

**Basis for Closing the National Science Board's
December 15, 2010 Subcommittee on Facilities Teleconference**

On December 7, 2010, the Executive Committee of the National Science Board voted to close the December 15, 2010 teleconference of the Subcommittee on Facilities. Board Members Drs. Bowen, Gulari, Benbow, Galloway and Suresh participated in the vote through an e-mail polling of the Executive Committee. All members voted "yes" to close the December 15, 2010 teleconference of the Subcommittee on Facilities.

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 Subcommittee on Facilities teleconference scheduled for December 15, 2010 having to do with discussions related to proposed budgets for future fiscal years and the NSF portfolio and large facility investments may properly be closed to the public under 5 U.S.C. § 552b(c) (3) and 42 U.S.C. 1863(k), and 5 U.S.C. § 552b(c) (4), (6), and (9) (B).

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Lawrence Rudolph
General Counsel
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