conclusion that the angular size of such features as viewed from the Earth is very small. In order to accomplish such studies, the blurring effect of the earth's turbulent atmosphere needs to be removed. This is accomplished by an advanced system of optics known generically as ''adaptive optics'' (AO). The heart of the AO system is a mirror that can change its shape more than 1,000 times per second with approximately 1,900 separate actuators distributed over the circular area of the mirror. Each actuator must be able to push and pull the face plate by 2.5 micrometers; by comparison, a human hair is approximately 80 micrometers wide. This mirror, along with its control electronics, cooling system, etc. constitutes the DMS. The specifications for the DMS include the following critical performance requirements:

1. Face Sheet flatness—The DMS must have initial and repeatable reflective face sheet flatness to within 15.8 nanometers (root mean square error) for a baseline reference. (For reference, 1 micrometer equals 1000 nanometers.)

2. Actuator spacing—The DMS must have an actuator spacing such that a population of at least 1,900 units are installed within the DMS footprint, which is roughly circular with 200 millimeter diameter.

3. Actuator performance—The actuators must be capable of a specific and repeatable stroke length of equal to or greater than 5 micrometers while in the ATST operational environment.

Failure to meet any of these technical requirements would have severe negative impacts on the spatial resolution performance of the ATST and therefore on its ability to meet its scientific goals.

AURA issued an Announcement of Opportunity in Federal Business Opportunities (FedBizOpps) and, subsequently, an open request for proposals for the design, fabrication, and testing of the DMS for the ATST. Proposals were received from three vendors, two of which are non-U.S. companies. The proposals were evaluated by an internal source selection evaluation board on the basis of technical performance and best value.

A selection plan and proposal evaluation criteria were created in order to equitably evaluate proposals and provide a quantitative method for selection of a ''best value'' proposal based on technical and managerial merit. The selection plan was reviewed and approved per AURA's internal procedures prior to receiving the proposals. Pricing was subsequently factored in by the reviewers to assess overall, ''best value.'' The evaluation criteria were weighted as described in the selection plan depending on the relative importance of each criteria.

After careful technical review, the selection board recommended that the ATST program pursue a contract with one of the non-U.S. vendors as a result of their finding that only that one vendor's offering meets and exceeds all critical performance requirements, particularly the specifications concerning face sheet flattening and actuator performance. Furthermore, the selected vendor is also the only one that has experience in producing mirrors that meet ATST requirements for actuator spacing. The only U.S. bidder failed to meet the critical specification on actuator stroke and could not produce a mirror with the desired 1,933 total actuators with spacing of 4.33 millimeters by 4.21 millimeters.

AURA's conclusion is that there are no U.S. manufacturers who can produce a suitable DMS that meets all of the ATST requirements, so an exemption to the Buy American requirements is necessary.

In the absence of a domestic supplier that could provide a DMS that meets or exceeds the ATST specification, AURA requested that NSF issue a Section 1605 exemption determination with respect to the purchase of a foreign-supplied, specification-compliant DMS, so that the telescope will meet the specific design and technical requirements that are necessary to deliver the image quality necessary for successful performance of its scientific mission. Furthermore, the project's market research indicated that a DMS that meets or exceeds the ATST's technical specifications and requirements is available from a foreign vendor.

NSF's Division of Acquisition and Cooperative Support (DACS) and other NSF program staff reviewed the AURA exemption request submittal, found that it was complete, and determined that sufficient technical information was provided in order for NSF to evaluate the exemption request and to conclude that an exemption is needed and should be granted.

III. Exemption

On March 6, 2012, based on the finding that no domestically produced deformable mirror system meets all of the ATST's technical specifications and requirements and pursuant to section 1605(b), the NSF Chief Financial Officer, in accordance with a delegation order from the Director of the agency signed on May 27, 2010, granted a limited project exemption of the Recovery Act's Buy American requirements with respect to the procurement of the deformable mirror system.

Dated: March 7, 2012.

Lawrence Rudolph,

General Counsel.

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NATIONAL SCIENCE FOUNDATION

National Science Board; Sunshine Act Meetings

The National Science Board's Committee on Strategy and Budget Task Force on Data Policies, pursuant to NSF regulations (45 CFR part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n–5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of a teleconference for the transaction of National Science Board business, as follows:

DATE AND TIME: Wednesday, March 28, from 1 p.m. to 2 p.m., EDT.

SUBJECT MATTER: Discussion of a continuation of the National Science Board's focus on data policies.

STATUS: Open.

LOCATION: This meeting will be held by teleconference at the National Science Board Office, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. A public listening room will be available for this teleconference meeting. All visitors must contact the Board Office (call 703–292–7000 or send an email message to *nationalsciencebrd@nsf.gov*) at least 24 hours prior to the teleconference for the public room number and to arrange for a visitor's badge. All visitors must report to the NSF visitor desk located in the lobby at the 9th and N. Stuart Streets entrance on the day of the teleconference to receive a visitor's badge.

UPDATES AND POINT OF CONTACT: Please refer to the National Science Board Web site *www.nsf.gov/nsb* for additional information and schedule updates (time, place, subject matter or status of meeting) may be found at *http://www.nsf.gov/nsb/notices/*. Point of contact for this meeting is: Blane Dahl, National Science Board Office, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292–7000.

Ann Bushmiller,

Senior Counsel to the National Science Board.

[FR Doc. 2012–6278 Filed 3–12–12; 4:15 pm]

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