Additionally, Sea-Land does not oppose a one-year extension of the current exemptions.

In April, 1972, the Commission exempted for three years (the Commission granted yearly exemptions for the years 1970 and 1971), to and including December 31, 1974, the carriage of miscellaneous cargoes between Seattle, Washington, and Houston, Texas, on the one hand and Beechey Point and Tigvariak Island (Prudhoe Bay) via the Gulf of Alaska, the Bering Sea and the Arctic Ocean, on the other. The exemption applies specifically to Alaska Barge & Transport, Inc., Foss Alaska Line, Inc., Foss Launch & Tug Co., and Puget Sound Tug and Barge Company. In 1974 the exemptions were broadened and extended to December 31, 1975. The aforementioned carriers have now petitioned the Commission for an extension of the exemptions to and including December 31, 1978.

The conditions under which the original exemptions were granted have not materially changed. Continuation of the exemptions, as amended, will not

STANDARD AND OPTIONAL FORMS - CLEARANCE REGISTER			DATE January 1976	NUMBER 24	PAGE 1 OF 2
FORM NUMBER	TITLE	AGENCY	NOTE *		
SF 39	Certification Form	Civil Service Commission	(Rev. 3-76)		
SF 83A	Clearance Request and Notice of Action	Office of Management and Budget	(Rev. 6-76)		
SF 93	Report of Medical History	General Services Administration	(Rev. 12-75)		
✓ SF 242	Report of Mandatory Review Appeals to Department or Agency Committee	General Services Administration and Interagency Classification Review Committee	New Standard Form Edition Date 3-76		
✓ SF 243	Report of Mandatory Review Actions	General Services Administration and Interagency Classification Review Committee	New Standard Form Edition Date 3-76		
✓ SF 244	Report of Original Classification Authorities	General Services Administration and Interagency Classification Review Committee	New Standard Form Edition Date 3-76		
SF 322	Report of Classification Abuses	General Services Administration and Interagency Classification Review Committee	(Rev. 3-76)		
SF 323	Report of Unauthorized Disclosures	General Services Administration and Interagency Classification Review Committee	(Rev. 3-76)		
SF 324	Quarterly Summary Report to the Interagency Classification Review Committee	General Services Administration and Interagency Classification Review Committee	(Rev. 3-76)		
SF 325	National Security-Classified Material Requiring Protection Beyond 30 Years	General Services Administration and Interagency Classification Review Committee	(Rev. 3-76)		
SF 1173	Report of Change in Passenger Transportation Service	General Accounting Office	Obsolete		

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Rev

STANDARD AND OPTIONAL FORMS - CLEARANCE REGISTER			DATE	NUMBER	PAGE
			January 1976	24	2 OF 2
FORM NUMBER	TITLE	AGENCY	NOTE *		
<i>new</i> OF 133 OF 270	Routing Slip (State/AID/USIA) Mandatory Declassification Review Worksheet	Department of State General Services Administration and Interagency Classification Review Committee	Obsolete New Optional Form (Formerly SF 321) Edition Date 3-76		

* It will take approximately 4 to 6 months from the time a new or revised form appears on the clearance register before it is available for purchase.