



U. S. Chemical Safety and Hazard Investigation Board

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March 27, 2002

Board Action Report

Notation No.: 167

Voting Period: March 15, 2002 – March 29, 2002

Subject: Proposed Sunshine Act Rule

Whereas,

1. The Government in the Sunshine Act ("Sunshine Act"), 5 U.S.C. § 552b, furthers a policy of openness in official decision-making by, among other things, establishing standards for publicizing and permitting access to agency meetings, and for closing meetings to the public under certain conditions;
2. The Sunshine Act requires agencies to which it applies to promulgate regulations, after public comment, implementing the Act's requirements;
3. The Chemical Safety and Hazard Investigation Board (CSB), as an agency headed by a collegial body whose members are appointed by the President and confirmed by the Senate, is subject to the requirements of the Sunshine Act;
4. The CSB's Inspector General has recommended that the agency publish regulations in compliance with the Sunshine Act;
5. The attached draft proposed Sunshine Act rule sets forth polices and procedures for the implementation of the Act within the CSB; and
6. The Board desires to affirm its intent to comply with the Sunshine Act while the implementing regulations are pending, given that the Act in and of itself establishes complete requirements and mandates compliance with them;

Therefore, pursuant to its authority under 42 U.S.C. § 7412(r)(6)(N), the Board hereby votes to adopt the attached draft proposed Sunshine Act rule as the CSB proposed Sunshine Act rule and authorize its immediate publication in the Federal Register.

The Board further votes, pursuant to the same authority cited above, to make the provisions of the CSB proposed Sunshine Act rule binding upon itself until such time as a final Sunshine Act rule takes effect.

Approval Date: 3/20/02

	<u>Approve</u>	<u>Disapprove</u>	<u>Not Participating</u>	<u>Withhold</u>
Isadore Rosenthal	x			
Gerald Poje	x			
Andrea Taylor	x			