

**Board Meeting Minutes**  
**September 21, 1995**  
**Washington, D. C.**

Mr. Tunheim called the meeting to order at 9:15 a.m.

Board Members Present: John Tunheim, Henry Graff, Kermit Hall, William Joyce, Anna Nelson.

Senior Staff Present: David Marwell, Jeremy Gunn, Tom Samoluk, Tracy Shycoff.

Minutes of August 3, 1995 Open Meeting: Motion to approve by Dr. Graff; seconded by Dr. Nelson; the vote was unanimous.

Minutes of August 30, 1995 Special Open Meeting: A motion by Dr. Hall to accept the transcript as minutes was seconded and passed unanimously. Dr. Nelson's motion to approve the August 30, 1995 minutes was seconded by Dr. Graff and passed unanimously.

FOIA and Sunshine Act Regulations have been published in the Federal Register. Draft Privacy Act Regulations were published August 4, 1995. No suggestions for substantive changes were received from the public. OMB and the staff proposed some recommendations. Jeremy Gunn recommended that they be adopted as amended.

Dr. Hall asked the reason for removing the first level decision on FOIA and Privacy Act from the General Counsel. (This was one of the recommendations by OMB.) Dr. Marwell explained that appeals are made to the Executive Director, who can then confer with the General Counsel (therefore, one other than the one who made the original decision). Any appeal beyond this level would then be to Federal District Court. For all practical purposes, the Board does not have responsibility for FOI/PA decisions—this is largely an administrative function.

The motion by Dr. Joyce to approve the Rules Implementing the Privacy Act was seconded by Dr. Graff and passed unanimously.

The FOIA Statement of Organization, Functions, and Authority Delegations had previously been reviewed. Dr. Nelson moved to adopt; second by Dr. Graff; carried unanimously.

Mr. Tunheim stated that an ever-increasing number of documents have been or are in the process of being released.

There being no further business, Dr. Nelson moved adjournment, Dr. Graff seconded, and the meeting adjourned by unanimous vote.