

**Basis for Closing the National Science Board's
December 1-2 Meetings**

On November 19, 2010, the Executive Committee of the National Science Board voted to close the following meetings or portions thereof: December 1, 2010 Meeting of the NSB Committee on Programs and Plans; December 1, 2010 Meeting of the NSB Committee on Audit & Oversight; December 2, 2010 Meeting of the NSB Committee on Strategy & Budget; December 2, 2010 Plenary Executive Meeting of the NSB; and December 2, 2010 Plenary Meeting of the NSB.

Board Members Drs. Bowen, Gulari, Galloway, Benbow and Suresh participated in the vote through an e-mail polling of the Executive Committee. A majority of the participating members voted "yes" and separately for each meeting or portion to close the meetings listed above.

The Board Members, National Science Board Office staff, and selected NSF staff will participate. The justification and authority for closing the teleconference is provided in the attached certification.

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Daniel A. Lauretano
Counsel to the National Science Board

CERTIFICATE

It is my opinion that:

the National Science Board's Committee on Programs and Plans meeting scheduled for December 1, 2010 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);

the National Science Board's Committee on Audit & Oversight meeting scheduled for December 1, 2010 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);

the National Science Board's Committee on Strategy & Budget meeting scheduled for December 2, 2010 having to do with proposed budgets for future fiscal years may properly be closed to the public under 5 U.S.C. § 552b(c) (3) and 42 U.S.C. 1863(k);

the National Science Board's Plenary Executive Meeting scheduled for December 2, 2010 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); and

the National Science Board's Plenary Meeting scheduled for December 2, 2010 having to do with discussions regarding candidates for honorary or achievement awards may properly be closed to the public under 5 U.S.C. § 552b(c) (6), 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).

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Lawrence Rudolph
General Counsel
National Science Foundation