

# **Basis for Closing Meetings and Closure Vote Notice**

**NSB-NSF Commission on Merit Review – 11/28/2023**

**Committee on Awards and Facilities – 11/24/2023**

**National Science Board – 11/29-30/2023**

**Committee on Strategy – 11/29//2023**

On November 22, 2023, the Executive Committee of the National Science Board (NSB, Board) voted to close portions of the November 2023 meeting of the NSB, NSB-NSF Commission on Merit Review (MRX), the Committee on Awards and Facilities (A&F), and the Committee on Strategy (CS). Executive Committee members Panchanathan, Reed, McCrary, Leath, and Ward voted “yes” to close the meetings. The justification for closing the meetings is provided in the attached certificate.

For closed meetings of the Board, the NSF Chief Operating Officer, Assistant Directors and Office Heads, senior OD staff members, Board Executive Officer, Board Counsel, the applicable Executive Secretaries and NSBO staff may attend in addition to the Board members. For the committee meetings, staff preparing a presentation or who are needed to answer questions may be invited to attend. For the executive closed agenda items, only the NSF Chief Operating Officer, Board Executive Officer, Board Counsel, and Executive Secretary are also expected to 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 NSB and its subdivisions may properly be closed for the reasons given.

### **MRX closed meeting**

**Tuesday, November 28, 2023**

Closed agenda items to include:

- Chairman’s opening remarks regarding the agenda
- Commission planning
- Commission chair’s closing remarks

Items in this meeting may properly be closed to the public pursuant to 5 USC § 552b (c) (9)(B), regarding information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action and thereby enable a third party to take action that injures the interests of the federal government.

### **A&F closed meeting**

**Tuesday, November 28, 2023**

Closed agenda items to include:

- Chair's Opening remarks regarding the agenda
- Annual Report of the Chief Officer for Research Facilities
- Antarctic Research Session Briefing
- Leadership-Class Computing Facility Construction Award
- U.S. Extremely Large Telescope Program Discussion

Item 1 is to be closed pursuant to all the provisions listed below. Items 2, 3 and 5 are to be closed pursuant to 5 USC § 552b (c) (3)(B) and 42 USC § 1863 (k) (budgets prior to the submission of the President's budget to Congress); item 4 is to be closed pursuant to 5 USC § 552b (c) (4) (trade secrets/confidential commercial or financial information).

#### NSB plenary closed sessions

Wednesday, November 29, 2023

Closed agenda items to include:

- NSB Chair's Opening Remarks regarding the agenda
- NSF Director's Remarks
  - Agency operating status
- Approval of August 2023 Closed Meeting Minutes

Item 1 to be closed pursuant to all the provisions listed below. Item 2 to be closed pursuant to (c)(2) (internal personnel rules and practices). Item 3 to be closed pursuant to 5 USC § 552b (c) (4) (trade secrets/confidential commercial or financial information), and 5 USC § 552b (c) (3)(B) and 42 USC § 1863(k) (consideration of budgets and related information prior to the submission of the President's budget to Congress).

#### CS closed meeting

Wednesday, November 29, 2023

Closed agenda items:

- Committee on Strategy Chair's opening remarks on the agenda
- NSF FY 2024 and FY 2025 Budget Update
- (Written item) Update on the NSF Implementation of the CHIPS and Science Act of 2022

Items are to be closed pursuant to 5 USC § 552b (c) (3)(B) and 42 USC § 1863(k) (consideration of budgets and related information prior to the submission of the President's budget to Congress).

#### NSB Plenary closed sessions

Wednesday, November 29, 2023

Closed agenda items:

- NSF SAHPR Update
- SAHPR Statement and Discussion with NSB
- Vote to move into a Plenary Executive Closed session

Executive Plenary Closed item:

- Discussion with NSB of SAHPR Statement

Items 1 and 2 to be closed pursuant to 5 USC § 552b (c) (3)(B) and 42 USC § 1863 (k) (budgets prior to the submission of the President's budget to Congress) and 5 USC § 552b (c) (9)(B), regarding information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action and thereby enable a third party to take action that

injures the interests of the federal government. Items 3 and 4 to be closed pursuant to 5 USC § 552b (c) (6) (unwarranted invasion of personal privacy) and 5 USC § 552b (c) (9)(B), regarding information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action and thereby enable a third party to take action that injures the interests of the federal government.

#### NSB Plenary closed session

Thursday, November 30, 2023

- Committee Report of the Subcommittee on Technology, Innovation, and Partnerships (S-TIP)
  - Report on the November 21 meeting
  - Regional Innovation Engines Presentation and Discussion
    - consideration of associated resolution

Items to be closed pursuant to 5 USC § 552b (c) (4), regarding trade secrets or confidential commercial or financial information.

- Commission Report by the NSF-NSB Commission on Merit Review

Item to be closed pursuant to 5 USC § 552b (c) (9)(B), regarding information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action and thereby enable a third party to take action that injures the interests of the federal government.

- Committee Report from the Committee on Awards and Facilities
  - Annual Report of the Chief Officer for Research Facilities
  - Antarctic Research Season Briefing
  - Leadership-Class Computing Facility Construction Award and Committee Vote
  - U.S. Extremely Large Telescope Program Discussion
  - Vote to move into Executive Plenary Closed Session

Items 1, 2 and 4 are to be closed pursuant to 5 USC § 552b (c) (3)(B) and 42 USC § 1863 (k) (budgets prior to the submission of the President's budget to Congress); item 3 is to be closed pursuant to 5 USC § 552b (c) (4) (trade secrets/confidential commercial or financial information). Item 5 is to be closed pursuant to

Executive Plenary Closed items to include:

- NSB Chair's Remarks on the agenda
- Approval of August 2023 Executive Plenary Closed Meeting Minutes
- Discussion of slate of NSB Honorary Awards, and selection of awardees
- NSF Director's Remarks
  - Organizational Updates
  - Infrastructure Planning
- NSB Chair's Closing Remarks.

Items 1 and 5 to be closed for the reasons listed below. Item 2 to be closed pursuant to (c)(2) (internal personnel rules and practices) and 5 USC § 552b (c) (6) (unwarranted invasion of personal privacy). Item 3 to be closed pursuant to 5 USC § 552b (c) (6) (unwarranted invasion of

personal privacy). Item 4 to be closed pursuant to 5 USC § 552b (c) (3)(B) and 42 USC § 1863 (k) (budgets prior to the submission of the President's budget to Congress).

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