

**Counsel Certification
Closure Vote Notice
National Science Board Meetings on February 23-24, 2021**

On February 16, 2021, the Executive Committee of the National Science Board voted to close portions of the February 2021 meetings of the National Science Board and its committees. All current Executive Committee members, Drs. Panchanathan, Ochoa, McCrary, and Phillips, 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 OD staff members, Office Heads including OD 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. A&F meeting to be held on February 23, 2021. Closed agenda items include: Committee Chair's Remarks; Approval of Prior Minutes; Context Item: National Ecological Observatory Network (NEON); Action Item: Mid-scale Research Infrastructure Track-2 portfolio award; Action Item: Authorization of Management Reserve for Daniel K Inouye Solar Telescope (DKIST); Context Item: Gemini Spending Cap Increase; Arecibo Observatory Update. Items to be closed pursuant to 5 USC § 552b (c) (4), (c) (6), (c) (9)(B) and 5 USC § 552b (c) (3) and 42 USC § 1863 (k).
2. CS meeting to be held on February 23, 2021. Closed agenda items include: Committee Chair's Remarks; Approval of Prior Minutes; Update on FY 2022 Budget Request Development. Items to be closed pursuant to 5 USC § 552b (c) (3) and 42 USC § 1863 (k).
3. Plenary NSB meeting (closed session), to be held February 24, 2021. Closed agenda items include: NSB Chair's remarks; Approval of prior minutes; Director's remarks; NSF COVID-19 Recovery Update; Closed committee reports; Vote: Mid-scale Research Infrastructure-2 portfolio award; Vote: DKIST Management Reserve. Items to be closed pursuant to 5 USC § 552b (c) (4), and 5 USC § 552b (c) (3) and 42 USC § 1863 (k).
4. Plenary NSB meeting (executive closed session), to be held February 24, 2021. Closed agenda items include: NSB Chair's remarks; Approval of prior minutes; Director's discussion, including personnel updates; Future Directions in Translation, Innovation and Partnerships; Ad Hoc Nominations Committee; Election of Replacement Executive Committee Member. Items to be closed pursuant to 5 USC § 552b (c) (4) and (6), and 5 USC § 552b (c) (3) and 42 USC § 1863 (k).

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Peg Hoyle
General Counsel
National Science Foundation