

## § 214.37

### § 214.37 Public access to committee records.

Records maintained in accordance with § 214.36 are subject to the Freedom of Information Act, 5 U.S.C. 552 *et seq.* and, thus, are available for public inspection and copying pursuant to A.I.D. Regulation 12—Public Information (22 CFR part 212), subject to the general oversight of the A.I.D. Advisory Committee Management Officer.

(Sec. 621, Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381); sec. 8(a) Federal Advisory Committee Pub. L. 92-463; E.O. 11686)

[40 FR 54778, Nov. 26, 1975]

### § 214.38 Submission of reports to the Library of Congress.

(a) Each advisory committee is to file with the Library of Congress eight copies of each of its reports, except where the report falls within an exemption listed in 5 U.S.C. 552(b) or relates to a meeting which was closed for reasons of national security.

(b) The A.I.D. Advisory Committee Representative provides copies of committee reports to the Office of Legislative Affairs for transmittal to the Library of Congress; and sends a copy to the A.I.D. Advisory Committee Management Officer for inclusion in the Agency's central file on advisory committees.

(c) As appropriate, the A.I.D. Advisory Committee Representative may also send copies of background papers and other advisory committee documents to Office of Legislative Affairs for transmittal to the Library of Congress.

## Subpart E—Administration of Advisory Committees

### § 214.41 Support services.

(a) A.I.D. provides support services for advisory committees which are established by or report to the Agency, unless the establishing authority provides otherwise.

(b) Within A.I.D., support services are provided by and charged to the allotment of the A.I.D. office or bureau through which the advisory committee reports, and are coordinated by the

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designated A.I.D. Advisory Committee Representative.

(c) Support services include staff, quarters, supplies, and funds.

### § 214.42 Uniform pay guidelines.

(a) A.I.D. follows OMB/CSC guidelines in section 11 of OMB Circular A-63 in establishing rates of pay for advisory committee members, staffs, and consultants.

(b) In summary, A.I.D. policy regarding compensation for advisory committee members is as follows:

(1) Advisory committee members who are not employed by the U.S. Government ordinarily serve without compensation. However, they may be reimbursed for travel and related expenses of invitational travel under the provisions of A.I.D. travel regulations.

(2) If committee members are appointed as A.I.D. consultants or experts, their compensation shall be fixed in accordance with CSC guidelines and regulations, and the general agreement between CSC and A.I.D.

(3) Expenses of committee members are charged to the allotments of the A.I.D. office or bureau through which the advisory committee reports.

### § 214.43 Agency records.

(a) The A.I.D. Advisory Committee Management Office maintains the Agency's Official central files on the nature functions, and operations of each A.I.D. advisory committee. Central files contain the following information with respect to each A.I.D. advisory committee:

(1) Original copy of Advisory Committee Charter filed with the Administrator;

(2) Official records copy of formal determinations by the A.I.D. Administrator with respect to the establishment renewal, operation, and termination of the committee;

(3) Annual reports of committee activity;

(4) Designations of Advisory Committee Representatives;

(5) Location of the official files of the Advisory Committee.

(b) Each A.I.D. Advisory Committee Representative maintains individual advisory committee files at a location

known to the A.I.D. Advisory Committee Management Officer. These files contain the following information:

- (1) Copies of documents establishing, renewing, and terminating the committee;
  - (2) Copies of committee charters filed with the A.I.D. Administrator;
  - (3) Fiscal records which fully disclose the disposition of any funds made available to the committee;
  - (4) Advisory committee records described above in §214.36(b) (*i.e.*, the reports, transcripts, minutes, appendices, and other documents which were made available to, or prepared for or by, the committee).
- (c) The A.I.D. Advisory Committee Management Officer, the A.I.D. Auditor General, the OMB Secretariat, and the Comptroller General shall have access to these records.
- (d) Personnel documentation required by CSC and Agency regulations shall be maintained in the official personnel records of the Office of Personnel and Manpower.

**§ 214.44 Annual review and reports.**

- (a) A.I.D. conducts an annual comprehensive review of advisory committees under instructions provided by OMB Circular A-63, section 10, as amended and submits required data to OMB on the prescribed format, by November 30 of each year.
- (b) A.I.D. reports monthly to OMB on committee terminations or other significant changes in continuing A.I.D. Advisory Committees.
- (c) A.I.D. also provides information to the General Services Administration (GSA) for an annual report to Congress. The Agency report is due on February 1 of each year; includes only those advisory committees established by or reporting to A.I.D.; and is submitted on a form prescribed by GSA.
- (d) Within A.I.D., the Advisory Committee Management Officer collects required information from the A.I.D. Advisory Committee Representatives; appraises advisory committee activities for the Administrator; and prepares the Agency's reports for the Administrator.

**Subpart F—Administrative Remedies**

**§ 214.51 Administrative review of denial for public access to records.**

Any person whose request for access to an advisory committee document is denied may seek administrative review in accordance with §212.36(c) of A.I.D. Regulation 12, 22 CFR 212.36(c).

**§ 214.52 Administrative review of other alleged non-compliance.**

With regard to other alleged non-compliance with the Act, OMB Circular A-63, or this regulation, the following procedures are to be used:

- (a) Advisory committee members or other aggrieved individuals or organizations must file a written complaint which contains specific information regarding the alleged non-compliance.
- (b) The written complaint must be addressed to the Administrator or Deputy Administrator, Agency for International Development, 21st and Virginia Avenue, NW., Washington, DC 20523.
- (c) The complaint must be filed within thirty (30) days after the date of the alleged non-compliance.
- (d) The complaint will be considered by the Administrator or Deputy Administrator with the advice and assistance of the General Counsel and the A.I.D. Advisory Committee Management Office.
- (e) Written notice of the disposition of the complaint shall be provided to the complainant within thirty (30) days of the date the complaint was received by the Agency.

**PART 215—REGULATIONS FOR IMPLEMENTATION OF PRIVACY ACT OF 1974**

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- 215.1 Purpose and scope.
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- 215.3 Procedures for requests pertaining to individual records in a system of records.
- 215.4 Times, places, and requirements for identification of individuals making requests.
- 215.5 Access to requested information by individuals.
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