January 1, 1997. Trousseau is a French name for the grape, while Bastardo is the Portuguese name. ATF was asked to reexamine whether the name Bastardo should be authorized as a synonym for Trousseau, or whether Bastardo should replace Trousseau as the prime grape name at § 4.91. ATF received no comments on this issue. Accordingly, ATF sees no reason to overturn the decision made in T.D. ATF–370. Trousseau will remain the prime name for this grape.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507) and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because no requirement to collect information is imposed.

Regulatory Flexibility Act

It is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation will extend the phase-out period for the use of the term Johannisberg Riesling and it will permit the use of other grape varietal names. The regulation will not impose any recordkeeping or reporting requirements. Accordingly, a regulatory flexibility analysis is not required because this final rule does not (1) have significant secondary or incidental effects on a substantial number of small entities; or (2) impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on substantial entities.

Executive Order 12866

It has been determined that this regulation is not a significant regulatory action as defined by Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

Drafting Information

The principal author of this document is Ms. Teri Byers, Regulations Division, Bureau of Alcohol, Tobacco and Firearms. However, other personnel within ATF and the Treasury Department participated in developing this document.

List of Subjects in 27 CFR Part 4

Advertising, Consumer protection, Customs duties and inspections, Imports, Labeling, Packaging and containers, Wine.

Authority and Issuance

Accordingly, 27 CFR part 4, Labeling and Advertising of Wine, is amended as follows:

PART 4—AMENDED

Paragraph 1. The authority citation for Part 4 continues to read as follows:


Par. 2. Section 4.91 is amended by adding the names “Aglianico” and “Traminette,” in alphabetical order, to the list of prime grape names, to read as follows:

§ 4.91 List of approval prime names.

* * * * *

Aglianico

* * * * *

Traminette

* * * * *

Par. 3. Section 4.92 is amended by removing the name “Johannisberg Riesling” from paragraph (b) and by adding a new paragraph (c), to read as follows:

§ 4.92 Alternative names permitted for temporary use.

(c) Wines bottled prior to January 1, 2006,

<table>
<thead>
<tr>
<th>Alternative Name</th>
<th>Prime Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Johannisberg</td>
<td>Riesling</td>
</tr>
<tr>
<td>Riesling</td>
<td></td>
</tr>
</tbody>
</table>


John W. Magaw,

Director.


John P. Simpson,

Deputy Assistant Secretary (Regulatory, Tariff & Trade Enforcement).

[FR Doc. 99–23784 Filed 9–10–99; 8:45 am]

BILLING CODE 4810–31–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Information Security Oversight Office

32 CFR Part 2001

[Directive No. 1; Appendix A]

[RIN 3095–AA92]

Classified National Security Information

AGENCY: Information Security Oversight Office (ISOO), National Archives and Records Administration (NARA).

ACTION: Final rule.

SUMMARY: This rule establishes a uniform referral standard that Federal agencies must use for multi-agency declassification issues. The new provision responds to a need for further guidance to Federal agencies in implementing section 3.7(b) of Executive Order 12958, Classified National Security Information. This rule provides standards and guidelines for identifying equities of other agencies and foreign governments contained in information requiring referral for review before declassification and subsequent public disclosure. It includes guidelines for referring, redacting, and properly marking information that is subject to the automatic declassification provisions of the Executive Order.


FOR FURTHER INFORMATION CONTACT:

Steven Garfinkel, Director, ISOO.


SUPPLEMENTARY INFORMATION: This rule is issued pursuant to the provisions of Sections 3.4 and 3.7 (b) of Executive Order 12958, published April 20, 1995 (60 Fed. Reg. 19825). Section 3.4 of E.O. 12958 requires that all classified national security information contained in records that (1) are more than 25 years old, and (2) have been determined to have permanent historical value under title 44, United States Code, will be automatically declassified whether or not the records have been reviewed. Subsequently, all classified information in such records will be automatically declassified no longer than 25 years from the date of its original classification, except for information properly exempted in accordance with the Order. Section 3.7(b) requires that, when an agency receives any request for documents in its custody that contain information that was originally classified by another agency, or comes across such documents in the process of automatic declassification or systematic review provisions of this Order, the agency must refer copies of any request and the pertinent documents to the originating agency for processing, and may, after consultation with the originating agency, inform any requester of the referral unless such an association is itself classified under this Order.

This amendment was developed and approved by more than 25 agencies that serve on the External Referral Working Group (ERWG) sponsored and endorsed by the Intelligence Community's Declassification Program Managers' Council. Forty-two agencies responded to ISOO's May 1998 call for comment on the amendment. Eight of them provided written comments or suggestions, all of which were considered and incorporated as appropriate by February 1999. The amendment is being

(a) Purpose. Under E.O. 12958, agencies reviewing records for declassification must facilitate the review of equities of other agencies contained in their records. Because agencies have a variety of processes for review and referral, common language and standards are needed to ensure clear, concise communication and coordinated action among all agencies involved in the referral process. Common language and standards are needed for declassification, exemption from automatic declassification, and proper marking of information subject to the automatic declassification provision of the Order. Consistent declassification of information through standardized procedures should result in lower cost and greater process efficiency, review accuracy, and the protection of the equities of all executive branch agencies.

(b) Applicability. These standards are binding on all executive branch agencies that create or handle classified information and are applicable to records covered under Section 3.4 of the Order. With respect to records reviewed prior to the issuance of these standards, deviations are acceptable as long as prior practice does not completely obstruct record referral.

(c) Responsibility. The senior agency official is responsible for the agency’s referral program. The senior agency official shall designate agency personnel to assist in carrying out this responsibility.

(d) Definitions. For the purpose of this section:

(1) Declassified or Declassification means the authorized change in the status of information from classified information to unclassified information.

(2) Exempted means a declassification technique that regards information at the full document level. Any exemptible portion of a document may result in exemption (failure) of the entire document. Documents that contain no exemptible information are passed and therefore declassified. Declassified documents may be subject to other FOIA exemptions other than the security classification exemption (b)(1), and the requirements placed by legal authorities governing Presidential holdings.

(3) Pass/fail (P/F) means a declassification technique that regards information at the full document level. Any exemptible portion of a document may result in exemption (failure) of the entire document. Documents that contain no exemptible information are passed and therefore declassified. Declassified documents may be subject to other FOIA exemptions other than the security classification exemption (b)(1), and the requirements placed by legal authorities governing Presidential holdings. Record means the statutory definition as provided under title 44 U.S.C. 3301 and 44 U.S.C. 2111, 2111 note, and 2201.

(4) Redaction means a sanitization technique that involves removal (editing out) of exempted information from a document. Tab means a narrow paper sleeve placed around a document or group of documents in such a way that it would be readily visible.

(e) Approaches to declassification. The exchange of information between agencies and the final disposition of documents are affected by differences in the approaches to declassification. Agencies conducting pass/fail reviews may refer documents to agencies that redact. Actions taken by the sender and the recipient may differ as noted below:

(1) When referral is from a pass/fail agency to a pass/fail agency, both agencies conduct pass/fail reviews and annotate the classification or declassification decision on the tabs and/or documents in accordance with NARA guidelines. The receiving agency should also notify the referring agency that the review has been completed.

(2) When referral is from a pass/fail agency to a redaction agency, the redaction agency is only required to conduct pass/fail reviews of documents referred by a pass/fail agency. If the redaction agency wishes to redact the document, it must do so on a copy of the referred document, then file the redacted version with the original. The redaction agency should also notify the pass/fail referring agency that the review has been completed.

(3) Referrals from redaction agencies to pass/fail agencies will be in the form of document copies. In the course of reviewing the pass/fail agency may either pass or fail the document or its equities. Failed documents will be reviewed and redacted when practicable.

(4) Referrals between redaction agencies may result in redaction of any exemptible equities.

(f) Referral decisions. When agencies review documents only to the point at which exemptible information is identified, they must take one of the following actions to protect any other unidentified equities that may be in the unreviewed portions of the document:

(1) Complete a review of the document to identify other agency equities and notify those agencies; or

(2) Exempt the document and assign a Date/Event for automatic declassification, before which time they must provide timely notification to any agency equities. Agencies reviewing previously exempted documents may apply a different exemption and new Date/Event for automatic declassification based upon the content of previously unreviewed equities.

(g) Unmarked or improperly marked documents. Agencies that find other agency information in unmarked or improperly marked documents that have been maintained and protected as classified information must afford those documents appropriate protection and tab or refer the documents as described in paragraph (h) of this section.
Agencies must provide other pertinent information, if available, regarding additional copies or possible public disclosure.

(h) Means of Referral. The reviewing agency must communicate referrals to equity agencies. They may use either of the methods below:

(1) Full text referral. Agencies will make referrals on media and in a format mutually agreed to by the referring and receiving agencies. Each referral request will clearly identify the referring agency and may identify the sections or areas of the document containing the receiving agency's equities and the requested action.

(2) Tab and notify.

(i) Agencies will use NARA-approved tabs and will clearly indicate on them the agency or agencies having equity in the document(s) held within the tabs. Successive documents with identical equity(ies) may be grouped within a single tab. Documents with differing equities, or non-successive documents, must be tabbed individually. In general, document order may not be changed to facilitate tabbing. In cases where there are so many tabbed documents in a box that tabbing documents individually would seriously overfill the box, the reviewer may group documents under a single tab for each agency equity at the back of each file folder, or back of the box if there are no file folders.

(ii) Agency notification must include, at a minimum, the following information: the approximate volume of equity, the highest classification of documents, the exact location (to box level) of the documents so marked, and instructions related to access to the boxes containing the documents.

(iii) Agencies will acknowledge receipt of referral notifications. They should notify the agency that placed the tabs that the review is complete. Any additional equities noted in the review must be annotated on the tab and brought to the attention of the agency that tabbed the document so the tabbing agency can notify those newly identified agencies.

(3) Exempted portions of a document may be marked.

(A) Normally, only one stamp should be placed on the document with any subsequent reviewing agencies adding their information to the stamp on the document, if possible. The stamp should not cover any writing on the document.

(B) Specific fields in the stamp must be completed as follows:

(1) Exemption Code: Agency(ies) ID and 25X plus exemption code(s).

(2) Date/Event: A specific date or event for declassification.

(3) Other Agency Equity: This line is used to track other agency equities and their review. The declassification authority enters "NONE" if no other agency equities are present, the identifiers of agencies with equity, or "TBD" (To be determined) if equities are unknown. Agency identifiers are crossed off as the reviews are completed and names may be added if additional equities are found.

(4) Reviewed by: Optional. If used, enter name or other personal identifier.

(5) Date: Enter date the action was taken.

(ii) Sample Stamp for Document Declassification. (A) When agencies mark declassified documents, the stamp must, at a minimum, include the information shown in the following example:
DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD-99-9-159]

Drawbridge Operation Regulations: Mystic River, CT

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations governing the operation of the Mystic River bridge in Mystic, Connecticut. This deviation is effective for 21 days to complete the work.

DATES: This deviation is effective from September 7, 1999, through September 27, 1999.

FOR FURTHER INFORMATION CONTACT: John W. Carlin, Archivist of the United States.

The Commander, First Coast Guard District, has issued a temporary deviation from the operating regulations as authorized under 33 CFR 117.35.

R.M. Larabee,

Rear Admiral, U.S. Coast Guard Commander,
First Coast Guard District.

[FR Doc. 99-9-237-15 Filed 9-10-99; 8:45 am]

BILLING CODE 4910-15-M