

General Counsel Certification

Closure Vote Notice

National Science Board Meetings on May 9 - 10, 2013

On April 30, 2013, the Executive Committee of the National Science Board voted to close portions of the May 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. CSB meeting to be held May 9, 2013. Committee chairman's remarks and approval of closed minutes for the February 2013 meetings – to be closed pursuant to 5 USC § 552b (c)(2) and (9)(b); discussion regarding FY 2013 budget update and FY 2015 budget development – to be closed pursuant to 5 USC § 552b (c)(3) and 42 USC § 1863 (k).

2. CPP meeting to be held May 9, 2013. Committee chairman's remarks and approval of closed minutes for the February 2013 meetings – to be closed pursuant to 5 USC § 552b (c)(2) and (9)(b); discussion of the implementation of recommendations on Antarctic facilities – to be closed pursuant to 5 USC § 552b (c)(3) and 42 USC § 1863 (k); discussion of planning and prioritizing infrastructure investments in the Directorate for Geosciences – to be closed pursuant to 5 USC § 552b (c)(4) and (9)(b); and discussion and action on the following items – Geodesy Advancing Geosciences and EarthScope (GAGE) and Seismological Facilities for the Advancement of Geoscience and EarthScope (SAGE), Renewal of Award for Management of the National Center for Atmospheric Research (NCAR), and iPlant – to be closed pursuant to 5 USC § 552b (c)(4) and (9)(b).

3. Plenary NSB meeting (executive closed session) to be held May 10, 2013. Approval of Plenary Executive closed minutes for February 2013 meeting – to be closed pursuant to 5 USC § 552b (c)(6) and (9)(b); election of Executive Committee members, and assessment of the procedures used in reviewing board member proposals– to be closed pursuant to 5 USC § 552b (c)(6).

4. Plenary NSB meeting (closed session) to be held May 10, 2013. Approval of Plenary closed minutes for meetings of February 2013 – to be closed pursuant to 5 USC § 552b (c)(2) (4), (6) and (9)(B) and 42 USC § 1863 (k); consideration of and action regarding the Geodesy Advancing Geosciences and EarthScope (GAGE) and Seismological Facilities for the Advancement of Geoscience and EarthScope (SAGE), Renewal of Award for Management of the National Center for Atmospheric Research (NCAR), and iPlant – to be closed pursuant to 5 USC § 552b (c)(4) and (9)(b); and 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).

/s/

Lawrence Rudolph
General Counsel
National Science Foundation