

Counsel Certification
Closure Vote Notice
National Science Board Meetings on February 12, 2019

On Monday, February 4, 2019, the Executive Committee of the National Science Board voted to close portions of the February 2019 meetings of the National Science Board and its committees. Executive Committee members Drs. Córdova, Souvaine, Ochoa, 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 Chief Operating Officer, 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 Chief Operating Officer, 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. CS meeting to be held February 12, 2019. Closed agenda items include: Committee Chair's opening remarks; Approval of prior minutes of closed meetings; FY 2019 and 2020 Budget and passback. All items to be closed pursuant to 5 USC § 552b (c) (3) and 42 USC § 1863 (k).
2. A&F meeting to be held on February 12, 2019. Closed agenda items include: Committee Chair's remarks; Approval of prior minutes; Action Items – Antarctic Infrastructure Modernization for Science (AIMS); International Ocean Discovery Program (IODP). These items to be closed pursuant to 5 USC § 552b (c) (4). Update Item – Cornell High Energy Synchrotron Source (CHESS), item to be closed pursuant to 5 USC § 552b (c) (4), and (c) (9) (B). Context Item – Green Bank Observatory, item to be closed pursuant to 5 USC § 552b (c) (4), (c) (3), (c) (9) (B), and 42 USC § 1863(k). Update Item — National Ecological Observatory Network (NEON), item to be closed pursuant to 5 USC § 552b (c) (4).
3. Plenary NSB meeting (closed), to be held February 12, 2019. Closed agenda items include: NSB Chair's remarks; NSF Director's remarks, including discussion of the impacts of the lapse in appropriations; approval of prior minutes of closed meetings; and closed committee reports. The preceding items to be closed pursuant to 5 USC § 552b (c) (3), (c) (4), (c) (6) and 42 USC § 1863 (k). Votes – Antarctic Infrastructure Modernization for Science (AIMS); International Ocean Discovery Program (IODP). These items to be closed pursuant to 5 USC § 552b (c) (4).
4. Plenary NSB meeting (executive closed session), to be held February 12, 2019. Closed agenda items include: NSB Chair's remarks and approval of minutes for prior closed session – to be closed pursuant to 5 USC § 552b (c) (4); Director's remarks, including senior personnel updates and Waterman Award update – to be closed pursuant to 5 USC § 552b (c) (4) and (6).

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Lawrence Rudolph
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National Science Foundation