

BASIS FOR REVISING NSB AND COMMITTEE MEETING AGENDAS  
FOR NOVEMBER 8-9, 2016 ON SHORT NOTICE

On November 2, 2016 the Executive Committee of the National Science Board voted to make certain changes to the NSB and Committee agendas in the meetings scheduled for Tuesday, November 8 and Wednesday, November 9, 2016 EDT on short notice. After reviewing written material and receiving input from Board and NSF leadership, the Board Chair decided the Board's business is better promoted by addressing structural issues early in the meeting and deferring certain other topics. All NSB Executive Committee members, Drs. Córdova, Zuber, Souvaine, Jackson and Peterson, agreed that agency business requires these revisions.

The following meetings have revised agendas:

- 1) National Science Board in plenary sessions on November 8 and 9, 2016. The discussion of NSB Structure will be moved to the open plenary meeting on November 8 from the one on November 9.
- (2) Committee on Strategy and Budget's Subcommittee on Facilities (SCF) meeting on November 8, 2016. SCF will not meet separately. Its agenda items will be considered by the joint meeting of SCF and the Committee on Programs and Plans (CPP).
- (3) joint meeting of SCF and CPP on November 8, 2016. The agenda item relating to Facilities Roles and Responsibilities will be deleted. As noted, the SCF agenda items will be added to this meeting.

Other meetings on November 8, 2016, have modified beginning and ending times, but no agenda changes. The plenary Board meeting (open) on November 9, 2016, has modified beginning and ending times.

**Counsel Certification**  
**Closure Vote Notice**  
**National Science Board Meetings on November 8-9, 2016**

On Monday, October 31, 2016, the Executive Committee of the National Science Board voted to close portions of the May 2016 meetings of the National Science Board and its committees. Executive Committee members Drs. Córdova, Zuber, Souvaine, Jackson, and Peterson 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 its subdivisions, the NSF Deputy Director, Assistant Directors, senior O/D staff members, Office Heads including O/D Office Heads, Board Executive Officer, Board Counsel, the applicable Executive Secretary and NSBO staff may attend in addition to the Board members. For closed committee meetings, staff preparing a presentation or who are needed to answer questions may also attend. For the CSB closed meeting involving future budgets, the NSF CFO, the heads of the Budget Office and of OLPA and applicable senior staff from those offices may also attend. For the executive closed meeting of the Board, only the NSF Deputy Director, Board Executive Officer, Board Counsel, and Executive Secretary may attend. The Board Chair or Committee Chair 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 November 9, 2016. CSB Chair's remarks and approval of prior closed committee minutes – to be closed pursuant to 5 USC § 552b (c) (3), and 42 USC § 1863 (k). Update on FY 2018 budget request development – to be closed pursuant to 5 USC § 552b (c) (3), and 42 USC § 1863 (k).
2. CPP meeting to be held November 9, 2016. CPP Chair's remarks and approval of prior closed committee minutes – to be closed pursuant to 5 USC § 552b (c) (4). Discussion of the NEON operations and maintenance update – to be closed pursuant to 5 USC § 552b (c) (4) and (9) (B).
3. Plenary NSB meeting (closed session), to be held November 9, 2016. NSB Chair's remarks, and approval of prior closed plenary minutes – to be closed pursuant to 5 USC § 552b (c) (3), (4), and 42 USC § 1863 (k). NSF Director's remarks, and closed committee reports – to be closed pursuant to 5 USC § 552b (c) (3), (4), and 42 USC § 1863 (k).
4. Plenary NSB meeting (executive closed), to be held November 9, 2016. NSB Chair's remarks and approval of prior closed plenary executive minutes – to be closed pursuant to 5 USC § 552b (c) (4), (c) (6). Receive recommendations for 2017 Vannevar Bush and Public Service Awards – to be closed pursuant to 5 USC § 552 (c) (6).

//s//

---

Lawrence Rudolph  
General Counsel  
National Science Foundation