



The State of the Business & Operations Advisory Committee of the National Science Foundation

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Overview

- ❖ Fall 2010 Recommendation
- ❖ Research
- ❖ Basis in the Business & Operations (B&O) Advisory Committee Charter
- ❖ Subcommittee Framework
- ❖ Best Practices



Fall 2010 Committee Recommendation

- ❖ Use the formal subcommittee mechanism to examine specific business matters in more depth and with broader external membership than would normally be on the Committee itself. In the past few years, subcommittees have been successful at examining key business processes.



Research

- ❖ Overarching Take away – Subcommittees are common and not highly regulated
- ❖ Spoke to NSF staff supporting other Advisory Committees (ACs)
 - ❖ Committees of Visitors (COVs)
 - ❖ Topical Subcommittees
 - ❖ Work Groups



Research

- ❖ Met with General Counsel's Office. Takeaways:
 - ❖ Subcommittees report to a parent committee, not to the agency
 - ❖ NSF Designated Federal Officials (DFOs) must approve the creation and operation of any subcommittees
 - ❖ Subcommittees may be created "in between" standing AC meetings with NSF DFO approval, as long as it reports back to the full AC; best practice is to work collaboratively keeping AC informed
 - ❖ Subcommittees should be limited in duration ~ 1 year and no more than 2 to 3 meetings
 - ❖ No requirement that an AC member must be on a subcommittee and NSF or other feds may be on it too
 - ❖ No requirement that the AC agree with the subcommittee or formally adopt the report



Basis for Subcommittees in B&O Charter and Legal Definition

- ❖ “Specialized guidance may be addressed through the use of subcommittees, task groups or committees of visitors (COVs) within the structure of the AC.” *Business & Operations Advisory Committee Charter, Section 3, paragraph 2, filed July 1, 2010.*
- ❖ “NSF may form subcommittees for any purpose consistent with this charter. Such subcommittees may not work independently and must report their recommendation and advice to the full committee for full deliberation and discussion.” *Charter, Section 13*
- ❖ “Subcommittee means a group, generally not subject to [FACA], that reports to an advisory committee and not directly to a Federal officer or agency, whether or not its members are drawn in whole or in part from the parent advisory committee.” 41 CFR § 102-3.25



Options for a Framework

- ❖ Leave ourselves flexibility
- ❖ Agree on best practices in key areas
 - ❖ Membership
 - ❖ Parent AC treatment of the subcommittee report
 - ❖ Communications between subcommittee, parent and NSF
- ❖ Consider using templates



Best Practices

- ❖ Membership
 - ❖ NSF (DFOs and designees) will make every effort to form subcommittee during the standing AC meetings, but where formations occur in between, NSF will work collaboratively with the AC co-chairs.
 - ❖ Whenever possible, a subcommittee chair(s) will be named when it is created.
 - ❖ Whenever possible, a subcommittee will include a member to serve as a liaison back to the parent AC.
 - ❖ NSF, the AC and the subcommittee chair(s) will work collaboratively to agree on subcommittee membership.
- ❖ Subcommittee report
 - ❖ AC co-chairs should have the opportunity for input into the draft report
 - ❖ The subcommittee report will be shared with AC members well in advance of AC meeting
- ❖ Communications between subcommittee, parent AC and NSF
 - ❖ Charge should set forth how often the subcommittee is expected to apprise the parent AC of progress



Your Thoughts

