

**National Science Foundation
Business and Operations Advisory Committee
Meeting Minutes – Spring 2016 Meeting
May 11-12, 2016**

Members in Attendance

James Barbret	Wayne State University
Lee Cheatham	Brookhaven National Lab
Marti Dunne	New York University
Charles Grimes	Consultant
Michael Holland	New York University
Cindy Hope	University of Alabama
Jan Jones	Retired
Kim Moreland	University of Wisconsin- Madison
John Kamensky	IBM Center for the Business of Government
John Palguta	Partnership for Public Service
Theresa Pardo	University of Albany- State University of New York
Susan Sedwick	Attain LLC
Stephanie Short	US Department of Energy, Office of Science
David Spencer	WTe Corporation
John Tao	O-Innovation Advisors LLC
Joe Thompson	Retired
David Trinkle	University of California-Berkeley
Doug Webster	US Agency for International Development

May 11

Welcome/Introductions/Review – Co-chairs Susan Sedwick and Chuck Grimes

Susan Sedwick welcomed two new committee members to the BOAC: Theresa Pardo and Kim Moreland (who arrived later in the meeting due to flight issues). Logistics for the meeting were discussed.

Minutes from the fall 2015 meeting were distributed in the meeting packets and there were no recommendations for changes so the minutes were accepted as submitted.

Updates from OIRM and BFA

Since Dr. Córdoba would be joining the meeting later the first day to discuss recommendations on the NAPA study, the CHCO and CFO updates were tabled until the end of the meeting in order to provide time for the committee to prepare for the meeting with Dr. Córdoba. Joanne Tornow and Marty Rubenstein provided the following personnel updates:

For OIRM, Joanne Tornow has the following personnel updates:

- Wonzie Gardner as the new Division Director for the Division of Administrative Services. Mr. Gardner had been serving as the Deputy Division Director and as the Acting Division Director since the spring 2015.
- Judy Sunley, Division Director for the Division of Human Resource Management for several years is retiring. The recruitment to fill behind her has been completed and Diane Campbell from

the US Patent and Trademark Office will start her appointment as the Division Director at the end of May. Joanne thanked Dr. Sunley for her service.

- Carter Kimsey, the long-time president of AFGE Local 3403 will be retiring. Joanne introduced the new president, Dr. David Verardo, who has been a Program Director in the Directorate for Geosciences since 2000.

For BFA, Marty Rubenstein provided the following personnel updates:

- Karen Tiplady, the Division Director for the Division of Grants and Agreements has announced her retirement. A recruitment for her replacement is ongoing.
- Erika Rissi is the new Deputy Division Director for the Division of Institution and Award Support. Ms. Rissi has been working with the division as a Staff Associate for eight years.
- Mike Wetklow joined NSF in February as the Division Director for the Division of Financial Management and the Deputy Chief Financial Officer. Marty thanked John Lynskey, Deputy Division Director for the Division of Financial Management, for his term as Acting Division Director while BFA recruited for the position.

Enterprise Risk Management

Presenters: Mike Wetklow (BFA) and Rafael Cotto (BFA)

Mike Wetklow and Rafael Cotto provided a brief presentation on the Enterprise Risk Management (ERM) process at NSF that will be implemented in the near future pursuant to a forthcoming revision to OMB Circular A-123. The presentation included an explanation of risk management activities that have taken place at mission support levels within various NSF Directorates/Offices, e.g. BFA. NSF was seeking insights from BOAC members who have dealt with ERM implementations in their organizations. NSF was particularly interested in learning which organizations have Risk Officers, what their duties include and some idea of where each organization is with regard to the maturity of its process. Most importantly, NSF wants to ensure their ERM efforts result in value for NSF and its stakeholders and not just a compliance exercise.

Mike explained that work toward full implementation of this mandate has been ongoing and that BFA has been piloting ERM over the last couple years. Piloting ERM in BFA helped BFA identify its strategic goals and objectives, and from that list, they were able to develop a list of potential risks and owners. They have also faced some challenges in the pilot that will help them in preparing for the full implementation. NSF is considering a maturity model approach in order to start incrementally.

Discussion from committee discussants:

Susan Sedwick urged committee feedback because NSF needs the committee's guidance in terms of best practices because the need for developing ERM is imminent.

Chuck Grimes provided insights on the characteristics of a good risk management plan, identified some potential pitfalls, and described how ERM is being used at OPM. A great risk management plan gives the organization an opportunity to have insight into risk exposure, while also ensuring that opportunities aren't missed. The program should help the organization determine its appetite for risk and the process is continuous. A good program will use scenarios and predictive methodologies, have a dedicated person in charge of risk management, and roles and responsibilities for those responsible for different risks. In equating insurance to risk management, Chuck described insurance as reactive, whereas risk management should be proactive. An effective risk management plan should identify risk and also prioritize or quantify the level each risk poses and use that assessment in developing effective internal controls and risk action plans to mitigate those risks with an end goal of an effective risk management culture.

Susan Sedwick then discussed her experience with the University of Texas System which formalized its system for identifying risks in the early 2000s. Once risks are identified, prioritization is accomplished by assessing the probability of non-compliance given the internal controls in place weighed against the impact non-compliance would pose for the institution. Each institution assigned a Chief Risk Officer who reported directly to the president and was responsible for compiling a list of potential risks, prioritizing those risks using a risk matrix (probability and impact), and ensured that each risk had a responsible “owner,” and that the risks were revisited at least annually to reevaluate the probability/impact and to identify emerging new risks.

Doug Webster stated that NSF was moving in a good direction. Assuring that the agency isn’t just making this a “check the box” exercise is doable by ensuring that all understand the value from their own perspective rather than just being told to do it. Risk assessment has different meaning in different disciplines. Enterprise risk management is about sharing, not operating on risk strictly within silos and working collectively to understand and manage risk. Risk can never be eliminated. It’s important when developing ERM to consider the degree to which you intend to cascade down. Risks aren’t only at the top levels of an organization. Risks arise at all levels of an organization and if those aren’t successfully addressed at the lower levels, they can cascade up. IGs need to promote an open and candid conversation if the process is to be fully productive. Leveraging the IG is very important to consider in developing ERM as they can either be a road block or an important ally. In terms of who’s responsible for risk management, you don’t necessarily need a Risk Officer, but if you want everyone at the table through an effective ERM system, someone needs to own and facilitate the process and that person should not be someone who’s viewed as having allegiance to a specific shop.

The following insights and comments were provided by the BOAC members:

- One important lesson learned by another federal agency when it attempted to implement its process was that each unit had different ideas about what risk management means, so the agency needed to get everyone on the same page. That requires having the right people in those conversations. The dialogue around implementing the process will help an organization to determine its risk appetite or tolerance but each organization must identify the person responsible for making that determination and then identifying who within the organization owns the risk and owns the mitigation. Risk management is very culturally dependent thus benchmarking that works at one agency might not work at another.
- It is important to build case scenarios so people can better understand what risk is. Cross-unit, cross-agency agreements on a set of scenarios and a common approach to addressing risk is essential.
- In response to Joanne Tornow’s questions about how to effectively predict risk, and measure and predict likelihood of something happening, it was suggested that “heat maps” are traditionally used. These help with building consensus and shared understanding.
- Another suggestion was to make sure people understand that risks are inherent and that having high risk items isn’t an indication of a poor performing unit. It was also suggested that the people who define the risk have a voice in defining the metrics for assessing the effectiveness of the risk strategies.
- Risks may be assessed differently at lower levels than higher levels.

From Systems to Data and Beyond

Presenters: Amy Northcutt (OIRM) and Robyn McRey (OIRM)

The goal of this session was to have a conversation about how to use data as a business asset where data are used as predictive and visionary tools versus the more operational use that is descriptive, and to

inform policy to bridge the chasm between the workforce, technology and processes. NSF is very good at using data as an operational metric. NSF has a very robust data warehouse, and the data have helped the organization become more operationally efficient but challenges remain in dealing with the volume, velocity and variety. The data are used to provide descriptive information (how many, how much, etc.) and NSF is able to use the data to be reactive. The goal is to be able to use it to be predictive in terms of what's best for the organization, and then finally, to become visionary. The question is how to move from using data as an operational metric (descriptive and reactive) to the business asset (predictive and visionary). There is a chasm between these two sides, and the building blocks to breach the chasm are workforce, technology, processes, and data governance.

Discussion from committee discussants:

Michael Holland discussed his experience at the Center for Urban Science & Progress, where the focus is on how to develop data tools for sharing data between programs and agencies in order to optimize resources. In terms of how to implement within NSF, it is important to create a low-risk environment, a data analytics "sandbox," that gives people the opportunity to experiment with joining and analyzing data in novel ways. Once the experiment has proven its value in the sandbox, then the organization can decide whether the new analytical tools merit the transitional steps of targeting, validating, etc. required to migrate it as a data tool supported within the enterprise data system. This sandbox is very important because you need to set up a safe place for exploratory work that should not be done in the enterprise data system itself. NSF needs to have a discussion about who should be authorized to access the sandbox. Michael's experience with local government is their efforts begin with traditional budget-driven efforts at performance management (each bureau using its own data). The next step is joining data across agency boundaries to optimize resource allocations, often a limited resource such as inspectors' time. The most advanced efforts to date by local governments involve joining external data sources (e.g., social media or citizen-generated data) to their multi-agency datasets for the purposes of predicting future conditions of concern (e.g., using non-emergency calls to predict emergency calls). Michael pointed out that a lot of attention has been placed on collecting and protecting data e.g. privacy, and security of data, but the absence of clear rules about how data can be used impedes fully utilizing data to improve an organizations effectiveness. We have it, it's secure, now what? NSF needs to think through logical pools of data, rules for use within a data pool, and rules for sharing between pools in addition to the usual concerns about who can access different datasets. There are not yet clear best practices to point to.

Theresa Pardo then provided feedback based on her work at the Center for Technology in Government. The challenges in her experience go beyond creating, managing and providing access to data. Many organizations are finding that building the capability to ask good questions and to use the insights generated from the analytics as part of policy and program planning and decision making presents significant challenges. Organizations are finding that to leverage data as a business asset they need to invest in building capability to use the data as part of analytical and decision making processes. If policy development and decision making at NSF is to benefit from newly available data and technologies to share and analyze data it needs to spend time developing the data use culture in addition to a data management and access environment. A new policy making paradigm that requires the use of data to inform policy can create value for NSF – but to realize the full value – questions that go beyond the data creation, management and access must be addressed. Do NSF decision makers know what the agency knows? Do NSF decision makers have a good understanding of data assets? What questions are most important to advance the agencies strategic and tactical agendas? What questions will be best informed through the use of analytics? Is the data relevant to the questions at hand? Is the data fit for use? A deep understanding of the kinds of questions being asked and how best to leverage available data assets to get useful and actionable insights is key to the success of any effort to a. use data as a business asset and b. ensure that the data infrastructure gets built and managed with those questions in mind. She also echoed Michael's comments and noted that NSF needs to start thinking about workforce gaps and how such gaps

can be filled through new tools and techniques, new and more training, new and different hires, and new partners, among other strategies.

The following insights and suggestions were made by the committee members:

- Understanding current and emerging demands is critically important. Before investing in new systems, NSF needs to make sure it knows how to use the data and what data need to be curated. If you have data that only a statistician can use, the organization is probably not deriving maximum benefit from its data. Must have data analysts who can translate the data into useful analyses.
- Sometimes the data you need are not housed internally.
- Six variables that could make data more useful for an organization are:
 1. being able to communicate the usefulness of the data;
 2. agreement and buy-in in terms of what's important,
 3. having comparison data;
 4. having a baseline in terms of where is it now and where you're trying to take it;
 5. longitudinal data so it's not just a snapshot in time; and
 6. making the data useful in decision making processes.

When thinking about big data, it is important to distinguish what is causal and what is correlated. Big data can be easily correlated, but can you make causal relationships? When you have good correlation that's stable, you can make recommendations. It's important to make sure the analysis is a good fit for the problem you're trying to solve.

Recommendations of the National Academy of Public Administration (NAPA) Study of NSF's Use of Cooperative Agreements to Support Large Scale Investments in Science and Technology

Presenters: Matt Hawkins, BFA; Fae Korsmo, Office of the Director

Dr. Córdova joined the meeting for this session.

The National Academy of Public Administration (NAPA) made recommendations to NSF on the oversight of large research facilities. NSF would like advice on the implementation of the broad oversight recommendations involving the Major Research Facilities and Equipment Construction (MREFC) Panel, a potential new Advisory Committee, which would serve as a sounding board for the NSF Office of the Director, and associated ideas that NSF would like to consider such as the addition of a Senior Official in the Office of the Director. The NAPA report praises NSF's use of cooperative agreements and recommended 1) business practices associated with oversight that include clear reasoning for endorsing or not endorsing cost analyst recommendations; 2) elimination of the management fee; and 3) the requirement that the Large Facilities Office employ new FTEs including a well-trained and experienced project manager. The report also cited that NSF had not exerted timely or enough control over large facilities projects, particularly with regard to contingency budgets. While NSF has historically been decentralized, lessons learned need to be communicated on whether projects have been a success or failure. NAPA identified that a lack of communication led to a projected \$80M cost overrun on a particular project. NAPA suggested that the point at which communication starts to fail is when decentralization occurs.

Dr. Córdova mentioned that a Large Facilities bill has been proposed in the house and the BOAC co-chair provided a summary of the bill. The ensuing discussion was focused on the recommendation from the Fall 2015 meeting that a subcommittee of the BOAC could potentially serve as the advisory committee to

the Large Facilities Office and to NSF. Dr. Córdova noted that any subcommittee chair should be prepared to testify before a Congressional subcommittee.

There was consensus among the committee members about, and extensive discussion regarding, the accelerated timeline for establishing a subcommittee under the BOAC and the oversight responsibility and authority of the BOAC given the timeline. A list of suggested members was provided. The timeline for a draft report from the subcommittee prior to the Fall 2016 BOAC meeting and presentation of a final report to the National Science Board prior to the Spring 2017 meeting was a major concern. Specific concerns and suggestions mentioned were:

- The potential for having a special “virtual” meeting of the BOAC prior to the August meeting of the subcommittee.
- BOAC members were concerned that the timeline was too aggressive and would not “fix the root problem.” There was discussion on the impact of delaying the timeline.
- Regarding membership on the subcommittee, one BOAC member must serve on the subcommittee as the liaison back to the BOAC. Two individuals who have experience working on two Large Facilities projects and another with project management experience were suggested as additions to the subcommittee.

Meeting with Dr. Córdova

Chuck Grimes provided a summary of the Enterprise Risk Management (ERM) session, Theresa Pardo provided a summary of the Data Systems session. Jim Barbret provided a preview of the Workforce Modernization session and Lee Cheatham and John Tao provided a preview of the Benchmarking session, which were scheduled for the following day. Dr. Córdova asked for examples of how an ERM approach helped to identify an event prior to a disaster and asked for examples of how NSF could use data analytics to drive decision making.

May 12

Welcome

Chuck Grimes welcomed the members back to the meeting and introduced Kim Moreland as the newest BOAC member.

Modernization of Business Processes and Workforce Structures: A Discussion of Lessons Learned

Presenter: Gerri Ratliff, OIRM

As a follow up to the fall 2015 BOAC meeting discussion regarding how advances in IT create opportunities to modernize business processes and, therefore, workforce structures, Gerri emphasized the importance of having a high level champion and a consistent and clear message to drive change. Jim Barbret shared lessons learned from Wayne State University’s (WSU) introduction of automated systems in its procurement and travel offices. Jim was able to provide unique perspectives including 1) working with the union as a partner, which was valuable insight for the NSF; 2) the need for redefining position descriptions, job qualifications, and performance expectations relative to the new technology or system; and 3) re-envisioning organizational focus from one of merely performing data entry to one of delivering quality customer service. Jim emphasized that having a high-level champion was crucial and that the process is really never complete. In fact, to help firmly establish a continuous improvement environment, Wayne State recently hired an Associate Vice President for Planning, Innovation and Assessment, who is charged with ensuring that university resources of all kinds are maximized. Jim cautioned that this

process didn't save money but was necessary and advised that involving internal staff members early in the process can help with employee buy-in because the whole unit needs to see the value of the project.

The driver for change at WSU was to take advantage of what information technology offers, gaining efficiency and compliance/acceptance, and having a customer service focus that emphasized quality over quantity. Because the modernization impacted employees from multiple unions, several pre-implementation activities before the new system could be utilized including negotiations to redesign worker roles and changing mindsets on performance management; re-engineering techniques, systems, and application training; troubleshooting supply control and working with departments to resolve any problems; soft skills training on phone and email etiquette; and shifting accountability at the unit level since policies, such as, audits would be changing.

To a question raised regarding how to reduce the burden on NSF's external community, BOAC members offered:

- NSF is broad in scope and organization so it is important to look at commonality of functions across units, assess the value and quality of those functions, create a pilot group to validate a concept, and to celebrate successes.
- Align organization and customer expectations. Understanding what your customers need is essential.
- Revise position descriptions to keep in line with technology and to include critical thinking skills.
- Developing a communication plan and strategy is key. Consider hiring outside communications expertise.
- Identify/institute a high level champion to drive change and to have a consistent, clear message

Benchmarking Presentation

Presenter: Judy Sunley, OIRM (PMC Benchmarking Goal Leader)

NSF has been participating in the government-wide benchmarking effort led by the President's Management Council (PMC) in five areas: Financial Management, Contracting, Information Technology, Real Property, and Human Capital. The benchmarking activities include measures of efficiency, operational quality, and customer service, to the extent they are available in each area. Judy provided an overview of NSF's participation in the PMC and presented a chart on human capital cost per employee service and overall satisfaction with human capital. NSF rated high on cost of service and customer satisfaction. NSF was the smallest of the agencies represented on the chart. The data was measured based on the number of W-2's sent to employees; however, NSF relies heavily on Intergovernmental Personnel Agreements (IPAs) and those individuals do not receive W-2's from NSF and thus were not counted as part of employees serviced.

Discussion from committee discussants:

John Tao gave a presentation on benchmarking by sharing his background in assurance/auditing, intellectual asset management and technology licensing, and corporate venturing. He stated he goes about benchmarking to improve opportunity, increase efficiency, lower cost, align with competitors and peers, gauge success and pinpoint mistakes, and because it is relatively inexpensive. He stated one can use any organization to benchmark by implementing a strategy and criteria for benchmarking and coming up with performance metrics. This is done by identifying who to benchmark, scheduling the logistics, forming a team, formulating questions and conducting site visits, prioritizing action items, then sending a summary report and thanking the organization.

Lee Cheatham gave a presentation on a biodesign benchmarking project by sharing his experience with the construction of a new laboratory building on campus. He laid out the steps he took with his facilities management team by analyzing the utility costs, environmental footprint, and research productivity as it related to space in the building. He concluded with saying to hire experts when you are in trouble and to put together a panel of experts when you need justification. He also gave the advice to recruit someone already invested to help identify participants, present results with credible metrics that stakeholders can relate to, have the leader of the affected organization be the champion (in his example—the facilities manager), keep it focused, and be prepared for the unexpected.

The following insights and suggestions were made by committee members:

- NSF needs to find organizations that have the same demographics. Data will not always give you the answers, instead it raises more questions. Must get beyond the data. To increase customer service, you must set customer expectations, talk to staff and customers, share the problems, and set agreed upon standards.
- NSF should look at organizations that are not similar, like those in the private sector, which produced something that was measurable.
- Charts and graphs in and of themselves are only useful if understood.
- Look at current best practice research and use tools to help understand the issues.

BFA/OIRM/OLPA Updates

Presenters: Marty Rubenstein, BFA and Joanne Tornow, OIRM; Office of Legislative and Public Affairs (OLPA)

Update from BFA (Marty Rubenstein):

Related to the personnel updates earlier in the meeting, Marty added that Mike Wetklow was Chief of the Accountability Performance Branch at OMB, prior to coming to NSF.

This year has brought a challenge in that it is May and NSF does not yet have a financial statement auditor “on board.” NSF has enjoyed 18 years of clean, on-time audits, but Marty cautioned that may not be repeated this year. NSF is in its second full year of operations with its new financial system (iTRAK) and everything is going “as well as can be expected.”

NSF is deep into the implementation of the Digital Accountability and Transparency Act (DATA Act), which will allow NSF to look outside of its own organization for data in regards to the portfolio of national research and to mine award data (PIs, federal reports, etc.) from other agencies.

The Grants Oversight and New Efficiency Act (GONE Act) will require all agencies to report to Congress through HHS when awards have not been closed within 2 years of the end of the period of performance. NSF currently has about 300-500 outstanding awards on the books, but this represents a total unexpended balance of ~\$6 million (out of an entire NSF spending portfolio of \$23-\$24 BILLION). NSF is currently conducting major outreach in-house to encourage Program Officers and Directorates to encourage awardees to “close out” old awards.

Enterprise Risk Management – NSF’s Chief Operating Officer will be head of that effort, but BFA anticipates additional work in this area, particularly in regards to furthering the education of the agency.

Update from OIRM (Joanne Tornow):

The NSF relocation is on schedule. External construction of the building is just about complete; interior construction is ongoing. NSF is still on track to begin the move on August 24, 2017 and it is “getting to the point that it is getting real.”

NSF Procurement and Acquisition teams are focusing on procurements for the building itself. NSF has also begun the process of workspace selection with staff. OIRM will be piloting the process first. NSF has also successfully completed the second phase of negotiations with the union (selection order for workspace selection and the workplace furniture configuration options). NSF has had continuous conversations with the union over these issues and “so far, so good.” Workspace selection should be complete by November.

The Federal Employee Viewpoint Survey has been released. NSF’s response rate last year was 78%, which was second only to OMB. NSF is on track for a similar response rate this year; currently, 24% of NSF employees have already responded with two months yet to go.

Records Management was a focus topic of the last BOAC meeting. Since that time, NSF continues to make progress and has met with folks from the National Archives and Records Administration (NARA). NSF has also filled a new position to oversee records management, and has taken a proactive approach in reaching out throughout the agency in preparation for the move and other records management initiatives.

The NSF IT Help Central group recently won a Government Customer Service Excellence Award, in recognition of its teamwork, technical excellence, and high levels of customer satisfaction.

Update from OLPA (Julia Jester)

Congress is in the middle of its appropriations process. The NSF funding bills have not come forward in either the House or Senate. We are now in the time of year when Congressional actions need to get done, or it won’t happen during this Congress so everyone is working hard to get legislation either introduced or moved. The NAPA implementation steps are being paralleled by a measure in the House Science Committee, which may be considered on the House floor in the next few weeks or early June. An SBIR bill is also moving through both chambers – this bill is of interest to NSF in regards to how SBIRs are funded. As proposed, large increases/expansions to SBIRs would have to come out of NSF’s budget. To a question on just how much disruption (if any) the coming election and change in Presidential administration would have on NSF, Julia responded that changes in the House and Senate would likely impact NSF more than the Presidential election, particularly in regards to potential changes of leadership in committees. Changes in the House/Senate could also affect NSF if the controlling parties were to change.

Summary Session

Chuck Grimes led a discussion to summarize and formalize recommendations from this BOAC meeting.

Chuck opened the discussion in regards to subcommittee guidelines. A prior presentation of subcommittee guidelines (May 2012) was displayed for the BOAC.

Most of the discussion revolved around the timeline for the NAPA response set forth in the draft charter for the subcommittee, which contemplated completion prior to the NSB meeting in April 2017. This could result in an interim decision being made by the subcommittee without the full BOAC being involved. Although a virtual meeting could be a solution, there is concern that a virtual meeting would not be the best venue for accomplishment. There was much concern about the fact that the subcommittee is being formed outside of the BOAC, and might not be part of the normal hierarchy and, thus, 1) the BOAC (the parent committee) would not have a voice in its own subcommittee actions; and 2) the potential for subcommittees to be used as a process of convenience (e.g. sending matters through a subcommittee, rather than forming a new advisory committee).

A second concern discussed is the role of the BOAC for oversight of this subcommittee.

Charisse Carney-Nunes explained that subcommittees have been used “quite a lot” by the BOAC in the past. In the fall of 2010, it was actually recommended that subcommittees be used in more cases where a more in-depth structure would be useful. At the time, NSF conducted interviews with BOAC members, NSF staff, etc. on the use of subcommittees, which ultimately resulted in draft guidance on the legal requirements and best practices. The guidance has yet to be finalized.

Highlights from the [Draft Guidance](#) include:

- Subcommittees are actually created by NSF (the agency), not the BOAC itself
- Can be created at a BOAC meeting or at any time in between
- Chairs of subcommittees should be named early if possible (not a requirement, but highly recommended)
- The charge should clearly state if the advice should be independent in nature (no NSF employees)
- The agency must have the authority to form a subcommittee, even if it is a subcommittee of the BOAC. But any advice sent from the subcommittee would still need to go through the BOAC to maintain compliance with FACA.
- BOAC chairs may only suggest edits, rather than implement edits as the BOAC has no authority, over the subcommittee, which must work independently of the parent committee. The BOAC cannot reject the subcommittee’s report, but could include its comments in a cover letter.

Charisse offered that past experiences here have been positive, work has been collaborative, and guidance (even in absence of legal dictate) appears to work. There is not a lot of guidance available regarding chairs making edits. However, we are open to any changes in guidance. In the past, some subcommittees have been formed to obtain very specialized expertise, which makes the main committee hesitant to make suggestions or edits. There is a section in the guidance on what happens when there are conflicting views on the subcommittee. According to Section 6F of the Draft Guidance, a minority report can be issued by the subcommittee, if there is disagreement within the subcommittee. Section 6F does not appear to address what happens if there is disagreement between the subcommittee and the parent committee.

The BOAC noted that we may need to limit or be careful with collaborative language. In most cases we want to encourage an arms-length relationship with the subcommittee and the agency, to guard against an appearance that the agency is advising itself.

Joanne cited pending legislation that looks likely to pass relative to FACA with regard to subcommittee requirements. Thus, it might make more sense to wait to finalize guidance based on the outcome of the legislation. Ultimately, the expectation would be that the subcommittee would report, the parent committee would provide its opinion, and that NSF will take all input.

BFA still plans to finalize the draft guidance, and turn around a new version to the BOAC for consideration during the fall 2016 meeting. The new legislation may have been passed by then; if not, we agree to use the revised guidance temporarily until the law is passed. To address the concerns about the timeline for deliverables from the NAPA subcommittee, it was suggested that we establish the next two BOAC meetings so that the subcommittee can report on what they can and cannot do by that time and schedule the spring 2017 BOAC meeting for April before the NSB meeting.

It was determined that since there is an existing recommendation from the BOAC for the subcommittee to be established, there is no need for another recommendation to set subcommittee scope or charge; this can be finalized through the chairs.

Meeting was adjourned at noon.