

MEMORANDUM TO NATIONAL SCIENCE BOARD MEMBERS

SUBJECT: Summary Report of October 15-16, 2003 Meeting

The major actions of the Board at its 376th meeting on October 15-16, 2003, are summarized for the information of those members absent and as a reminder to those present. In addition, a preliminary summary of the proceedings is provided.

This memorandum will be made publicly available for any other interested parties to review. A more comprehensive set of NSB meeting minutes will be posted on the Board's public Website following Board approval at its next meeting.

1. Major Actions of the Board (not in rank order of importance)

- a. The Board approved the minutes for the Open Plenary Session of the August 2003 meeting of the NSB (http://www.nsf.gov/nsb/meetings/mtg_list.htm#recent)
- b. The Board approved a revised meeting schedule for 2004 (NSB-03-68, revised October 16, 2003, attachment 1)
- c. The Board approved a resolution (NSB-03-135, attachment 2) that the NSB adopts and will implement *Attendance Guidelines for the National Science Board and its Committees and Other Subdivisions* (NSB/EC-03-11, attachment 3) as its official guidelines for attendance at Board sessions.
- d. The Board authorized the Foundation, at its discretion, to make a Cooperative Agreement award to the University of Alaska, Fairbanks, for the International Arctic Research Center (IARC).
- e. The Board authorized the Foundation, at its discretion, to make a contract for *Centralized Management and Planning for the Integrated Ocean Drilling Program*.
- f. The Board authorized the Foundation, at its discretion, to make an award to Rutgers University for *Macromolecular Structure Database*.
- g. The Board approved a resolution for closing portions of the upcoming November 19-20, 2003, NSB meeting dealing with staff appointments, future budgets, pending proposals/awards for specific grants, contracts, or other arrangements, and those portions dealing with specific Office of the Inspector General (OIG) investigations and enforcement actions, or agency audit guidelines (NSB-03-125, attachment 4).

2. NSB Chair's Report

Dr. Washington introduced Mr. Edward J. Ramotowski from the Department of State, Dr. George Atkinson from the Department of State, Ms. Shana Dale from the Office of Science & Technology Policy, and Dr. Nancy Beck from the Office of Management & Budget as distinguished guests who would be making presentations to the Board later in the meeting.

He then congratulated Dr. Daniel Simberloff on delivering a lecture at the Smithsonian Institution on October 14 as part of a Distinguished Lecturer Series sponsored by the Senate of Scientists and the Smithsonian's Associate Director for Research and Collections.

The Chairman also announced publication of the 2003 edition of the *National Science Board Members Booklet* that contains a short overview of the purpose and functioning of the Board, along with pictures of current Board Members and a listing of all previous Members. He noted that copies were provided to all Board Members, and extra booklets were available for anyone who wishes to have a copy.

Dr. Washington announced that today marks the 25th anniversary of the signing of the Inspector General Act, which established an independent IG at most large federal agencies. On behalf of the National Science Board, he recognized the contributions of the Inspectors General and congratulated them on reaching this milestone. In particular, Dr. Washington commended the NSF Office of Inspector General for its efforts in helping the Board oversee the numerous complex and challenging NSF operations that support the science and engineering research communities. He also thanked Dr. Christine Boesz, NSF Inspector General, for hosting a very informative Open House the day before in honor of this anniversary.

Dr. Washington reminded the Board that at their August 2003 meeting Dr. George Strawn, the NSF Chief Information Officer, provided an overview of plans for helping the NSB Office set up the Board Suite and Board Room for wireless computer operations. Dr. Strawn and Dr. Michael Crosby, NSB Executive Officer and Director of the NSB Office, have held follow-up discussions and report their estimate that wireless operations will be implemented by the end of this calendar year.

The Chair also reported that, on September 9, Dr. Crosby hand-delivered a letter from the Chair to pertinent Congressional offices in order to fulfill the Board's reporting obligation under Section 14 of the NSF Authorization Act of 2002. That section requires the Board to report to Congress any delegation of the Board's authority to approve funding for Major Research Equipment and Facilities Construction projects. The letter noted that the Board did not delegate that authority in FY 2003.

Dr. Crosby was then requested to provide preliminary information on the February 2004 Board meeting in Louisiana. He briefly described the plans for the meeting that he is developing in consultation with the Chair and Vice-Chair, with valuable input from Drs. Barry Barish and Kenneth Ford. Dr. Crosby noted that the major activities during the February meeting would include a site visit to the LIGO facilities, hearing from senior university representatives of small HBCU undergraduate institutions and larger research-intensive universities on their unique

mutually beneficial partnership programs, initiation of the 2004 NSB election process, and a Board retreat session. He requested that Board Members contact him with ideas for topics to include in discussions during the Board retreat session.

3. NSF Director's Report

Dr. Colwell introduced two new NSF senior staff - Dr. Michael Turner, newly appointed Assistant Director for Mathematical and Physical Sciences, who came to NSF October 8, 2003 from the University of Chicago; and Dr. Rosemary Hagett, newly appointed Director, Division of Undergraduate Education, who came to NSF October 1, 2003 from West Virginia University.

Dr. Colwell noted that on October 15, 2003, NSF was named one of the top performers and best places to work in the U.S. government by the Partnership for Government Service. She also described the increasing agency workload since 2000, accomplished without an increase in NSF full-time equivalent (FTE) staff.

Dr. Colwell gave an update on recent Congressional action, informing the Members that Senate mark-up of the FY 2004 Appropriations Bill has taken place, offering a 5.2% increase in funding, slightly below the level set out in the House Appropriations Bill. A Joint Conference will take place after the full Senate votes. The Agency is operating under a Continuing Resolution that expires October 31. She expects the remaining appropriations bills, including the NSF portion, to be part of an Omnibus package voted on in mid- to late-November by both houses. She also noted that the 2003 House Nanotechnology Bill has been passed, and the Senate version names NSF as the lead agency for the National Initiative.

4. Presentations to the Board

- a. Dr. Elizabeth Hoffman presented a summary and analysis of alternative Board voting procedures. The Chairman asked for an informal "straw" vote by Board Members on the question of whether the Board should continue employing its current election protocol or make a change to the protocol. Although more Members voted to keep the current election than those voting in favor of change, Dr. Washington stated that the vote seemed close enough to warrant re-visiting this topic in November when Dr. Hoffman could offer a specific recommendation for changing the NSB election protocol.
- b. The Board heard a presentation from Mr. Edward Ramotowski, Director of the Office of Public and Diplomatic Liaison Visa Services, U.S. Department of State, on the current status and future outlook for visas for foreign scientists, engineers and students. The presentations stressed that the policies governing issuance of visas are made primarily by the Department of Homeland Security and law-enforcement agencies, and they urged the Board to begin a dialogue with those entities to describe the impact of changed policies on S&E students and faculty. Following the presentation, the Board heard short comments on the topic by Dr.

George Atkinson, the new Science and Technology Advisor to the Secretary of State, and Ms. Shana Dale, Chief of Staff and General Counsel, White House Office of Science and Technology Policy. The Board then entered into a discussion with the three invited panelists. There was general agreement that this issue had impacted US research and graduate S&T education programs, and that improving data on the impact of the new Visa policies would assist the dialogue on how to balance national security concerns and need for continued international S&T cooperation.

- c. Members heard a presentation on the Office of Management and Budget's Proposed Peer Review and Data Quality Standards from Dr. Nancy Beck, Office of Management and Budget. As a result of the Board discussion with Dr. Beck and input by Mr. Lawrence Rudolph, NSF General Counsel, there was general agreement that new OMB directives on peer review and data quality standards would minimally impact NSF.

[Department of State presentation on foreign student visas](#)

5. NSB Committees Summary Reports

(Committee summaries are provided by executive secretaries.)

a. Executive Committee (EC)

Dr. Crosby provided the committee with an update on the revised version of the *Attendance Guidelines for the National Science Board and Its Committees and Other Subdivisions*. After discussion by the Executive Committee Members, there was unanimous agreement to recommend approval of the guidelines by the full Board, with a minor wording change to indicate that the Board invites NSF staff to attend meetings open to the general public.

Dr. Colwell then informed the Executive Committee Members that there were currently two senior staff vacancy announcements being publicly circulated – Assistant Director (AD) for Geosciences, and AD for Social, Behavioral and Economic (SBE) Sciences. The estimated start date for a new Geosciences AD is February 1, 2004, while the estimated start date for a new SBE AD is March 1, 2003.

With no additional items that would require a closed session of the Executive Committee, nor additional items for open session, the meeting was adjourned.

b. Audit & Oversight (A&O)

NSF Chief Financial Officer, Thomas Cooley, updated the Committee on a number of items: an update on the status of the accelerated budget schedule; a presentation by the vice-chair of the NSF Advisory Committee on GPRA Performance Assessment, Dr. Carolyn Meyers, about the FY03 process and recommendations for the future; a detailed update on the Business Analysis contract work by the Booz Allen Hamilton staff; an update on the congressionally requested study of NSF by National Academy of Public Administration's review of NSF; an update on management challenges and NSF's efforts to track and manage them and an update on cost sharing statistics. Mr. Harrison of the OIG gave a presentation of the OIG FY2004 Audit Plan.

Dr. Fisher and Ms. Blackshear of OIG gave a briefing on a recently resolved investigation. At closed session another, ongoing investigation was discussed.

c. Programs and Plans (CPP)

In closed session, the Committee heard a presentation on Cyberinfrastructure. Also in closed session, the Committee considered and approved three action items: Request for Proposals and Award of a Contract for Centralized Management and Planning for the Integrated Ocean Drilling Program (NSB-03-116); The Macromolecular Structure Database (NSB-03-117); and the International Arctic Research Center (NSF-03-123).

In open session, the Committee received a status report on the *ad hoc* Task Group for Long-Lived Data Collections, and plans for a workshop to be held in November. The Committee also heard a report on the Science and Technology Centers: Integrative Partnerships Program. The Committee also heard a report from the Subcommittee on Polar Issues.

d. CPP Subcommittee on Polar Issues (PI)

The Subcommittee on Polar Issues received a report from the Office of Polar Programs on four topics: (1) planning for an International Polar Year (2007-2008), a program of international research in the polar regions (an international planning group is preparing a proposal for ICSU, on ICSU's invitation); (2) icebreaker availability for opening the channel to McMurdo; (3) the issue of whether new measures are needed to regulate tourism in the Antarctic; and (4) Canada's intent to become a full member of the Antarctic Treaty System. OPP also shared information on the conversion of 3 NSF-owned LC-130 "R" model aircraft to Air Force configuration and gave a status report on the South Pole Station Modernization project. OPP presented the work of the International Arctic Research Center in answering fundamental questions about climate change. Finally, the Subcommittee discussed an award action in closed session.

e. CPP Task Force on Long-Lived Data Collections (LLD)

The meeting focused on planning for a November workshop on Federal experiences with policies related to long-lived data collections. A draft Terms of Reference for the November workshop was reviewed and approved, along with a preliminary one-day agenda, and a participant list of Federal agency representatives. An outline for a White Paper summarizing policy issues was discussed. The workshop will be held in conjunction with the November NSB meeting.

f. Education and Human Resources (EHR)

The Committee heard reports from the chairs of the EHR Task Force on National Workforce Policies for Science and Engineering (NWP), the EHR Subcommittee on S&E Indicators, and a report from staff on the report from the NSB/EHR workshop held on August 12, 2003. The NWP Task Force report, *The Science and Engineering Workforce / Realizing America's Potential*, is in final edits and is on schedule for web publication by the November meeting and for print by the end of the year. Outreach efforts will include preparation of a PowerPoint presentation and talking points intended for use by NSB members in publicizing the report. *Science and Engineering Indicators-2004*, and a companion piece on the science and engineering workforce to accompany release of the report, are on schedule for delivery by January 15, 2004. The report from the NSB/EHR August 12th workshop, *Broadening Participation in Science and Engineering Research and Education*, will be ready by the end of this calendar year and printed copies will be available early next year.

The Assistant Director for the Education and Human Resources reported on several activities by White House agencies concerning the science and engineering workforce.

A draft report developed by the three NSB/EHR Working Groups on K-12, Undergraduate, and Graduate levels of the education pipeline was discussed, with the objective of finalizing a set of recommendations to take to the full Board. The three working groups reported a consensus on the primary recommendation that a position should be established in the NSF Office of the Director to: (1) coordinate and oversee education programs and related outreach activities throughout the Foundation, (2) evaluate the effects of the broader impacts merit review criterion (3) have access to funds for rewarding successful programs or innovative ideas, and (4) report to the NSB/EHR Committee annually on the activities, accomplishments and needs of this position. The Committee considered an alternative proposal from the Assistant Director (AD), Education and Human Resources (NSF/EHR), that the NSF/EHR AD be assigned agency-wide responsibility to coordinate programming that integrates research and education, and that addresses education and workforce development in the context of the disciplines. The committee requested that the NSF/EHR AD look at all the recommendations made in the draft report of the three Working Groups and report back to the EHR Committee on current and impending strategies and activities that are related to recommendations and issues from the working groups' reports. The chair expressed appreciation for the efforts of the three working groups and discharged them.

g. EHR Subcommittee on Science and Engineering Indicators (SEI)

NSF Science Resources Statistics (SRS) staff summarized the results of agency review of the Science and Engineering Indicators draft document and described changes being made in response to comments. The Subcommittee asked to review public attitude science questions that will be included in the next survey. SRS staff agreed to brief the Subcommittee on efforts to incorporate questions into the survey that will allow comparison with similar international surveys.

New data on degrees earned by foreign-born persons and on student visas were discussed and will be incorporated into the current SEI report. An illustration was selected for the SEI report cover. SRS agreed to provide a prototype cover for the Subcommittee to review before the November meeting.

The Subcommittee discussed a general outline for an SEI Companion Piece and asked SRS staff to prepare a draft for comment.

h. Committee on Strategy and Budget (CSB)

In closed session, Dr. Rita Colwell provided the committee with a brief review of the final FY 2005 budget submission to OMB and the current status of NSF's FY 2004 budget appropriations. OMB is currently weighing NSF's proposed budget against the requests of other agencies and the President's own priorities.

In open session, Paul Herer reported that the NSF Strategic Plan, FY 2003-2008, received the final approval of the Board and OMB in September, and was submitted to the Administration and Congress by the deadline of September 30. The final document has been placed on the NSF website and will be published in hardcopy form.

During the remainder of the meeting, the Board discussed the first draft of the report that the NSB is preparing for submission to Congress, as required by Section 22 of the NSF Authorization Act. Board members provided suggestions on every aspect of the report. Some of the key points concerned the organization and presentation of the recommendations. It was suggested that the report begin with a bold statement of priority NSF needs for research and education, followed by a set of Board spending recommendations on how the authorized funding levels can help (but not completely) meet these needs. It was also suggested that the report show the synergy that exists between the different spending priorities, and stress the value of international collaboration as key to developing a 21st century S&E workforce. The CSB plans to incorporate the Board's comments into a new draft that will be sent to all Board members before the November Board meeting. A conference call may be scheduled before the next meeting to discuss the draft.

Michael P. Crosby
Executive Officer

Attachment 1: [NSB-03-68](#), revised October 16, 2003

Attachment 2: [NSB-03-135](#)

Attachment 3: [NSB/EC-03-11](#)

Attachment 4: [NSB-03-125](#)

2004 Calendar of National Science Board Meetings

February 4, 5 (Wednesday/Thursday)
[New Orleans and LIGO]

March 24, 25 (Wednesday/Thursday)

May 3, 4 (Monday/Tuesday)
Annual Meeting
Awards Dinner on Monday

August 4, 5 (Wednesday/Thursday)

October 13, 14 (Wednesday/Thursday)

November 17, 18 (Wednesday, Thursday)

Executive Committee

TBD

RESOLUTION

NATIONAL SCIENCE BOARD

ATTENDANCE GUIDELINES FOR THE
NATIONAL SCIENCE BOARD AND ITS COMMITTEES
AND OTHER SUBDIVISIONS

RESOLVED, that the National Science Board adopts and will implement *Attendance Guidelines for the National Science Board and Its Committees and Other Subdivisions* (NSB/EC-03-11; October 15, 2003) as its official guidelines for attendance at Board sessions.

National Science Board
Attendance Guidelines
for the National Science Board and Its Committees and Other Subdivisions

Summary of Attendance Guidelines

Open Meetings – General public, media, and NSF staff.

Closed Meetings – [It is expected that attendees have a relevant purpose for attending all or part of the meeting.] Executive Officer, Deputy Director, Inspector General, Assistant Directors and O/D Office Heads, and any staff who have prepared presentations for and/or may answer questions from Board or Committee members during the closed session

Executive Closed Meetings – Executive Officer, Deputy Director, Committee Designated Liaison, and other staff only as designated by the Board or Committee Chair.

Discussion of Attendance Guidelines

Open Meeting Attendance

Attendance by the general public, including media, is determined by whether the meeting has been announced as open or closed pursuant to the Government in the Sunshine Act. Open sessions are open to the public, media, and NSF staff. The Board invites NSF staff to attend meetings open to the general public.

Closed Meeting Attendance

The Board has traditionally designated two types of closed sessions, regular Closed Sessions and Executive Closed Sessions.¹ The scope of staff attendance depends significantly upon the degree of sensitivity of the matters being discussed.²

1. Closed Sessions are primarily devoted to Board consideration of proposed grants and agreements. They may also include discussion of future NSF budgets which are exempt under 42 USC 1863(k). The Executive Officer, Deputy Director, Assistant Directors and Heads of O/D Offices, and the Inspector General may routinely attend the Closed Sessions of Board and Committee meetings, unless the Chair determines otherwise. NSF staff who prepared items to be discussed by the Board or its subdivisions should normally be present during the Closed Session to make presentations for and/or answer questions from the Board or Committee members,³ along with any other staff the Chair invites.⁴ Such staff may attend the entirety of the closed session unless told otherwise. The Chair may admit or exclude NSF staff as appropriate.⁵

¹ Board members may attend any Board, committee, or other Board subdivision meeting.

² For closed sessions, this must always include some individual responsible for creating the transcript or electronic recording of the closed meeting as required by section (f)(1) of the Sunshine Act.

³ For proposed awards and agreements, this will normally include the Program Officer(s), the Division Director(s), and/or the Assistant Director(s). For future budgets, this may include appropriate staff from the Budget Office and/or the Office of Legislative and Public Affairs.

2. Executive Closed Sessions normally include Board or Executive Committee elections, hiring or other personnel matters involving identifiable individuals, discussions leading to awards to specific individuals such as Bush or Waterman awardees, and discussions of future budgets. These sessions of the full Board are normally limited to NSB members (including the Director) and nominees, the Deputy Director, the NSB Executive Officer, other staff invited by the Chair, the “court reporter,” and, unless instructed otherwise, an NSB staff assistant for administrative support. Meetings of Board Committees or other subdivisions will normally include Committee members, the Executive Secretary, the Foundation’s Designated Liaison, other staff invited by the Chair, and, unless instructed otherwise, an NSB staff assistant for administrative support.

Procedure

The decision on NSF staff attendance at closed NSB sessions lies with the Chair presiding over a closed meeting of the Board, its Committees or other subdivisions.⁶ The Chairs’ decisions, if they differ from the routine attendance guidance above, should normally be made before meetings to give staff adequate notice of permitted staff attendance. These decisions can, however, be made or changed during the course of the meeting either to permit additional input from staff, or to exclude staff in order to protect the confidentiality of more sensitive information than anticipated.⁷

Once the agenda for a closed session is final, it is the responsibility of the Executive Officer or Executive Secretary for that entity to discuss attendance with the Chair. The Chair should strive to make a determination sufficiently in advance of a meeting to permit notice to staff, normally through notation on the meeting agendas. When a closed meeting begins, the Chair, with the help of the Executive Officer or Secretary and such others as the Chair may ask, should monitor staff presence in accordance with the meeting agenda and the Chair’s decisions.

In accordance with section (f) of the Sunshine Act, the agency shall maintain a transcript of each closed meeting. The Board staff, with the advice and assistance of the NSF General Counsel and staff, shall in accordance with section (f) of the Act and section 45 CFR 614.4 of NSF regulations make a copy of transcripts available to the public upon request with appropriate redaction of exempt portions.

⁴ The Chair may have a standing list of invitees to meetings an/or determine those admitted by meeting, or even ad hoc by agenda item, as he or she deems appropriate.

⁵ Staff in some instances could include NSF contractors, experts, or consultants.

⁶ The principles underlying the exemptions in the Government in the Sunshine Act should guide Chairs in making decisions about NSF staff attendance at closed meetings. Attendance at closed meetings may be limited as necessary to protect, e.g., personal privacy, future agency budgets, or ongoing investigations that may be discussed during a meeting. However, this will require balancing the Board’s need for information, and for efficient and effective operation, with the need to protect confidentiality.

⁷ Where the Board or a subdivision is to discuss especially sensitive issues such as, e.g., a personnel matter involving an identifiable NSF employee, the Chair may restrict staff attendance to only those essential to the discussion, and in some instances to Board members only, provided there is a means of creating the transcript or electronic recording of the closed meeting as required by section (f)(1) of the Sunshine Act.

RESOLUTION
TO CLOSE PORTIONS OF
377th MEETING
NATIONAL SCIENCE BOARD

RESOLVED: That the following portions of the meeting of the National Science Board (NSB) scheduled for November 19, 20, 2003 shall be closed to the public.

1. Those portions having to do with discussions regarding nominees for appointments as National Science Board members and National Science Foundation (NSF) staff appointments, or with specific staffing or personnel issues involving identifiable individuals. An open meeting on these subjects would be likely to constitute a clearly unwarranted invasion of personal privacy.
2. Those portions having to do with future budgets not yet submitted by the President to the Congress.
3. Those portions having to do with pending proposals and proposed awards for specific grants, contracts, or other arrangements. An open meeting on those portions would be likely to disclose personal information and constitute a clearly unwarranted invasion of privacy. It would also be likely to disclose research plans and other related information that are trade secrets, and commercial or financial information obtained from a person that are privileged or confidential. An open meeting would also prematurely disclose the position of the NSF on the proposals in question before final negotiations and any determination by the Director to make the awards and so would be likely to frustrate significantly the implementation of the proposed Foundation action.
4. Those portions having to do with specific Office of the Inspector General investigations and enforcement actions, or agency audit guidelines.

The Board finds that any public interest in an open discussion of these items is outweighed by protection of the interests asserted for closing the items.