

MEMORANDUM

October 6, 1997

To: T. Jeremy Gunn
Acting Executive Director and
General Counsel

Tom Samoluk
Deputy Director

From: Ronald G. Haron
Associate General Counsel

Subject: Draft Motion for Review Board (October 14, 1997 Meeting)

Set forth is a proposed motion to be considered and voted upon by the Review Board at its next meeting on October 14. The purpose of the motion is to publicly record, pursuant to the requirements of 5 U.S.C. § 552b(e)(2), that the Review Board has decided not to have an open meeting with respect to the selection of a new Executive Director. The motion would read as follows:

It is hereby moved that the Review Board memorialize for the public record the following:

1. That a majority of the Review Board members agreed to postpone the open meeting scheduled for September 17, 1997;
2. That the Board decision to postpone the open meeting was made that day such that no earlier announcement of the change was possible;
3. That notice of the postponement was posted at the offices of the Review Board at the earliest practicable time on September 17;
4. That one of the noticed subjects for the September 17 open meeting was the selection of a new Executive Director;
5. That with the appointment of T. Jeremy Gunn as the new Executive Director, there is no need for an open meeting with respect to the selection of a new Executive Director; and

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6. That the Review Board shall publicly record the vote of each Board member with respect to the decision not to hold an open meeting regarding selection of a new Executive Director.

Once this motion is passed, I recommend that the Chair then record the vote of each Board member on the issue of not having an open meeting regarding the selection of a new Executive Director. I am having a draft voting form prepared for your consideration.