

MAR 31 1976

INTERAGENCY CLASSIFICATION REVIEW COMMITTEE

LETTER OF INSTRUCTIONS

Re: Quarterly Reports to the Interagency  
Classification Review Committee (ICRC)

This amends the report requirements stated in ICRC Letter of Instructions dated February 27, 1973. The following reports, described in attachments 1 through 5 constitute permanent quarterly reporting requirements:

- #1 Report of Original Classification Authorities
- #2 Report of Classification Abuses
- #3 Report of Unauthorized Disclosures
- #4 Report of Mandatory Review Actions
- #5 Quarterly Summary Report

The authority for these Departmental reports is contained in Executive Order 11652 and in Sections IX, C and X, C of the implementing directive issued on May 17, 1972 by the National Security Council (NSC).

The Quarterly reports established by the Order and described herein are designed to assist the Interagency Committee in fulfilling its responsibilities as outlined in Sections IX,C and D of the NSC directive. These functions are to (1) oversee compliance with the Order, and Departmental programming and implementation, (2) prevent improper classification and eliminate unauthorized disclosures, (3) ensure prompt declassification and facilitate (public) access to declassified material, (4) consider and take action on complaints concerning the general administration of the Order, and (5) review appeals from denials of declassification requests by Departmental Review Committees or the Archivist of the United States.

Based on experience gained since the Program began in 1972, the reporting requirements have, by Committee action, been redefined to provide for the reporting of more significant and meaningful data and to facilitate the gathering, collation, and reporting of such data by Departments and Agencies. I cannot overstate the importance of timely, complete, and accurate reporting by all Departments and Agencies to the accomplishment of the Committee's mission.

Unless otherwise specified in the report descriptions provided as attachments to this Letter, the quarterly reports covered will apply to all offices of the Executive Branch and Federal Departments which are authorized to originate classified material.

  
Acting Chairman

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Report of Original Classification Authorities

1. Applicability--Individual submissions are required from each Department, Agency or other organizational unit authorized original classification authority, pursuant to Section 2(A) and (B) of Executive Order 11652. Activities carried out by contract wherein original classification authority is granted should be included in the submission.
2. Form or Format--Use Standard Form 244 in submitting this report. (See enclosed SF 244)
3. Basic Policy--Departments may assign authority to classify information or material to a position and thus to the individual filling that position. The number of persons assigned original classification authority shall be limited to the minimum number absolutely required for efficient administration.
4. Report Basis and Scope--In accordance with the provisions of Section I,D of the May 17, 1972 National Security Council directive, Departments to which this report applies are required to maintain current lists of officials who have been designated as original Top Secret, Secret, and Confidential classification authorities. These lists shall be updated at least quarterly and shall form the basis for the numerical data which shall be submitted quarterly to the ICRC on SF 244. As a minimum, record lists must be sufficiently detailed to identify the person authorized to classify--preferably by complete name and job title or position. An exception clause pertaining to identifying certain classifiers within the intelligence community by name is covered in Section 1(D) of the Order. If position title

Attachment #1

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or code number is used in place of the identity of the classifier on the lists, the concerned Department shall furnish to the ICRC a statement of established procedures for determining the identity of the classifier corresponding to: (1) an assigned code number of (2) a particular position title on a given date (current or past). Lists of classification authorities shall be maintained by classification level (TS, S and C) authorized with totals provided for each level plus a grand total for the Department.

For the purposes of satisfaction of the provisions of Section X,C of the NSC directive pertaining to the quarterly submission of lists of authorized classifiers required to be maintained under part I,D of that directive, the requirement shall be deemed satisfied upon the receipt of the Quarterly SF<sub>244</sub> report provided the Department is capable of providing prompt access to the current lists maintained under part I,D, upon the request of the Chairman or the Executive Director.

4. Frequency and due date--Standard Form (SF) 244 will be forwarded to the ICRC no later than 30 calendar days after the end of each calendar year quarter.
5. Report Medium--Submit typewritten report.
6. Copies and Distribution--Forward three copies to the ICRC, and retain the normal number of copies within the submitting Department.
7. Classification--This report should not contain any classified information.

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8. Procedural Instructions--

a. Enter in the appropriate column of SF 244 the number of Top Secret, Secret, and Confidential classifiers authorized at the end of the previous and current quarters.

b. In the "numerical change" column, enter the number of additions or reductions in each classification category based on a comparison of the current quarter totals with those of the previous quarter.

c. In the last column, enter the percent of change using the same basis of comparison.

d. In the "Total Agency Statistics" row, enter totals of all columns.

Enclosure--SF 244

Report of Original Classification Authorities

REPORT OF CLASSIFICATION ABUSES

1. Applicability--Individual submissions are required from each Department, Agency or other organizational unit authorized original classification authority pursuant to Section 2(A) and (B) of Executive Order 11652. Departments are also required to obtain and forward information on abuses occurring on projects or programs undertaken by contract.
2. Form or Format--Use Standard Form 322 (Revised), "Report of Classification Abuses", in submitting this report. Where information is obtained from contractors, this form may be used as a transmittal document to avoid the cost of transcribing the data.
3. Report Basis and Scope--A "classification abuse" means an unnecessary classification, an over or underclassification, a failure to assign the proper downgrading and declassification schedule, an improper application of classification markings, an improper placing of a document in an exempt declassification category, any classification or exemption action taken without proper authority, or an improper delegation of classification authority. A reportable abuse shall mean any of the actions described above 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. Any such abuses becoming known during the reporting period, including abuses becoming known as the result of an appropriate Departmental inspection program, shall be reported.

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4. Frequency and Due Date--The report shall be submitted to the ICRC no later than 30 calendar days after the end of each quarter.

Negative reports are required if and when there are no known classification abuses to report.

5. Report Medium--Submit typewritten report.

6. Copies and Distribution--Forward three copies of the report to the ICRC and retain copies required for Departmental use.

7. Classification--This report should not contain any classified information.

8. Procedural Instructions for Completing the Form--

a. Enter under the appropriate column the total number of each type of abuse. Where more than one corrective or administrative action is taken on a separate abuse indicate only the most stringent action taken.

b. Where a discovered abuse is other than those described under "type of abuse", describe in the blocks provided.

c. Enter totals for each type of abuse and grand totals.

d. Under the remarks section, describe programs or actions taken during the report period to preclude classification abuses.

e. Complete administrative portions of form as indicated.

Enclosure: Standard Form 322 (Revised)

Report of Classification Abuses

Report of Unauthorized Disclosures

1. Applicability--Individual submissions are required from each Department, agency or other organizational unit authorized original classification authority pursuant to Section 2(A) and (B) of Executive Order 11652. Departments are also required to obtain and forward information on unauthorized disclosures occurring on projects or programs undertaken by contract.
2. Form or Format--Use Standard Form #323(R) "Unauthorized Disclosures" in submitting this report. (See enclosed revised SF 323 ) Where information is obtained from contractors, this form may be used as a transmittal document to avoid the cost of transcribing the data.
3. Report Basis and Scope--An unauthorized disclosure is defined as a communication or physical transfer of classified information or material to an unauthorized person. Reportable unauthorized disclosure cases are those which involve the release and disclosure of classified information, either deliberate or inadvertent, as contrasted to physical security violations such as, for example, an unattended open safe, or the confirmed loss of control of a classified document. It includes, but is not limited to, unauthorized disclosure of classified information in a newspaper, journal or other publication or any other communications media where such information is traceable to a Department because of a direct quotation, or other uniquely identifiable fact. The principal criteria for determining whether an unauthorized disclosure is reportable to the ICRC include both:  
(1) the release and disclosure are of sufficient importance to warrant

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formal investigation; and (2) the formal investigation confirms that an important disclosure did occur. Unauthorized disclosures which meet both these criteria and for which such decision(s) were reached during the reporting period shall be reported.

4. Frequency and Due Date--The report shall be submitted to ICRC no later than 30 calendar days after the end of each quarter. Negative reports are required if and when there are no known unauthorized disclosures.
5. Report Medium--Submit typewritten report.
6. Copies and Distribution--Forward three copies of the report to ICRC and retain copies required for Departmental use.
7. Classification--Unclassified unless the nature of the disclosure (how compromised or leaked and where) or the subject matter requires classification. When classified, forward report to ICRC under separate cover rather than with other quarterly reports. Every effort should be made to keep such reports unclassified whenever possible.
8. Procedural Instructions for Completing the Form--Complete Standard Form #323 using the guidelines and definition contained in paragraph 3:
  - a. Include the date the incident occurred, if known.
  - b. Show the subject and the security classification of the compromised information and whether the information can be declassified.
  - c. Identify the document (defined as any recorded information in any medium).
  - d. Identify the publication (public press, technical journal, report, etc.), speech or briefing containing the unauthorized disclosure or the unauthorized recipient of the classified information.



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- e. Include the Department's (or Agency) evaluation of the impact of the unauthorized disclosure on national security.
- f. Indicate whether the unauthorized disclosure has been referred to the Department of Justice for prosecution, and the probable jurisdiction. In lieu of recommended legal action, indicate other action taken or pending.
- g. Where appropriate, state action planned or taken to prevent similar disclosures or recurrences.
- h. Attach additional sheets or exhibits as necessary.

Enclosures: SF 323(Revised)

Report of Unauthorized Disclosures

REPORT OF MANDATORY DECLASSIFICATION REVIEW ACTIONS

1. Applicability--Individual submissions are required from each Department, Agency or other organizational unit assigned original classification authority pursuant to Section 2(A) and (B) of Executive Order 11652. This requirement also applies to any Federal Agency which had classification authority under Executive Order 10501, as amended, or any predecessor Order, and which, under the provisions of Executive Order 11652, receives a request for review of a document more than 10 years old for which the agency is responsible.
2. Form or Format--Submit the report on Standard Form 243 and Standard Form 242. (See enclosed forms.) Also included as an attachment to this letter is a sample of Optional Form 270, a form recommended for use by Departments in recording data necessary for completion of SF 243 and 242.
3. Report Basis and Scope--Departments will include data on all requests and appeals for declassification review under the provisions of Executive Order 11652 of classified documents over 10 years old received during the report period, plus those that are carried over from the previous quarter as shown in the procedural instructions which follow. In addition, when a department has waived the 10 year restriction and elects to accept a review request for such a document or documents, data should be provided.
4. Frequency and Due Date--Reports will be forwarded to the ICRC no later than thirty calendar days after the end of each quarter.

Attachment #4

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Negative reports are required when no requests have been received.

5. Report Medium--Submit typewritten reports
6. Copies and Distribution--Forward three copies of the report to the ICRC.
7. Classification--This should not contain any classified information.
8. Procedural Instructions--
  - a. Optional Form 270.

(1) This is an optional form designed as a log to assist Departments in fulfilling their recordkeeping and reporting functions.

(2) At the beginning of each reporting quarter a new log sheet should be prepared. Enter carryover requests and appeals by letter (e.g., a, b, c, etc.). Enter new requests by chronological number as received (e.g., 1, 2, 3, etc.).

(3) Enter name of requester, date received, classification and identification of the material in the appropriate columns.

(4) Estimate the number of pages involved in the review.

(5) In the "Procedural Actions" column, enter a check to indicate those requests denied for procedural reasons, those for which the Department does not have final declassification authority and only an opinion was rendered, or those which were referred to another agency for final declassification action and notification to the requester. In these cases, no entry should be made in the spaces under "Departmental Action".

(6) Under the "Departmental Action" column, enter the date the request was granted in full or in part or the date the request

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was denied in full. Also indicate a check in the appropriate column for those withheld under the Freedom of Information Act and the exemption category for retaining classification.

(7) Under the "Appeal to Departmental Committee" column, enter the date appeal was received and date appropriate action was taken.

(8) In the final column enter an asterisk(\*) for each item on which action is still pending at the end of the quarter. These items shall be carried forward to the next quarter's log.

(9) Enter totals for all columns not blocked out. The number of carryovers to be recorded on the bottom left of the form is the number entered on this form from the previous quarter.

b. Standard Form 243

(1) From Optional Form 270 or equivalent Departmental log, extract and enter under "current quarter" the number of requests carried over from the previous quarter, the number of new requests received, and an estimate of the total number of pages reviewed. Enter also from the optional form the number of procedural actions taken and the number of actions taken by the Department. Enter the number of pending actions to be carried over to the next quarter and, in the final column, the number of carryovers involving requests received over 60 days prior to the end of the reporting quarter.

(2) Based on figures previously reported to the ICRC, enter cumulative calendar year-to-date figures in all spaces not blocked out.

(3) Under the "Comments" section, enter supplemental information

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relating to significant requests and their disposition. It is intended to be used to describe or identify record series or collections that may have been downgraded or declassified as a result of one or more requests for mandatory review.

c. Standard Form 242

(1) Agencies shall use this form to report the status of all appeals made to the Departmental Committee resulting from partial or full denial of a declassification request. Items will include both new appeals and those which may have been carried over from previous quarters awaiting a final determination by the Committee.

(2) Enter information from the "Appeals" section of Optional Form 270 or equivalent Departmental log or worksheet, accounting for each line item, including those on which no determination has been made by the Departmental Committee. Use an asterisk in the first column (item no.) to flag items carried over from the previous quarter. Likewise, enter an asterisk in the last column for all items that will be carried over to the next quarter.

Enclosures:

- 1--Optional Form 270 --Mandatory Declassification Review Worksheet
- 2--Standard Form 243 --Summary of Mandatory Review Actions
- 3--Standard Form 242 --Report of Mandatory Review Appeals

QUARTERLY SUMMARY REPORT

1. Applicability--Reports are required from each Department, Agency or other similar organizational unit that creates classified records.
2. Form or Format--Use Standard Form 324, "Quarterly Summary Report," in submitting this report. Attach exhibits or additional pages as necessary.
3. Report Basis and Scope--The data reported will assist the ICRC in measuring agency effectiveness in implementing Executive Order 11652. The report covers data related to the volume of documents being classified, the use of declassification schedules, and other significant activities by the Departments related to monitorship, education and training, cost avoidance and recommendations for improvement.
4. Frequency and Due Date--This report shall be forwarded to the ICRC no later than 30 days after the end of the quarter. Negative reports are required.
5. Report Medium--Submit typewritten report.
6. Copies and Distribution--Forward three copies to the ICRC. Retain copies as required within Departments.
7. Classification--This should not contain any classified information.
8. Procedural Instructions--
  - A. Period Ending--Enter the month, day and year of the end of the report period.
  - B. Department or Agency--Enter the name of the Department, Agency or other organizational element reporting.

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C. Refer questions to: Give the name and telephone number of the person who is knowledgeable about the details contained in the report rather than the official who may sign the report and not be thoroughly familiar with its content.

D. Classification Actions--The purpose of this block is to furnish information on the number of documents classified and their declassification assignment. Every effort should be made to obtain actual counts of Top Secret classification actions. Because of the high volume of Secret and Confidential actions, Departments may develop sampling methods in lieu of actual count. The ICRC will be furnished information on the methods used for such sampling and any revision to the sampling method. In reporting, do not include reproduction copies of documents. For example, a classified document going to more than one addressee would be counted as one item. Show the number of individual Top Secret, Secret and Confidential documents created during the quarter regardless of whether they were classified under original authority, in accordance with an authorized classification guide, or as a result of the extraction or compilation of previously classified material. Enter both horizontal and vertical totals.

E. Describe efforts--This block is designed to provide narrative descriptions of efforts of individual Departments to implement the Executive Order, promote public accessibility and improve management of the Program. The following are typical of entries which might be made:

(1) Significant actions taken during the quarter to monitor the program and improve the effectiveness of implementation. For example, describe the number, type and results of inspections, program



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reviews or liaison visits conducted. Include positive and negative trends discovered, actions taken to resolve problem areas or to bring positive trends or innovations to the attention of other activities. Describe meetings and significant actions taken or decisions made by Departmental Classification Review Committees. Describe actions taken to control the use of exemption authority. Describe results of programs undertaken to review security classification guidance to cause earlier downgrading and declassification or fewer exemptions from the GDS. Describe the action taken to establish inspection points to review classified material. Describe actions taken to review distribution lists to limit dissemination of classified information. Describe actions taken to encourage the continuing interest of management at all levels in the Program.

(2) Significant actions taken during the quarter to promote implementation through education and training actions such as:

- (a) Establishment of formal departmental courses
- (b) Development of informal training courses
- (c) Participation in briefings and seminar presentations
- (d) The development of improved security briefs and security education testing.
- (e) The publication of significant security articles in professional journals.
- (f) The production of security training films or TV clips.
- (g) The organizing and use of security advice and assistance teams.

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(3) Significant actions taken during the quarter to improve implementation such as:

- (a) Downgrading and declassification projects
- (b) Significant reductions in classification authorities
- (c) The development of proposed changes to regulations
- (d) The promulgation of blanket downgrading/declassification guidelines
- (e) The development of classification management programs
- (f) The acceleration of declassification measures
- (g) Analyses of results of actions taken on requests for declassification review
- (h) Results of challenges extended to classifiers.

(4) Significant statistical data from which meaningful progress in program implementation can be measured such as the results from:

- (a) Programs undertaken to reduce classified document inventories
- (b) Surveys of activities, agencies or industrial facilities
- (c) Sampling programs
- (d) Review of classification guidance
- (e) Review of programs/projects/systems to cause earlier or total downgrading and/or declassification.

(5) Instances of significant cost avoidance achieved during the quarter in program implementation.

(6) Recommendations to achieve maximum effectiveness through the use of available resources or for the overall improvement of implementation.

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F. Submitted by: Signature and typed name of official signing the report.

G. Title: Enter title of individual signing the report.

H. Date: Show the date on which the report is signed.

Enclosure: SF 324-Quarterly Summary Report