

MEMORANDUM TO MEMBERS AND CONSULTANTS OF THE NATIONAL SCIENCE BOARD

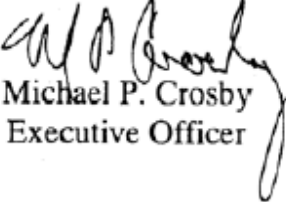
SUBJECT: Major Actions and Approvals at the August 4-5, 2004 Meeting

This memorandum will be made publicly available for any interested parties to review. A more detailed summary of the meeting will be posted on the National Science Board (NSB, the Board) public Web site within 10 business days. A comprehensive set of NSB-approved Open Session meeting minutes will be posted on the Board's public Web site following its October 2004 meeting.

Major actions and approvals at the 381st meeting of the Board included the following (not in priority order):

1. The Board approved the minutes for the Open Plenary, Executive Closed Plenary, and Closed Plenary Session of the May 2004 meeting of the NSB (http://www.nsf.gov/nsb/meetings/2004/0804/aug_appr_min.pdf).
2. The Board approved a resolution to close portions of the upcoming October 13-14, 2004 NSB meeting dealing with staff appointments, future budgets, pending proposals/awards for specific grants, contracts, or other arrangements, and those portions dealing with specific Office of the Inspector General investigations and enforcement actions, or agency audit guidelines (NSB-04-113) (Attachment 1).
3. Dr. Barry Barish was elected to fill a vacancy in the Executive Committee for a term that expires in May 2005.
4. The Board selected The University of Texas at El Paso as the site of the annual Board off-site meeting and retreat in February 2005.
5. The Board authorized the Acting Director, at his discretion, to extend the current Cooperative Agreement with Associated Universities, Inc. for support of the management and operations of the National Radio Astronomy Observatory.
6. The Board authorized the Acting Director, at his discretion, to make an award to the MPC Corporation for the acquisition of a terascale computing system.

7. The Board approved resolutions for the Fiscal Year 2006 budget requests to the Office of Management and Budget for the Office of the Inspector General (NSB-04-129) (Attachment 2), the National Science Board (NSB-04-130) (Attachment 3), and the National Science Foundation (NSB-04-131) (Attachment 4).
8. The Board approved a resolution on NSF budget accounting relating to the Intergovernmental Personnel Act (IPA) (NSB-04-135) (Attachment 5).
9. The NSB Nominating Committee was discharged, with thanks to the chairman, Dr. Ray Bowen. Committee members were Drs. Kenneth Ford, Daniel Hastings and Elizabeth Hoffman, and Executive Secretary Dr. Michael Crosby.
10. Dr. Elizabeth Hoffman was named chair of the NSB Committee on Education and Human Resources, Dr. Steven Beering was named acting chair of the Subcommittee on S&E Indicators, Dr. Daniel Simberloff was named chair of the Committee on Programs and Plans, and Dr. Ray Bowen was named chair of the Committee on Strategy and Budget.



Michael P. Crosby
Executive Officer

- Attachment 1: NSB-04-113
Attachment 2: NSB-04-129
Attachment 3: NSB-04-130
Attachment 4: NSB-04-131
Attachment 5: NSB-04-135

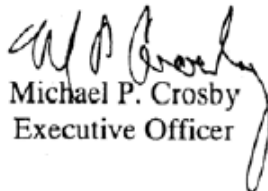
**MEMORANDUM TO MEMBERS AND CONSULTANTS OF THE
NATIONAL SCIENCE BOARD**

SUBJECT: Closed Session Agenda Items for October 13-14, 2004 Meeting

The Government in the Sunshine Act requires formal action on closing portions of each Board meeting. The following are the closed session agenda items anticipated for the October 13 - 14, 2004 meeting.

1. Staff appointments
2. Future budgets
3. Grants and contracts
4. Specific Office of Inspector General investigations and enforcement actions

A Proposed resolution and the General Counsel's certification for closing these portions of the meetings are attached for your consideration.


Michael P. Crosby
Executive Officer

Attachments

PROPOSED
RESOLUTION
TO CLOSE PORTIONS OF
382nd MEETING
NATIONAL SCIENCE BOARD

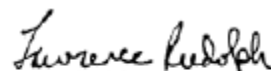
RESOLVED: That the following portions of the meeting of the National Science Board (NSB) scheduled for October 13 - 14, 2004 shall be closed to the public.

1. Those portions having to do with discussions regarding nominees for appointments as National Science Board members and National Science Foundation (NSF) staff appointments, or with specific staffing or personnel issues involving identifiable individuals. An open meeting on these subjects would be likely to constitute a clearly unwarranted invasion of personal privacy.
2. Those portions having to do with future budgets not yet submitted by the President to the Congress.
3. Those portions having to do with proposals and awards for specific grants, contracts, or other arrangements. An open meeting on those portions would be likely to disclose personal information and constitute a clearly unwarranted invasion of privacy. It would also be likely to disclose research plans and other related information that are trade secrets, and commercial or financial information obtained from a person that are privileged or confidential. An open meeting would also prematurely disclose the position of the NSF on the proposals in question before final negotiations and any determination by the Director to make the awards and so would be likely to frustrate significantly the implementation of the proposed Foundation action.
4. Those portions having to do with specific Office of the Inspector General investigations and enforcement actions, or agency audit guidelines.

The Board finds that any public interest in an open discussion of these items is outweighed by protection of the interests asserted for closing the items.

CERTIFICATE

It is my opinion that portions of the meeting of the National Science Board (NSB) or its subdivisions scheduled for October 13 - 14, 2004 having to do with nominees for appointments as NSB members and National Science Foundation (NSF) staff, or with specific staffing or personnel issues or actions, may properly be closed to the public under 5 U.S.C. § 552b(c) (2) and (6); those portions having to do with future budgets may properly be closed to the public under 5 U.S.C. § 552b(c) (3) and 42 U.S.C. 1863(k); those portions having to do with proposals and awards for specific grants, contracts, or other arrangements may properly be closed to the public under 5 U.S.C. § 552b(c) (4), (6), and (9) (B); those portions disclosure of which would risk the circumvention of a statute or agency regulation under 5 U.S.C. § 552b(c) (2); and those portions having to do with specific Office of the Inspector General investigations and enforcement actions may properly be closed to the public under 5 U.S.C. § 552b(c) (5), (7) and (10).



Lawrence Rudolph
General Counsel
National Science Foundation

RESOLUTION

NATIONAL SCIENCE BOARD

OFFICE OF THE INSPECTOR GENERAL
NATIONAL SCIENCE FOUNDATION
FISCAL YEAR 2006 BUDGET SUBMISSION

RESOLVED, that the National Science Board approves the proposed National Science Foundation, Office of the Inspector General Fiscal Year 2006 budget request for transmittal to the Office of Management and Budget, as recommended by the Audit and Oversight Committee.

A handwritten signature in black ink, appearing to read "Warren M. Washington". The signature is fluid and cursive, with a prominent initial "W" and a long, sweeping tail.

Warren M. Washington
Chairman

RESOLUTION

NATIONAL SCIENCE BOARD

NATIONAL SCIENCE BOARD
FISCAL YEAR 2006 BUDGET

RESOLVED, that the National Science Board approves the proposed National Science Board Fiscal Year 2006 budget request for transmittal to the Office of Management and Budget, as recommended by the Committee on Strategy and Budget.



Warren M. Washington
Chairman

RESOLUTION

NATIONAL SCIENCE BOARD

NATIONAL SCIENCE FOUNDATION
FISCAL YEAR 2006 BUDGET SUBMISSION

RESOLVED, that the National Science Board approves the proposed National Science Foundation Fiscal Year 2006 budget request for transmittal to the Office of Management and Budget, as recommended by the Committee on Strategy and Budget.

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Warren M. Washington
Chairman

RESOLUTION

NATIONAL SCIENCE BOARD

NATIONAL SCIENCE FOUNDATION BUDGET ACCOUNTING RELATING TO
THE INTERGOVERNMENTAL PERSONNEL ACT (IPA)

RESOLVED, that the Chairman of the National Science Board communicate with the Chairman and Ranking Member of the House Appropriations Subcommittee for VA, HUD, and Independent Agencies regarding the Board's concerns on the budget accounting relating to IPAs, and urge their support for retaining the current National Science Foundation practice of funding all IPA-related salaries and expenses from the Research and Related Activities and the Education and Human Resources appropriations of the Foundation.



Warren M. Washington
Chairman