the agency determines, under the pro-
visions of §§ 503.80 and 503.81 that dis-
closure of that information is likely to
disclose matters which are:

(a) Specifically authorized under cri-
teria established by an Executive order
to be kept secret in the interests of na-
tional defense or foreign policy and in
fact properly classified pursuant to
such Executive order;
(b) Related solely to the internal per-
sonnel rules and practices of an agen-
cy;
(c) Specifically exempted from dis-
closure by any statute other than 5
U.S.C. 552 (FOIA), provided that such
statute (1) requires that the matters be
withheld from the public in such a
manner as to leave no discretion on the
issue, or (2) establishes particular cri-
teria for withholding or refers to par-
ticular types of matters to be withheld;
(d) Trade secrets and commercial or
financial information, obtained from a
person and privileged or confidential;
(e) Involved with accusing any person
of a crime, or formally censuring any
person;
(f) Of a personal nature, where disclo-
sure would constitute a clearly unwar-
ranted invasion of personal privacy;
(g) Investigatory records compiled
for law enforcement purposes, or infor-
mation which if written would be con-
tained in such records, but only to the
extent that the production of such
record or information would

(1) Interfere with enforcement pro-
cedings,
(2) Deprive a person of a right to a
fair trial or an impartial adjudication,
(3) Constitute an unwarranted inva-
sion of personal privacy,
(4) Disclose the identity of a con-
fidential source and, in the case of a
record compiled by a criminal law en-
forcement authority in the course of a
criminal investigation, or by an agency
conducting a lawful national security
intelligence investigation, confidential
information furnished only by the con-
fidential source,
(5) Disclose investigative techniques
and procedures, or
(6) Endanger the life or physical safe-
ty of law enforcement personnel;

(b) Upon receipt of any request made
under paragraph (a) of this section, the
Secretary shall schedule a time at
which the members of the agency shall
vote upon the request, which vote shall
take place not later than eight (8) days
prior to the scheduled meeting of the
agency.
(c) At the time scheduled by the Sec-
cretary in paragraph (b) of this section,
the Members of the agency, upon con-
sideration of the request submitted
under paragraph (a) of this section,
shall vote upon that request. That vote
shall determine whether or not infor-
mation pertaining to a meeting may be
§ 503.81 Effect of vote to withhold information pertaining to meeting.

(a) Where the agency votes as provided in §503.80 to withhold from public disclosure information pertaining to a portion or portions of a meeting or portion or portions of a series of meetings, such information shall be excepted from the requirements of §§ 503.78, 503.82 and 503.83.

(b) Where the agency votes as provided in §503.80 to permit public disclosure of information pertaining to a portion of portions of a meeting or portion or portions of a series of meetings, such information shall be disclosed to the public as required by §§503.78, 503.82 and 503.83.

(c) Not later than the day following the date on which a vote is taken under §503.80, by which the information pertaining to a meeting is determined to be disclosed, the Secretary shall make available to the public a written copy of such vote reflecting the vote of each member of the agency on the question.

§ 503.82 Public announcement of agency meeting.

(a) Except as provided in §§503.80 and 503.81 regarding a determination to withhold from public disclosure any information pertaining to a portion or portions of a meeting or portion or portions of a series of meetings, or as otherwise provided in paragraph (c) of this section, the Secretary of the agency shall make public announcement of each meeting of the agency.

(b) Except as otherwise provided in this section, public announcement of each meeting of the agency shall be accomplished not later than one week prior to commencement of a meeting or the commencement of the first meeting in a series of meetings, and shall disclose:

(1) The time of the meeting;
(2) The place of the meeting;
(3) The subject matter of each portion of each meeting or series of meetings;
(4) Whether any portion or portions of a meeting or portion or portions of any series of meetings shall be open or closed to public observation; and
(5) The name and telephone number of the Secretary of the agency who shall respond to requests for information about a meeting.

(c) The announcement described in paragraphs (a) and (b) of this section may be accomplished less than one week prior to the commencement of any meeting or series of meetings, provided the agency determines by recorded vote that the agency business requires that any such meeting or series of meetings be held at an earlier date. In the event of such a determination by the agency, public announcement as described in paragraph (b) of