



DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON, D C 20350-1000

SECNAVINST 5420.60H
AAUSN
12 October 1999

SECNAV INSTRUCTION 5420.60H

From: Secretary of the Navy

Subj: DEPARTMENT OF THE NAVY (DON) FEDERAL ADVISORY COMMITTEE
MANAGEMENT PROGRAM

Ref: (a) Public Law 92-463, Federal Advisory Committee Act of
6 Oct 72, Title 5, U.S.C. Annotated, Appendix 2
(b) DoD Directive 5105.4 of 5 Sep 89, DoD Federal
Advisory Committee Management Program
(c) SECNAVINST 5420.194 of 12 Oct 99, DON Committee
Management Program
(d) Title 5, U.S.C., Section 552b, Government in the
Sunshine Act

Encl: (1) Definitions
(2) Administrative Management Procedures for DON Federal
Advisory Committees

1. Purpose. To implement references (a) and (b), and update
the policy, procedures, and responsibilities for the DON Federal
Advisory Committee Management Program. This instruction is a
substantial revision and should be reviewed in its entirety.

2. Scope. Committees other than DON Federal advisory
committees are excluded from this instruction. They shall be
established and administered per reference (c).

3. Cancellation. SECNAVINST 5420.60G.

4. Definitions. Terms used in this instruction are defined in
enclosure (1).

5. Objectives. The objectives of the DON Federal Advisory
Committee Management Program are to:

a. Encourage the use of sound management practices in the
utilization of Federal advisory committees;

b. Eliminate overlap and duplication among DON Federal
advisory committees;

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c. Ensure the maintenance of current information on the organization, purpose, and activity of DON Federal advisory committees;

d. Prevent the assignment of personnel to DON Federal advisory committees where conflict-of-interest or antitrust violations might result.

6. Policy. Per reference (a), a DON Federal advisory committee will be:

a. Used solely for advisory functions, and will perform a function that is not the responsibility of, or cannot be assigned to, an organizational unit, or accomplished by an existing committee.

b. Established only when essential to the conduct of agency business, and only when specifically authorized by statute or by the President, or after determination by the Secretary of the Navy (SECNAV), as a matter of formal record, that the committee is in the public interest;

c. Terminated when the stated objectives of the committee have been accomplished.

d. Balanced in composition in terms of points of view represented and the functions to be performed.

e. Prohibited from holding any meeting or action until a Federal advisory committee charter has been filed with SECNAV and the cognizant Congressional committees.

f. Required to hold meetings open to the public except in circumstances where a closed meeting shall be determined per the provisions of reference (d). Interested persons must be permitted to attend, appear before, or file statements with any DON Federal advisory committee. Subject to the Freedom of Information Act, all documents that are made available to or prepared for or by a DON Federal advisory committee must be made available for public inspection and copying. Detailed minutes of meetings must be kept.

g. Required to ensure publishing notice of all meetings in the *Federal Register* at least 15 calendar days prior to the meetings.

7. Guidelines

a. Size of the Committee. The size of certain DON Federal advisory committees is regulated by statute. Otherwise, committee size shall be limited to the minimum membership considered essential to accomplish committee objectives in an efficient and effective manner.

b. Staffing the Committee. Each DON Federal advisory committee shall have a chairperson, executive secretary and Designated Federal Officer (DFO). Other officials may be required, depending on committee size, frequency of meetings, and committee objectives.

c. Committee Titles

(1) To ensure uniformity and conformance with DoD policy, DON Federal advisory committees shall be titled as follows:

(a) Groups of a continuing nature, other than those established by legislation, should be designated as "DON Federal advisory committees," and their subordinate units should be designated as "subcommittees."

(b) The terms "commission," "council," and "board" are reserved for Federal advisory committees established by legislation.

(2) The policy in paragraph 7c(1) need not interfere with the titles of committees previously established, currently operating and known by their original title.

8. Responsibilities

a. The Assistant for Administration, Office of the Under Secretary of the Navy (AAUSN), as DON Committee Management Officer (CMO), shall:

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(1) Establish policy, issue guidance for efficient operation, and provide oversight of DON Federal advisory committees, ensuring compliance with requirements of pertinent Federal statutes and regulations.

(2) Ensure, in coordination with the General Counsel, closed or partially closed meetings are approved in advance and public notice is published in the *Federal Register*.

(3) Ensure cognizant committee officials maintain information about membership and activities as required.

(4) Ensure SECNAV approves compensation as necessary for non-Federal Government advisory committee members.

(5) Ensure required reports are submitted as necessary.

(6) Issue detailed procedural guidance for the operation of DON Federal advisory committees. See enclosure (2).

(7) Designate, in writing, Assistant CMO's who will assist AAUSN in managing the DON Committee Management Program.

b. Supporting Commands. Subject to the overall control and supervision of the DON CMO, responsibility for the management and day-to-day operation of a DON Federal advisory committee rests with the supporting command.

(1) Supporting commands will maintain complete information concerning the activities of their Federal advisory committees, including organization and membership, agenda, detailed minutes, transcripts or notes of meetings, studies, analyses, reports or other data, and compilation of working papers made available to, or prepared by or for, the committees. Such information is to be available to SECNAV and the Secretary of Defense (SECDEF).

(2) Supporting commands will report to AAUSN via their chain of command.

9. Action. Addressees will carry out policies and execute responsibilities prescribed in this instruction.

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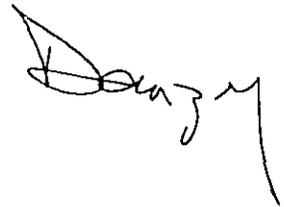
10. Reports and Forms

a. Reports required by this instruction are exempt from reports controlled by SECNAVINST 5214.2B.

b. Forms cited in this instruction are available electronically at the DoD Washington Headquarters Services, DoD Forms Program website:

<http://web1.whs.osd.mil/icdhome/formtab.htm>.


Richard Danzig



Distribution:

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DEFINITIONS

1. Federal Advisory Committee. Any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or subgroup thereof (that is not composed wholly of full-time employees of the Federal Government), that is established by statute, or established or utilized by the President or any agency official for obtaining advice or recommendations.
2. Chairperson. The head of a committee.
3. Designated Federal Officer (DFO). Individual (military or civilian) designated by the supporting command for each DON Federal advisory committee to approve or call each meeting, approve the agenda, attend each meeting and adjourn meetings when he or she determines it to be in the public interest.
4. Membership. Includes all those assigned to participate on a committee. Membership need not include voting privileges.
5. Non-Federal Government Personnel. Individuals not employed by the Federal Government on a full-time basis.
6. Sponsorship. The Secretary of the Navy is the sponsor of each Federal advisory committee.
7. Supporting Command. The activity that has responsibility for the management of a DON Federal advisory committee. Normally, the supporting command is the activity to which the committee reports.

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ADMINISTRATIVE MANAGEMENT PROCEDURES FOR
DON FEDERAL ADVISORY COMMITTEES

1. AAUSN, Special Programs Division (SPD), will coordinate DON Federal advisory committee action items as appropriate. As much as practicable, e-mail and facsimile are encouraged to expedite correspondence processing.

2. Establishment, Revision, or Termination of a DON Federal Advisory Committee. Proposals to establish, revise, or terminate a DON Federal advisory committee will be submitted, through the chain of command, to the DON CMO. Proposals will include information following the format in Appendix A.

3. Charter. Upon final approval of a proposal to establish or revise a DON Federal advisory committee, the supporting command of the committee will file a committee charter with the DON CMO, following the format in Appendix B. The charter will be forwarded to Director, Administration and Management, Office of the Secretary of Defense (DA&M OSD), and to Director, Committee Management Secretariat, General Services Administration (MC GSA) for approval. Upon approval, OSD will forward copies of the charter to SECNAV, the Senate Committee on Armed Services, the House Committee on National Security, and the Library of Congress (Exchange and Gift Division, Federal Advisory Committee Desk), as required by reference (a). No DON Federal advisory committee will meet or take any action until its charter has been filed.

4. Issuing Directive. Upon notification from the DON CMO that establishment approval has been granted by MC GSA, the committee supporting command will prepare the issuing directive in the format of Appendix C. The proposed directive will include:

a. Title of the committee, date of establishment, and date of scheduled termination, if any;

b. Responsibilities for the administration of the committee;

c. Committee mission and objectives in nontechnical terms;

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d. The chairperson, DFO, executive secretary, and Government members by title and organization represented; and

e. Title and organization of the individual to whom the committee reports.

5. DFO Designation. Using the format in Appendix D, each DFO will be designated in writing, citing responsibilities of the position. The supporting command will prepare and forward the correspondence to AAUSN for processing.

6. Membership Appointments/Reappointments. Candidates for committee membership may be contacted prior to approval of a proposed appointment in order to solicit their interest. However, committee membership can neither be offered nor implied prior to final approval by OSD. Membership must be balanced to include area of expertise, women, minorities, and regional representation.

a. Pre-concurrence. To avoid unnecessary paperwork, pre-concurrence for appointments or reappointments may be obtained directly from the Under Secretary of the Navy (UNSECNAV) and SECNAV, using the format in Appendix E.

b. All requests for appointment or reappointment must be forwarded to UNSECNAV/SECNAV via AAUSN, and include a completed Optional Form (OF)-612, Optional Application for Federal Employment (no résumés); a complete biography; DD 2292, Request for Appointment or Renewal of Appointment of Consultant or Expert; and Certification Statement for each non-Federal Government employee proposed for membership. See format in Appendix F. Upon signature by SECNAV, the request will be forwarded to OSD for approval.

c. Upon OSD approval of appointment/reappointment, AAUSN will prepare letters of invitation for signature by SECNAV. The only exception is for members of the Chief of Naval Operations (CNO) Executive Panel (CEP), whose letters of invitation will be prepared by the CEP representative and signed by CNO.

7. Meetings

a. Convening Meetings. DON Federal advisory committee meetings may be convened only at the call, or with advance approval, of the committee DFO. The DFO will attend each meeting and is authorized to adjourn any such meeting when it is in the public interest. The DON CMO may attend any meetings of DON Federal advisory committees to fulfill assigned responsibilities.

b. Public Notice. Public notice of each DON Federal advisory committee meeting will be published in the *Federal Register* at least 15 days prior to the meeting, except when the President determines otherwise for reasons of national security. Emergency situations, which preclude 15 days' advance notification, require approval of the DON CMO prior to publication.

(1) Following the format in Appendix G, the notice will state the committee title and the time, place, and purpose of the meeting, including a summary of the agenda, if possible. The notice will also state whether the meeting is open or closed to the public. If closed in whole or part, the notice will provide the reason and cite the applicable exemption listed under reference (d) (see paragraph 7c below).

(2) The notice must be transmitted by letter to the Judge Advocate General (JAG) (Code 13), for review, processing, and forwarding to the Office of the Federal Register. If the meeting is to be closed in whole or part, a copy of the UNSECNAV approval to close the meeting to the public must be included. Advance transmittal by e-mail or facsimile to JAG (Code 13) and/or AAUSN/SPD is permissible.

(3) Notices must be transmitted to reach JAG at least 30 days before the scheduled meeting date. This allows for timely administrative processing of the notice and publication in the *Federal Register* at least 15 days in advance of the meeting.

c. Closed Meetings. Normally, DON Federal advisory committee meetings are open to the public and reasonable seating accommodations will be provided. Exceptions will be made as follows:

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(1) Per reference (a), UNSECNAV may authorize closure of a meeting in whole or part if matters to be discussed are exempt from disclosure under reference (d), or if public interest requires protecting those matters from disclosure. When possible, closure authorization will be requested for only the session(s) during which nondisclosable matters will be discussed.

(2) Requests to close or partially close a DON Federal advisory committee meeting, complete with justification, list of committee members, proposed agenda, and *Federal Register* notice, must be received by AAUSN at least 35 days before the meeting date. Advance transmittal by e-mail or facsimile is permissible to JAG (Code 13) and AAUSN/SPD. See format for request in Appendix H. This lead time permits:

(a) General Counsel certification of the reason(s) justifying closure;

(b) UNSECNAV's written decision to close the meeting;

(c) Staffing time at JAG Federal Register Liaison Office;

(d) Mailing time of 4 days to the Office of the Federal Register;

(e) Processing time of 4 working days at the Office of the Federal Register;

(f) Publication in the *Federal Register* at least 15 days in advance of the meeting.

(3) Due to time constraints in publishing notices in the *Federal Register*, it is permissible to cite tentative time and place of the closed meeting. In an emergency whereby notice of a meeting must be published with less than 15 days advance notification, such notice must have prior approval of the DON CMO. E-mail, facsimile, and telephone coordination with AAUSN/SPD will expedite processing.

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d. Public Participation. Subject to the provisions of reference (d), the public will be permitted to file written statements with a DON Federal advisory committee concerning topics discussed at a committee meeting. If the chairperson permits, the public may speak at a meeting under procedures established by the committee.

e. Minutes. Detailed minutes, certified accurate by the chairperson, must be kept of each DON Federal advisory committee meeting, to include: Time and place of meeting; a list of committee members, their addresses, employers and areas of expertise; staff and agency employees present; complete summary of matters discussed and conclusions reached; copies of all reports received, issued, or approved; description of the extent to which the meeting was open to the public (if closed meeting, include published copy of *Federal Register* meeting notice); description of public participation, including names of those who presented oral and written statements; and an estimate of the number of public who attended.

f. Records and Public Disclosure. Subject to the provisions of reference (d), the records of all DON Federal advisory committee meetings must be available for public review. Therefore, either the DON Federal advisory committee or the supporting command will retain a complete record of all DON Federal advisory committee proceedings and will respond to requests for public access. Records to be retained include reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents which are made available to or prepared for or by the committee.

8. Reports. The following reports are required:

a. Committee Annual Meeting Report. DON Federal advisory committee annual meeting reports will be endorsed by the committee's supporting command and forwarded to SECNAV, except for the U.S. Naval Academy Board of Visitors (BOV/USNA) and CNO Executive Panel (CEP). Reports of the BOV/USNA will be submitted to the President, via SECNAV and SECDEF. CNO will determine the type and frequency of reports of meetings of the CEP. Only the final addressee of a report may release the report. Annual meeting reports must be submitted within 60 days of meeting.

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b. The President's Annual Report to Congress on the Activities of Federal Advisory Committees. This report is due by mid-November per reference (a). Information on each DON Federal advisory committee in existence during the previous fiscal year must be included in the report. With the exception of the SECNAV Advisory Subcommittee on Naval History, which must submit the report by e-mail to AAUSN/SPD via CNO, DFO's will enter required information for their committees directly into the GSA reporting system found at <http://cm.policyworks.gov/cms>. Detailed instructions for completion of the report will be provided annually by the DoD CMO. AAUSN/SPD will verify all committee data and electronically certify completion of all DON Federal advisory committee reports to the DoD CMO.

c. Annual Closed Meeting(s) Report. Each DON Federal advisory committee will report annually to the DON CMO on all meetings closed or partially closed to the public. The reporting period is the previous fiscal year to correspond to meetings reported in the President's Annual Report to Congress (paragraph 8b above). Following the instructions and format in Appendix I, each report will summarize all activities and related matters which are informative to the public consistent with the policy of reference (d). Each report must be signed by the chairperson of the committee and contain the specific 5 U.S.C. citation. An original and eight copies of each report are required. Reports will be consolidated by the DON CMO and submitted to the DoD CMO, who will file copies of the reports with the Library of Congress, as required by reference (a).

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APPENDIX A

ESTABLISHMENT, REVISION, OR TERMINATION
OF A DON FEDERAL ADVISORY COMMITTEE

1. Establishment. Proposals to establish a DON Federal advisory committee will include:

a. Justification indicating why attainment of the committee's mission/objective(s) is necessary; why the task to be assigned cannot be accomplished on a staff or liaison basis; and why the committee affords the most effective, expeditious or economical means of accomplishing the desired objective(s).

b. A proposed charter following the format in Appendix B.

c. Title of the parent committee, if the proposal relates to a subcommittee; or title of the subcommittee, if the proposal relates to a parent committee.

d. Proposed membership listing showing diversity of committee composition; names, titles, and organizations of proposed Federal Government members; and complete biography of each consultant/expert/non-Federal Government individual proposed for membership. Each biography should include:

(1) Name, address, place and date of birth;

(2) Education (schools, years attended, major field of study at highest level, degrees);

(3) Employment (present and past - names of firms, positions, dates, and major responsibilities);

(4) Affiliations (industrial, educational, professional, scientific, etc. List names of organizations, nature of affiliation, committees served on, dates);

(5) Other fields of endeavor, interests, or special talents;

(6) Present and past memberships on Federal advisory committees (list committees by name, purpose, sponsoring organization, dates);

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(7) Publications and/or outstanding achievements;

(8) Date biography was prepared.

e. Cost and Funding Information. Identify estimated annual requirements and associated costs (committee secretariat/staff, compensation of non-Federal Government consultants or experts, Federal Government members, and travel/per diem expenses), funding source, and an estimate of the workhours required for performing secretariat/staff services.

f. Standard Operating Procedures of the proposed committee.

g. A completed OF-612, Optional Application for Federal Employment (no résumés); DD 2292, Request for Appointment or Renewal of Appointment of Consultant or Expert; and Certification Statement for each non-Federal Government employee proposed for membership.

2. Revision. To revise a DON Federal advisory committee, submit recommended change(s) and rationale therefor.

3. Termination. A request to terminate a DON Federal advisory committee will stipulate that committee objectives have been fulfilled or that the committee is no longer fulfilling its intended purpose. Include copies of all correspondence relating to the original establishment or revision of the committee and the committee charter.

APPENDIX B

FORMAT FOR A DON FEDERAL
ADVISORY COMMITTEE CHARTER

CHARTER

1. Official Designation:
2. Objectives and Scope of Activity: (in general terms, the overall nature and extent of the committee's advisory functions and activities)
3. Time Necessary for the Committee to Fulfill Its Purpose: (specific time period for committee to carry out its purpose, or state "continuing")
4. Sponsor of the Advisory Committee: Secretary of the Navy.
5. Agency Responsible for Providing the Necessary Support for the Advisory Committee: (activity that provides administrative and related support for the committee)
6. Description of Duties for which the Advisory Committee is Responsible: (a more detailed and expanded description of the committee's duties and functions, as covered briefly in paragraph 2 above)
7. Estimated Annual Operating Costs in Dollars and Man-Years: (the estimated costs and support man-years (professional and administrative support) required annually to operate the committee, including: non-Federal Government members direct compensation, if authorized; Federal Government members prorated salaries; Federal Government staff prorated salaries; nonmember consultant compensation; travel and per diem for those same categories of personnel; associated costs, e.g., rental of space, graphics, printing, contract services, etc.)

Operating costs: Man-Years:
8. Estimated Number and Frequency of Committee Meetings:
9. The Advisory Committee Termination Date: (the committee's termination date, if less than 2 years from date of establishment; otherwise, state "continuing")
10. Chartered: (leave blank - date provided by DoD CMO)

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APPENDIX C

FORMAT FOR ISSUING DIRECTIVE FOR
A DON FEDERAL ADVISORY COMMITTEESECNAVINST 5420.194
[Originator]SECNAV INSTRUCTION 5420.194

From: Secretary of the Navy

Subj: [TITLE OF DON FEDERAL ADVISORY COMMITTEE]

Ref: (a) Public Law 92-463
(b) SECNAVINST 5420.60H

1. Purpose. To promulgate the functions and authority of the [title] as a Department of the Navy (DON) Federal Advisory Committee.
2. Authority. The [title] is a DON Federal Advisory Committee established in [date]. The charter for the [title] was approved on [date] per references (a) and (b).
3. Mission.
4. Membership.
5. Chairperson.
6. Sponsor. The sponsor of the [title] is the Secretary of the Navy.
7. Designated Federal Officer (DFO).
8. Executive Secretary.
9. Meetings.
10. Recommendations. The functions of the [title] are solely advisory in nature. It is not authorized to make policy or management decisions. Reports and recommendations of the [title] will be submitted to the Secretary of the Navy via [chain of command] and the [DFO].
11. Action. The [DFO] will provide information and access to facilities and staff support as required for the accomplishment of the [title]'s work.

Distribution:

Appendix C to
Enclosure (2)

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APPENDIX D

FORMAT FOR DFO DESIGNATION

MEMORANDUM FOR [INDIVIDUAL AND TITLE]

Subj: APPOINTMENT AS DESIGNATED FEDERAL OFFICER FOR THE
[COMMITTEE]

In accordance with the provisions of Sections 10(e) and (f) of the Federal Advisory Committee Act, Public Law 92-463 (5 U.S.C. App. 2), you are hereby appointed as the Designated Federal Officer (DFO) for the [committee].

In your capacity as the DFO, you will: Attend all meetings of the committee (or designate an alternate in writing to do so); call and adjourn meetings of the committee in conjunction with the Chairperson; assist in developing agendas for such meetings; ensure that accurate and complete minutes of all meetings are taken and maintained on file; and provide for the preparation, distribution, and retention of all records and reports emanating from the proceedings of the committee.

Secretary of the Navy

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Enclosure (2)

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APPENDIX E

FORMAT TO REQUEST PRE-CONCURRENCE OF
APPOINTMENTS AND REAPPOINTMENTS

MEMORANDUM FOR UNDER SECRETARY OF THE NAVY

Subj: [Title of DON Federal Advisory Committee]

1. In [date] the terms for [number] members of our Federal advisory committee will expire. We wish to [nominate*/renominate**] the following [number] [candidates*/members**] [to serve*/for additional terms**]:

[names]
[title and occupation]

*Cite specifics why these individuals will be a benefit to the committee and how their expertise ties into the committee's mission.

**All have been active in the deliberations of the committee and their expertise has been invaluable [cite specifics].

2. We respectfully request a Secretarial review and concurrence of the above members to [serve*/continue to serve**] on the committee. Background information is attached [biography, including address and telephone number].

Very respectfully,
[DFO]

Copy to:
AAUSN
[Chain of command]

Approved _____ Disapproved _____

- * If nominating new individuals
- ** If renominating current members

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APPENDIX F

FORMAT TO REQUEST
APPOINTMENTS AND REAPPOINTMENTS

MEMORANDUM FOR CHIEF OF STAFF TO THE SECRETARY OF DEFENSE

THROUGH: Director, Administration and Management, OSD

SUBJECT: [Nominations for Appointment/Reappointments of
Members] to the [Title of committee (acronym)] -
ACTION MEMORANDUM

Reference: (a) DA&M (OSD) memo of 30 May 89

The following nominees for [appointment/reappointment or
both] to [committee acronym] have been reviewed and are
forwarded for your approval as members and consultants:

<u>Committee</u>	<u>Name</u>	<u>Pay Rate</u>	<u>No. Years</u>	<u>Type</u>
[acronym]	Mr. John A. Smith	WOC*	[NTE 4]	[New/Renew]/Consultant
[acronym]	Dr. Lisa M. Jones	WOC*	[NTE 4]	[New/Renew]/Consultant

The Designated Federal Officer for [acronym] has certified that these individuals have obtained the appropriate security clearances, had their OGE-450 reviewed for conflicts of interest, and are highly qualified for the level of work to be performed. [The members of this committee do not receive compensation.**]

In accordance with reference (a), attachments [1 through 4] are provided for your review. Recommend approval of these appointments pending completion of necessary administrative processing. Point of contact is [AAUSN/SPD point of contact], (703) xxx-xxxx.

Secretary of the Navy

Attachments:

1. DD Form 2292 and OF-612 - J. A. Smith
2. DD Form 2292 and OF-612 - L. M. Jones
3. Current Membership
4. Balance of Membership

* Except NRAC, as applicable

** Omit sentence for NRAC

Appendix F to
Enclosure (2)

APPENDIX G

FORMAT FOR PUBLIC MEETING NOTICE OF
A DON FEDERAL ADVISORY COMMITTEE

3810-FF

DEPARTMENT OF DEFENSE

Department of the Navy

Meeting of the Naval Research Advisory Committee

AGENCY: Department of the Navy, DoD

ACTION: Notice of meeting.

SUMMARY: The Naval Research Advisory Committee (NRAC) Panel on Optimized Surface Ship Manning will meet to assess the impact of studies to optimize ship manning and personnel effectiveness. The meeting will be open to the public. [The executive session of the meeting/the meeting will be closed to the public.*]

DATES: The meeting will be held on [date], from 1:00 p.m. to 5:00 p.m. [The closed executive session will be from 1:00 p.m. to 1:30 p.m.*]

ADDRESSES: The meeting will be held at the Office of Naval Research, 800 Quincy Street, Suite 600, Arlington, VA 22217.

FOR FURTHER INFORMATION CONTACT: [Name], Program Director, Naval Research Advisory Committee, 800 Quincy Street, Arlington, VA 22217, (703) xxx-xxxx.

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SUPPLEMENTARY INFORMATION: [This notice of meeting is provided per the Federal Advisory Committee Act (5 U.S.C. App. 2). The executive session/entire meeting will consist of classified information that is specifically authorized by Executive Order to be kept secret in the interest of national defense and is properly classified pursuant to such Executive Order. Accordingly, the Secretary of the Navy has determined in writing that the executive session/all sessions of the meeting shall be closed to the public because they concern matters listed in 5 U.S.C. section 552b(c)(1).*]

Dated:

Name and rank**

Judge Advocate General's Corps,
U.S. Navy,
Federal Register Liaison Officer

* Omit bracketed sentences in cases of meetings that are wholly open to the public

** To be dated and signed in the office of the Judge Advocate General

Notices should be double-spaced on 8½" x 11" plain paper, with 1" top, bottom and right margins, and 1½" left margin. All dates and times must be stated in civilian terminology, as shown.

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APPENDIX H

FORMAT TO REQUEST CLOSED/PARTIALLY CLOSED MEETING
OF A DON FEDERAL ADVISORY COMMITTEEMEMORANDUM FOR ASSISTANT SECRETARY OF THE NAVY (RESEARCH,
DEVELOPMENT AND ACQUISITION)Subj: DETERMINATION OF NECESSITY FOR A [CLOSED/PARTIALLY CLOSED]
MEETING OF THE NAVAL RESEARCH ADVISORY COMMITTEE (NRAC)

Ref: (a) Federal Advisory Committee Act (5 U.S.C. App. 2)

Encl: (1) Chair NRAC memo 5050/00NR of June 14, 1999 [with
enclosed tentative meeting agenda, list of committee
members, draft memo authorizing closed meeting, and
notice of meeting for publication in the *Federal
Register*]

Enclosure (1) requested authorization for the meeting of the NRAC Panel on Optimized Surface Ship Manning to be held on July 26, 1999, to be [closed/partially closed] to the public. The [meeting/closed portion of the meeting] will consist of discussions and technical examination of highly sensitive information pertaining to ship manning and personnel effectiveness.

For reasons summarized above, I have determined that the July 26, 1999, meeting of the NRAC Panel on Optimized Surface Ship Manning will be concerned with matters listed in section 552b(c)(1) of title 5, United States Code, and that the public interest requires the protection of such information from disclosure. In accordance with section 10(d) of reference (a), you are authorized to cause the [applicable portions of the] July 26, 1999, meeting to be closed to the public.

By copy of this memorandum, the Judge Advocate General should ensure publication in the *Federal Register* at least 15 calendar days prior to the scheduled meeting.

Under Secretary of the Navy

Copy to:
GC
JAG
AAUSNAppendix H to
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APPENDIX I

INSTRUCTIONS AND FORMAT FOR
ANNUAL CLOSED MEETING REPORT

1. A separate report will be prepared for each DON Federal advisory committee and subcommittee meeting which was closed, either totally or partially, to public attendance during the specific fiscal year. Do not report any meeting that was totally open to the public. Total number of closed meeting reports must correspond to that reported in the President's Annual Report to Congress on the Activities of Federal Advisory Committees (see paragraph 8b of enclosure (2)).

2. Each report must be typed on plain paper, under the following heading:

DEPARTMENT OF DEFENSE
Department of the Navy
FY 199x Report of Closed Meetings of the
[title of committee, underlined]
under Section 10(d)
Federal Advisory Committee Act

3. Each report will be prepared in narrative form and include, as a minimum, the following information regarding each closed portion of a meeting:

- a. Date and place of the meeting.
- b. What portion of the meeting (by time and agenda item) was closed to the public, and the provision(s) of 5 U.S.C. 522b(c) (reference (d)) cited to authorize the closure.
- c. Title or topic of all reports, records, or other information (written or oral) presented to the Federal advisory committee during the meeting, provided in advance to the members in preparation for the meeting.
- d. An appropriate description of any actions taken at the closed session, to include any reports or recommendations made to a DoD official. It would also be appropriate to include the disposition of any such report or recommendation.

4. The chairperson of the committee must sign each report. The DFO may sign in that person's absence, when necessary.

Appendix I to
Enclosure (2)