

Counsel Certification
Closure Vote Notice
National Science Board Meetings on May 9-10, 2017

On Friday, April 28, 2017, the Executive Committee of the National Science Board voted to close portions of the February 2017 meetings of the National Science Board and its committees. Executive Committee members Drs. Córdova, Zuber, and Souvaine participated in the e-mail polling of the Executive Committee. All members participating 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.

C E R T I F I C A T E

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. CoS meeting to be held May 9, 2017. Closed agenda items include: Committee Chair's Remarks; Update on FY 2017 Budget; Update on FY 2018 Budget; and Update on New Administration OMB Guidance. All items to be closed pursuant to 5 USC § 552b (c) (3), and 42 USC § 1863 (k).
2. A&F meeting to be held May 9, 2017. Closed agenda items include: A&F Chair's remarks, and approval of closed February 2017 minutes – to be closed pursuant to 5 USC § 552b (c) (4); Information Item – National High Magnetic Field Laboratory – to be closed pursuant to 5 USC § 552b (c) (4); Information Item – NEON Supplemental Proposal for Operations and Maintenance – to be closed pursuant to 5 USC § 552b (c) (4); Information Item -- Status of Arecibo Observatory – to be closed pursuant to 5 USC § 552b (c) (4) and (9) (B); Action Item – Regional Class Research Vessel -- to be closed pursuant to 5 USC § 552b (c) (4) and to 5 USC § 552b (c) (3), and 42 USC § 1863 (k); Action Item – Antarctic Infrastructure Modernization for Science – to be closed pursuant to 5 USC § 552b (c) (3), 42 USC § 1863 (k) and 5 USC § 552b (c) (4); Action Item – Stampede 2 Operations and Maintenance Award -- to be closed pursuant to 5 USC § 552b (c) (4);
3. Plenary NSB meeting (executive closed), to be held May 10, 2017. Closed agenda items include: NSB Chair's remarks and approval of prior closed plenary executive minutes – to be closed pursuant to 5 USC § 552b (c) (4), (c) (6); Election of Executive Committee Members – to be closed pursuant to 5 USC § 552b (c) (6); Strategic discussion on the impact of changing budget levels on the Board role as Advisor to Congress and the President – to be closed pursuant to 5 USC § 552b (c) (3), 42 USC § 1863 (k).
4. Plenary NSB meeting (closed session), to be held May 10, 2017. Closed agenda items include: NSB Chair's remarks, and approval of prior closed plenary and committee minutes – to be closed pursuant to 5 USC § 552b (c) (3), (4), (9) (B), and 42 USC § 1863 (k); and closed committee reports – to be closed pursuant to 5 USC § 552b (c) (3), (4), and (9) (B), and 42 USC § 1863 (k).

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Lawrence Rudolph
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National Science Foundation