Charter of the Advisory Committee on Historical Diplomatic Documentation

1. Committee's Official Designation (Title)

The Committee's designation is the Advisory Committee on Historical Diplomatic Documentation ("Committee").

2. Authority

The Committee is established under the authority of Sec. 198 of the Foreign Affairs Authorization Act, Fiscal Years 1992 and 1993, P.L. 102-138, which added Title IV to the State Department Basic Authorities Act of 1956 (22 U.S.C. §§ 4351-4357) (hereinafter "the SDBAA"), as amended in the Foreign Relations Authorization Act, Fiscal Year 2003, and the Federal Advisory Committee Act (hereinafter "FACA"), P.L. 92-463. In accordance with Section 406(f)(3) of the SDBAA, the FACA applies to the Committee only to the extent that its provisions are not inconsistent with the SDBAA.

3. Objectives and Scope of Activities

The Committee shall, in accordance with P.L. 102-138, Sec. 198, review records, and advise and make recommendations to the Historian of the Department of State concerning all aspects of preparation and publication of the *Foreign Relations of the United States* historical series, including the review and selection of records for inclusion in the series. This advisory role does not extend to personnel issues in the Office of the Historian covered by internal Department of State or Federal personnel regulations and for which the Department of State already has established remedial channels.

The Committee shall also review Department of State procedures for the declassification of Department records, their transfer to the National Archives and Records Administration, and their opening for public inspection and copying. This process will include the review of all declassification guidelines and the random sampling of representative Department records that must remain classified after 30 years.

4. Description of Duties

The Committee shall annually submit an unclassified report at the end of the calendar year to the Secretary of State and to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives. The report shall: (i) apprise the Secretary of the results of the Committee's review of Department of State declassification procedures, declassification guidelines, and random samplings of documents remaining classified after 30 years; (ii) summarize the Committee's recommendations regarding the preparation and publication of the *Foreign Relations* series; (iii) advise the Secretary of any determination by the Committee that records proposed for, or already included in, a *Foreign Relations* volume have been so altered or changed by deletions made during the declassification review process that such records could be misleading or lead to an inaccurate or incomplete historical record; and (iv) advise the Secretary of any determinations by the Committee that the selection of any group of documents relating to a particular topic and proposed for, or already included in, a *Foreign Relations* volume could be misleading or lead to an inaccurate historical record.

The Executive Secretary will supply copies of the report to the Library of Congress, to the organizations represented on the Committee, and to other interested persons. The Committee may also make to the Assistant Secretary of State for Public Affairs for appropriate action ad hoc, written or oral reports or recommendations regarding the preparation of the *Foreign Relations* series.

5. Agency or Official to Whom the Committee Reports

The Committee reports to the Secretary of State.

6. Support

The Department of State provides the necessary support for the Committee.

7. Estimated Annual Operating Costs and Staff Years

Compensation and travel allowances for the members of the Advisory Committee shall be provided at a level and in accordance with the provisions of Sec. 406(f) of the SDBAA.

Funds for operation of the Advisory Committee will be supplied from the miscellaneous allotments of the Bureau of Public Affairs.

The estimated annual operating cost of the Committee from the Bureau of Public Affairs program funds is less than $75,000. An estimated total of 2.0 person years, equivalent to approximately $200,000 in pro-rated salaries is required of personnel of the Department of State who provide "necessary secretarial and staff support" for the Committee required by Sec. 406(f)(2) of the SDBAA.

8. Designated Federal Officer

The Historian of the Department shall serve as the Executive Secretary of the Committee, and the Designated Federal Officer. The Executive Secretary shall convene all meetings, prepare an agenda for each meeting, and prepare minutes of each meeting, which as a minimum shall contain: a record of the persons present; a comprehensive summary of the discussions and conclusions; copies of all determinations, recommendations, and reports received, issued, or approved by the Committee; and a description of the extent to which the meeting was open to the public. The Chairperson shall certify the accuracy of the Committee's minutes.

9. Estimated Number and Frequency of Meetings

The Committee is required by Sec. 406(d) of the SDBAA to meet at least quarterly or as frequently as may be necessary to carry out its duties. Its meetings shall be held on dates determined by the Executive Secretary in consultation with the Committee and its Chairperson. The Executive Secretary must attend all Committee meetings and may adjourn any Committee or subcommittee meeting in accordance with FACA. A majority of the members of the Advisory Committee shall constitute a quorum. The Historian may create subgroups or subcommittees to study matters within the Committee's duties and jurisdiction and such subgroups or subcommittees shall report to the Committee, and shall not report directly to the Department of State.

10. Duration

In accordance with Sec. 406(a)(1) of the SDBAA, the Advisory Committee is permanent.

11. Termination

In accordance with P.L. 92-463, Sec. 14(a)(1), the Committee's Charter must be renewed after each two-year term.

12. Membership and Designation

The Chairperson of the Committee shall be selected for a term of one year by the Committee, in accordance with Sec. 406(c) of the SDBAA. The Chairperson may be re-elected. Pursuant to Sec. 406(a) of the SDBAA, the Committee shall be composed of nine members from the organizations listed in Sec. 406(a)(3), and an Executive Secretary.

The members of the Committee shall be selected by the Assistant Secretary of State for Public Affairs under a delegation of authority from the Secretary of State and in accordance with the specific qualifications, nomination procedures, and length of terms on the basis of the provisions of Sec. 406 of the SDBAA.

The Historian of the Department shall coordinate the provision of necessary security clearances and access to documentation, both of the Department and of other agencies, required by Committee members in accordance with Secs. 403(a), 403(b)(5), and 406(e) of the SDBAA.

13. Subcommittees

The Historian of the Department has the authority to create subcommittees. Any subcommittees must report back to the parent committee, and do not provide advice or work products directly to the agency.

14. Recordkeeping

Subject to 5 U.S.C. § 552(b), records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents made available to or prepared for or by the Committee shall be made

available for public inspection and copying in accordance with the Department's Freedom of Information Act regulations (22 CFR Subchapter R, Part 171). The summary minutes of Committee meetings will be reviewed by responsible declassification officials and made available on the Department's World Wide Web site (http://www.history.state.gov/about/hac) as soon as possible after each meeting.

The permanent records of the Committee shall consist of classified and unclassified papers and documents pertinent to its establishment and activities, including its charter, agenda, determinations for closed meetings, minutes, communications between the Department and members of the Committee, and written materials and reports considered and/or issued by the Committee. The records will be handled in accordance with General Records Schedule 26, Item 2. All of the Committee's permanent substantive records are scheduled for transfer to the National Archives and Records Administration after 2 years.

A copy of this Charter shall also be furnished to the General Services Administration, the Library of Congress, the Senate Foreign Relations Committee, and the House Committee on Foreign Affairs, as provided by law.

APPROVED Patrick F. Kennedy

Patrick F. Kennedy
Under Secretary of State for Management

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