



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

MINUTES OF COMMISSION MEETING

September 5, 1985

1111 - 18th Street, N.W.

Washington, D.C.

The September 5, 1985, meeting of the U.S. Consumer Product Safety Commission was convened in closed session (see attachment) by Chairman Terrence Scanlon. Commissioners Sandra Brown Armstrong, Carol G. Dawson and Stuart M. Statler were present. Also attending were special assistants to the Commissioners; Daniel Levinson, General Counsel; Alan Schoem, Assistant General Counsel; Len DeFiore, Executive Director; Sadye Dunn, Secretary, and Sheldon Butts, Deputy Secretary; and Jym Wooten, Directorate for Administration.

Agenda Matter: Commission Procedures

The Commission considered a draft final version of the Commission's Decisionmaking Procedures, with several changes of an editorial nature being noted by the Office of the General Counsel. Following questions and discussion by the Commissioners, Chairman Scanlon moved that the document be placed for vote of the Commissioners by ballot with a due date of October 15, 1985. This motion failed for lack of a second. The Commission then proceeded to a vote, and by vote of 3-1, adopted the Commission Decisionmaking Procedures as drafted, copy attached, to be effective immediately. Commissioners Armstrong, Dawson and Statler voted to approve, with Chairman Scanlon dissenting. Chairman Scanlon filed a dissenting opinion (copy attached). The Commission also agreed unanimously to publish a Federal Register notice to inform the public of the existence and availability on request of these internal procedural rules.

There being no further business on the agenda, Chairman Scanlon adjourned the meeting.

For the Commission:

  
Sadye E. Dunn  
Secretary

- Attachments:
1. Notice of Closed Meeting and Office of the General Counsel Certification
  2. Commission Decisionmaking Procedures
  3. Dissenting Opinion of Chairman Scanlon
  - \*4. Concurring Opinion of Vice Chairman Dawson



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OFFICE OF THE  
GENERAL COUNSEL

Commission Meeting  
Thursday, September 5, 1985  
9:30 a.m.

Third Floor Hearing Room  
1111 18th Street, N.W.  
Washington, D.C. 20207

CERTIFICATION OF CLOSED MEETING

The General Counsel, in accordance with section 3(f)(1) of the Government in the Sunshine Act (5 U.S.C. § 552b(f)(1)) and the Commission's rules issued under that Act (16 CFR § 1013.4(c)(3)), hereby certifies that the Commission meeting of September 5, 1985, at which the staff will brief the Commission on its internal practices, may be properly closed to the public on the basis of the exemption set forth in the Commission's rules at 16 CFR § 1013.4(b)(2).

September 4, 1985  
Date

Daniel R. Levinson  
DANIEL R. LEVINSON  
General Counsel



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Notice of Closed Commission Meeting

Subject of Closed Meeting: The Commission is meeting to discuss internal practices.

Date of Closed Meeting: September 5, 1985.

Specific Exemption Cited: Exemption 2; 16 CFR 1013.4 (b) (2). This meeting will involve discussion of information relating to internal practices of the Commission. The Commission's Office of the General Counsel has certified this closing; and its certification is attached.

Public Interest Determination: The Commission has determined that the public interest would not be served by public discussion of this matter. Such discussion could benefit the other parties by giving advance notice of the Commission's strategy, and thus would be likely to interfere with the successful pursuit of this matter.

Attendance: In addition to the Commissioners and their immediate staff, representatives of the following offices are expected to attend this meeting: Office of the Secretary, Office of the General Counsel, Office of the Executive Director, Office of Public Affairs, and Directorate for Compliance and Administrative Litigation.

Voting to Close the Meeting:

Terrence Scanlon, Chairman  
Saundra Brown Armstrong, Commissioner  
Carol Dawson, Commissioner  
Stuart M. Statler, Commissioner

Purpose of this Notice: This document gives notice that the Consumer Product Safety Commission has decided to close the meeting described above. This notice is given pursuant to section 1013.4(c) (4) of the Commission's Meetings Policy.

A handwritten signature in dark ink, appearing to read "Sheldon D. Butts", is written over a horizontal line.

Sheldon D. Butts  
Deputy Secretary

Attachment