

National Science Foundation
Business and Operations Advisory Committee
Guidance Document for the Creation and Operation of Subcommittees

I. Purpose

This document provides a consolidated reference for the creation and operation of subcommittees of the NSF Business and Operations Advisory Committee (the BOAC or the Committee).

II. Background

The BOAC is an NSF federal advisory committee established pursuant to the Federal Advisory Committee Act, 42 U.S.C. §1861 et. seq. (FACA), to provide advice to the Head, Office of Budget, Finance, and Award Management (BFA) and to the Head, Office of Information and Resource Management (OIRM) of NSF. The BFA and OIRM Office Heads are the NSF Designated Federal Officials (DFOs) for the Committee.

The work of the BOAC focuses on issues related to oversight, integrity, development, and enhancement for improved performance of the Foundation's business operations. The Committee strives to provide advice that is relevant, objective, and timely. Because the BOAC is subject to FACA, its meetings are open to the public.

A subcommittee is a group that reports directly to the BOAC, not to NSF, and is not subject to FACA unless NSF voluntarily elects to apply the Act. Subcommittees may not report directly to NSF, unless they are duly established under FACA.

III. Introduction

The BOAC's [charter](#) provides that NSF may form subcommittees for any purpose consistent with the charter. Indeed, from the time that the BOAC was established, the agency has used the subcommittee mechanism from time to time when it sought a more in depth examination of a particular issue. At its Fall 2010 meeting, the Committee formally recommended that NSF:

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.

NSF implemented this recommendation, conducted additional research and subsequently developed and then finalized this guidance document to inform the agency's future use of BOAC subcommittees.

IV. Subcommittee Creation

- a. NSF DFOs must approve the creation and operation of any subcommittees.
- b. Subcommittees do not need a separate charter, rather to initiate at subcommittee, NSF should work collaboratively with the BOAC *and the subcommittee chair(s)* to develop a charge which:
 - i. defines the subcommittee's work, specifically setting forth the advice that the BOAC is seeking from the subcommittee;

- ii. may include reminders that NSF DFOs or their designees should not participate on the subcommittee or contribute to the advice that it provides to the BOAC, and that NSF may not receive advice directly from the subcommittee;
- iii. estimates the number of in-person meetings that will be required, and a proposed budget for the work of the subcommittee;
- iv. includes a targeted timeframe for delivering a subcommittee report with advice and recommendations to the BOAC co-chairs; and
- v. includes a statement that the subcommittee will terminate upon completion of the activities set forth in the charge and estimates that date if possible.
- c. Standing subcommittees are strongly discouraged. If the subcommittee needs to act for a lengthy period of time, renewals should be built into the charge.
- d. NSF may create subcommittees in between BOAC meetings with DFO approval, as long as the agency works collaboratively with the BOAC co-chairs and appropriate members.

V. Subcommittee Membership

- a. Though NSF ultimately selects subcommittee membership, NSF and the subcommittee chair(s) (in consultation with the BOAC) should work collaboratively to agree on membership. When appropriate, NSF may use an organizing committee of NSF staff to help select members and to address other logistics.
- b. The subcommittee chair or co-chairs should be defined at the time it is charged or as soon after as is reasonably possible, and should participate in refinement of the charge.
- c. The NSF DFOs should serve as (or designate) the cognizant NSF staff member for each subcommittee. The NSF DFOs or their designees should generally attend subcommittee meetings.
- d. While there is no legal requirement that a BOAC member serve on a subcommittee, every effort should be made to include at least one BOAC member as a liaison to or a member of each subcommittee created.
- e. NSF staff and other federal employees may serve on subcommittees, except that the Designated Federal Officers of the BOAC may not serve.
- f. The number of BOAC members who serve on a particular subcommittee, may not exceed the number that constitutes a quorum of the BOAC at any given time.

VI. Subcommittee Operations and Communications

- a. Subcommittee operations should proceed keeping the cognizant NSF staff member informed.
- b. NSF should consider creating an NSF cognizant organizing committee comprised of NSF-wide staff when the subcommittee's advice will impact a broad cross-section of the agency or is particularly sensitive, important or concerns challenging issues.
- c. NSF staff should support subcommittee logistics but involve the subcommittee chair (or defer as appropriate) in meeting administration matters such as agenda setting, room set up, appropriate use of remote technologies.
- d. Communication between subcommittee chairs and cognizant NSF staff member should be as frequent as necessary or appropriate, keeping in mind that NSF should not participate on the subcommittee or contribute to the advice.
- e. The cognizant NSF staff member and subcommittee chairs should agree early on and to the greatest extent possible with respect to data and information to which the subcommittee will need access to conduct its business. Where access to sensitive or personally identifiable

information is required or where external information must be collected, the NSF Office of General Counsel should be consulted.

- f. The subcommittee chair should resolve conflicts that may arise in the conduct of subcommittee business. To the extent conflicts cannot be resolved, the chair should include minority opinions/unresolved conflicts in the subcommittee's report so that the BOAC and NSF will be informed of the conflict.
- g. Subcommittee chairs or the cognizant NSF staff member should make every effort to use a [short template to update](#) the BOAC on subcommittee activities in between BOAC meetings.

VII. Subcommittee Report

- a. Upon completion of the activities set forth in the charge, the subcommittee chair(s) should prepare a final report containing its advice, findings and recommendations for the BOAC and deliver it to the BOAC chair(s). While use of a report [template](#) may not work for every subcommittee, reports should generally contain the sections set forth in the BOAC [template](#).
- b. Prior to delivering the final subcommittee report to the BOAC chair(s), the subcommittee chair(s) may share it with the cognizant NSF staff member(s), who may suggest edits to clarify or correct factual errors. NSF staff members should refrain from making substantive edits to the draft report. NSF staff is also *prohibited* by FACA from receiving subcommittee advice at this point in the process.
- c. Prior to delivering the final subcommittee report to the BOAC chair(s), the BOAC chair(s) may suggest changes.
- d. Upon receipt of the final subcommittee report, the BOAC chair(s) shall submit it to the full BOAC in advance of its next formal BOAC meeting.
- e. Subcommittee advice and recommendations must be discussed and deliberated at a duly organized BOAC meeting prior to submission to NSF.
- f. Once the subcommittee's report has been discussed and deliberated at a duly organized BOAC meeting, the BOAC shall discuss the subcommittee's report, accept it, reject it, or send it back to the subcommittee for revisions. Once a subcommittee report is accepted, the BOAC will make it publicly available to the extent that the report does not contain proprietary, personal or other non-public information. The BOAC may also provide additional written feedback to NSF, including any comments or opinions it has to offer regarding the report or its findings and recommendations by way of a cover letter to the NSF DFOs.