

**Basis for Closing the National Science Board's
July 28, 2009 Teleconference
ad hoc Committee on Nominations for NSB Class of 2010-2016**

From July 10-11, 2009, the Executive Committee of the National Science Board voted to close the July 28, 2009 teleconference of its *ad hoc* Committee on Nominations for NSB Class of 2010-2016. Board Members Drs. Benbow, Bowen, and Galloway participated in the vote through an e-mail polling of the Executive Committee. No Member objected to the closing.

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

CERTIFICATE

It is my opinion that portions of the meeting of the *ad hoc* Committee on Nominations for NSB Class of 2010-2016, National Science Board (NSB) scheduled for July 28, 2009 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 proposed budgets for a particular fiscal year 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).

[signed]

Lawrence Rudolph
General Counsel
National Science Foundation