

## § 8.10

## 22 CFR Ch. I (4-1-05 Edition)

specific reasons. If a meeting is to cover separable matters, not all of which are within the exemptions of 5 U.S.C. 552(b), only the portion of the meeting dealing with exempt matters may be closed.

(3) When a meeting or portion of a meeting is to be closed to the public, the notice should state the reasons for the closing.

(4) The written request in accordance with paragraph (c)(4) of this section, for a determination by the Deputy Under Secretary for Management that a committee may hold a closed meeting must be submitted at least 47 days before the scheduled date of the meeting unless the Deputy Under Secretary for Management determines that a shorter period of time is necessary.

(f) *Cancelled Meetings.* (1) The cancellation of a scheduled committee meeting must be publicized without delay.

(2) The responsible committee office will prepare a public notice and press release and hand-carry them to the Advisory Committee Management Officer as soon as the decision to cancel the meeting is made.

(3) The notice and press release will state the name of the advisory committee, identify the meeting that is cancelled, and state why it is cancelled. The FEDERAL REGISTER data, if known, concerning the announcement should be cited.

(g) *Rescheduled Meetings.* When it is not feasible to hold an advisory committee meeting on the date that has been announced such meeting may be rescheduled for a later date by utilizing the same procedure as set forth in paragraph (f) of this section except the word rescheduled is substituted for cancelled.

(h) *Minutes.* (1) *Detailed minutes* of each advisory committee meeting, including subgroups, shall be kept.

(2) The minutes for an *open meeting* shall as a minimum cover the following items: The time and place of the meeting; a listing of advisory committee members and staff and agency employees present at the meeting; a complete summary of matters discussed and conclusions reached; copies of all reports received, issued, or approved by the advisory committee; a

description of the extent to which the meeting was open to the public; an explanation of the extent of public participation, including a list of members of the public who presented oral or written statements; and an estimate of the number of members of the public who attended the meeting.

(3) The minutes for a *closed meeting* shall include all that is required for an open meeting except those items relating to the presence of the public.

(4) The chairperson of each advisory committee shall certify the accuracy of the committee minutes.

(22 U.S.C. 2658 and 3926)

[40 FR 28606, July 8, 1975, as amended at 49 FR 16989, Apr. 23, 1984]

### § 8.10 Reports.

(a) There are two categories of reports on advisory committees. One category is concerned with management and the other with advisory activities.

(b) Management reports include:

(1) *Comprehensive Review.* An annual review shall be conducted on a calendar year basis to determine the essentiality of the committee. The results of that Review are included in the Annual Report. The due date is *October 1*.

(2) *Annual Report.* A calendar year report which covers the status of the committee. It is a component report for the President's annual report to the Congress. The due date is *December 31*.

(3) *Report of Closed Meeting(s).* A summary of the activities and related matters discussed by a committee during a closed meeting shall be prepared annually. It is to be as informative as possible for the public consistent with section 552(b) policy of the Freedom of Information Act.

(4) *Other Reports.* Other management reports that may be required, such as requests from the Office of Management and Budget, Congressional Committees, et cetera, will be submitted in accordance with the requested due date.

(c) Advisory activities reports are reports issued by the committee. They are to be submitted, when prepared in final as a committee document or published, on a current basis.

(d) All reports are submitted to the Advisory Committee Management Officer.

(1) The Comprehensive Review is signed by the responsible committee officer and approved by the bureau/office policy making officer. It is submitted in original only.

(2) The Annual Report will be prepared on Standard Forms 248 and 249 in original and one copy. (Instructions for preparation are printed on the back of the forms.)

(3) The Report of Closed Meeting(s) is signed by the committee chairman and submitted in original and 8 copies.

(4) The Advisory activities reports are submitted in 9 copies each, except Presidential advisory committee reports are submitted in 12 copies.

#### § 8.11 Records.

(a) The records of an advisory committee consist of all papers and documents which are prepared for or by and/or made available to the committee, and are maintained by the office responsible for the committee. Such records are *inter alia* agenda, drafts, minutes, notices, press releases, reports, studies, transcripts, and working papers.

(b) The Advisory Committee Management Officer maintains the Department's official records relating to the management of all committees.

#### § 8.12 Financial records.

Accurate records will be kept by the responsible committee office of all operating and salary costs of a committee. (See instruction item 17 on SF-248.)

#### § 8.13 Availability of records.

The records of a committee are to be made available upon request in accordance with the Department's regulations promulgated in accordance with the provisions of the Freedom of Information Act (40 FEDERAL REGISTER 7256-7529, February 19, 1975).

#### § 8.14 Public inquiries.

Public inquiries concerning the implementation of the Federal Advisory Committee Act and the management of the advisory committees of the Department should be addressed to the Advisory Committee Management Officer, Management Systems Staff, Department of State, Washington, DC 20520.

## PART 9—SECURITY INFORMATION REGULATIONS

Sec.

- 9.1 General policy.
- 9.2 Implementation and oversight responsibilities.
- 9.3 Responsibility for safeguarding classified information.
- 9.4 Classification.
- 9.5 Classification designations.
- 9.6 Requirements for classification.
- 9.7 Classification authority.
- 9.8 Limitations on classification.
- 9.9 Duration of classification.
- 9.10 Derivative classification.
- 9.11 Derivative classification guides.
- 9.12 Identification and markings.
- 9.13 Transferred material.
- 9.14 Declassification and downgrading.
- 9.15 Systematic review for declassification guidelines.
- 9.16 Mandatory review.
- 9.17 Schedule of fees.
- 9.18 Access by Presidential appointees.

#### APPENDIX A TO PART 9—DEFINITIONS

AUTHORITY: E.O. 12356, National Security Regulations of April 2, 1982 (47 FR 14874, April 6, 1982); Information Security Oversight Office Directive No. 1 (47 FR 27836, June 25, 1982).

SOURCE: 47 FR 55594, Dec. 10, 1982, unless otherwise noted.

#### § 9.1 General policy.

(a) E.O. 12356 (hereinafter called "the Order") recognizes that it is essential that the public be informed concerning the activities of its government, but that the interests of the United States and its citizens require that certain information concerning the national defense and foreign relations be protected against unauthorized disclosure. With this object, the Order prescribes a uniform system for classifying, declassifying, and safeguarding national security information.

(b) The purpose of these regulations is to assist in the implementation of the Order and Information Security Oversight Office (hereinafter referred to as ISOO), Directive No. 1, (hereinafter called "the Directive"), and users of these regulations may refer to the Order and Directive for additional guidance.