

**Basis for Closing the National Science Board's
January 20, 2010 Teleconference
Subcommittee on Facilities
Committee on Strategy and Budget**

On January 13, 2010, the Executive Committee of the National Science Board voted to close the January 20, 2010 teleconference of the Subcommittee on Facilities, Committee on Strategy and Budget. Board Members Drs. Bement, 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 Subcommittee on Facilities, Committee on Strategy and Budget, National Science Board (NSB) scheduled for January 20, 2010 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