

## **General Counsel Certification**

### **Closure Vote Notice**

#### **National Science Board Meetings on August 15 - 16, 2013**

On August 5, 2013, the Executive Committee of the National Science Board voted to close portions of the August 2013 meetings of the National Science Board and its committees. Executive Committee members Drs. Marrett, Arvizu, Droegemeier, Lineberger and Souvaine participated in the e-mail polling of the Executive Committee. All members voted “yes” to close the meetings. The justification for closing the meetings is provided in the attached certificate.

For the closed meetings of the Board and Committees, the NSF Deputy Director, Assistant Directors, senior O/D staff, heads of Offices, applicable Executive Secretaries, and the Board Executive Officer, Counsel and policy staff may attend. For the sessions involving proposed awards and agreements, the above-listed staff, and appropriate NSF Division Directors and Program Officers may attend. For the closed sessions involving future budgets, the initially-listed staff, and the Director and senior staff of the BFA Budget Division and of OLPA may attend. For the executive closed session, only the Board Executive Officer, Board Counsel and Executive Secretary are expected to attend. The Board Chair or Committee Chair (or vice-Chair in their absence) may allow other necessary or appropriate attendees or restrict attendance further.

## CERTIFICATE

It is my opinion that the discussions in the following meetings of the National Science Board and its subdivisions may properly be closed for the reasons given.

1. CPP meeting to be held August 15, 2013. Committee chairman's remarks and approval of closed minutes for the May 2013 meeting – to be closed pursuant to 5 USC § 552b (c)(2) and (9)(b). Discussion of the following two information items – Planning and Prioritizing Infrastructure Investments in the Directorate for Mathematical and Physical Sciences; and MPS/AST Portfolio Review Update – to be closed pursuant to 5 USC § 552b (c)(4) and (9)(b). Discussion and action on the following three items – Support for the Renewal of Funding for Operations and Maintenance of the Laser Interferometer Gravitational-wave Observatory (LIGO); Approval of the Revised Baseline for the Construction of the Advanced Technology Solar Telescope (ATSY) for FY 2010-2019; and Increase in Pass-Through Authority for Construction of the Atacama Large Millimeter/submillimeter Array (ALMA) – to be closed pursuant to 5 USC § 552b (c)(4) and (9)(b).
2. A&O meeting to be held August 16, 2013. Committee chairman's remarks and discussion of the Office of the Inspector General's FY 2015 Budget – to be closed pursuant to 5 USC § 552b (c)(3) and 42 USC § 1863 (k).
3. CSB meeting to be held August 16, 2013. Committee chairman's remarks and approval of closed minutes for the May 2013 meeting and the July 29, 2013 teleconference – to be closed pursuant to 5 USC § 552b (c)(2) and (9)(B); FY 2015 Budget Approval – to be closed pursuant to 5 USC § 552b (c)(3) and 42 USC § 1863 (k).
4. Plenary NSB meeting (executive closed session) to be held August 16, 2013. Chairman's remarks and approval of Plenary Executive closed minutes for May 2013 meeting – to be closed pursuant to 5 USC § 552b (c)(6) and (9)(B); discussion of Board member proposals and Board member nominations – to be closed pursuant to 5 USC § 552b (c)(6). Plenary NSB meeting (closed session), to be held August 16, 2013. Approval of Plenary closed minutes for May 2013 meeting – to be closed pursuant to 5 USC § 552b (c) (4), (6) and (9)(B) and 42 USC § 1863 (k). Discussion of Risks to NSF – to be closed pursuant to 5 USC § (c) (9)(B). Consideration of and action regarding the following proposed awards and agreements: Support for the Renewal of Funding for Operations and Maintenance of the Laser Interferometer Gravitational-wave Observatory (LIGO); Approval of the Revised Baseline for the Construction of the Advanced Technology Solar Telescope (ATSY) for FY 2010-2019; and Increase in Pass-Through Authority for Construction of the Atacama Large Millimeter/submillimeter Array (ALMA) – to be closed pursuant to 5 USC § 552b (c)(4) and (9)(B). Discussion of closed committee reports – to be closed pursuant to 5 USC § 552b (c)(2), (c)(3) and 42 USC § 1863 (k), and 5 USC § 552b (c)(4), (6) and (9)(B). Chairman's remarks – to be closed pursuant to 5 USC § (c) (9)(B).

/s/

---

Lawrence Rudolph  
General Counsel  
National Science Foundation