

**National Atmospheric and Oceanic Administration
Science Advisory Board**

**Working Groups
Concept of Operations**

Introduction

The NOAA Science Advisory Board (SAB) serves to advise the Under Secretary of Commerce for Oceans and Atmosphere (Under Secretary) on strategies for research, education, and application of science to operations and information services, so as to better understand and predict changes in Earth's environment and conserve and manage coastal and marine resources to meet the Nation's economic, social, and environmental needs. In order to carry out this broad mandate, the NOAA SAB frequently establishes working groups made up of SAB members, former SAB members, and other individuals external to NOAA to study specific topics and provide information and recommendations back to the full SAB. These working groups may be *ad hoc*, short-term groups (called Task Forces) that exist for six months to- two years to provide information to the SAB on timely issues. They may also be Standing Working Groups that provide information and assessments to the SAB on a continuing basis. This document provides information on the concept of operations for each type of group.

Establishment

NOAA Science Advisory Board working groups are established when either NOAA or the SAB determines that that advice is needed by the agency on a particular topic but the membership of the SAB is neither sufficient in number nor expertise to provide direct, credible advice. The working groups exist to gather reliable, expert information for the SAB that it then uses to formulate advice for the agency. If NOAA identifies a need for a working group, the agency identifies program liaisons and experts who work with the SAB Chair to identify an appropriate SAB member (or members) to act as the advocate(s) for the proposal. The resulting group of individuals from NOAA and the SAB are called the organizing committee. After agreement on the general concept for the working group, the SAB member (or members) presents it to the full Board at a regularly-scheduled, in-person meeting. The organizing committee then agrees on the scope of the topic through the development of terms of reference for the working group. Depending on the nature and scope of the issue to be addressed, the SAB determines whether this should be an *ad hoc* working group (task force) or standing working group.

In some cases, standing working groups may take on a task that is beyond the scope of even that group or that is within the scope of more than one working group (e.g. program reviews, rapid advice on a timely topic). In those cases, the working group or groups may establish their own subgroups that draw in additional experts to address a specific issue. These subgroups will operate on a short time frame of six months to one year and will answer to the working group(s) that created them. The process for establishing these subgroups may be as formal or less formal

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than the establishment of the parent working group, depending on the process required. Funding for these subgroups will be worked out with the NOAA sponsors of the standing working group(s). The reports and recommendations from these subgroups will be reviewed and approved by the standing working groups(s) before being sent to the SAB for consideration.

The terms of reference for a Science Advisory Board working group includes the background for establishment of the group, the purpose and scope, and expected products and outcomes. The terms of reference should be explicit about what is expected but should also retain some flexibility for change as situations evolve. The terms will also specify the size of the group and, if *ad hoc*, the timeframe and expected number and timing of meetings for the group. The terms of reference for a standing working group should be reviewed and, if necessary, revised on an annual basis by the SAB.

Membership

Working groups of the SAB have generally been made up of 8-18 members but the number of members will be determined by the scope of the topic and the recommendation of the organizing committee. These individuals may come from other federal agencies, state or local governments, industry, non-governmental organizations, and the academic community. The qualifications generally include technical expertise or experience as a user of NOAA technical products or services.

Once NOAA and the SAB have agreed upon the terms of reference for and whether a working group or task force, a list of candidates for membership will be developed. The organizing committee will solicit, research, and prepare a slate of recommended candidates. Depending on the level of expertise on the committee and the urgency of the matter, the membership may be agreed upon by the committee or a broader search for members may be implemented through a solicitation released through the Federal Register and/or specific requests to expert organizations. Once a list of potential members has been compiled, the organizing committee brings this to the full SAB for review and approval. The final selection of members is made by the SAB, although agency opinions will be considered. The SAB issues the invitations to the approved working group or task force members.

The terms of standing working group membership generally are the same as those for the SAB – one three-year term renewable for one additional three-year term. In order to set up a staggered rotation of members, initial appointments for a new working group may be made for equal numbers of 1-, 2-, and 3-year terms, 2-, 3-, and 4-year terms, or 3-, 4-, and 5-year terms, depending on the preference of the SAB and NOAA. The length of the initial appointment will be made clear to the candidates when the original invitation is made by the SAB. Any members of the SAB who serve on a working group will not be subject to the rules of rotation unless they reach the end their terms on the SAB. At that time it will be decided jointly by NOAA and the SAB if the member will continue to serve on the working group or will rotate off. The dates and length of terms of the working group members will be included in the information provided on the SAB website about the groups.

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When members are to be replaced on a standing working group, the Chair of the working group will confer with the rest of the working group members and the relevant NOAA staff to develop a list of candidates for presentation to the SAB. The SAB member or liaison to the working group or the working group Chair will present the recommended candidates to the full SAB at a meeting for consideration. Membership of the standing working groups will be reviewed annually. If members are to be replaced, the SAB must have sufficient time to provide meaningful input to the replacement process outlined above. The SAB has the right to make all decisions regarding membership and may choose to reject and replace candidates presented.

The Chair of a particular working group will be determined by the specific charge and needs of that working group. If practical, preference will be given to SAB members for this purpose. The organizing committee will bring this recommendation to the full SAB along with the proposed membership.

Each SAB working group must have a designated liaison (or liaisons) to the group from the SAB. This SAB member will be responsible for communications between the group and the SAB and will be responsible to the SAB for reporting on the actions of the working group. The SAB liaison(s) should attend all meetings of the assigned working group. The liaison(s) is also responsible for reporting on all current and planned activities of the group at every in-person SAB meeting.

Meetings

The meetings of a SAB working group are called by the Chair of the group. These will be held on dates and in locations designated by the Chair, in consultation with the members of the group as well as the supporting NOAA offices. Logistical and travel arrangements for all meetings will be handled by NOAA. Task forces may meet up to four times during their terms, unless justification can be made for additional meetings. Standing working groups will meet 1-3 times per year, unless justification is made for more. If a standing working group meets less frequently than once per year, this will trigger a discussion by the SAB of the necessity of maintaining that working group. All members are expected to attend all meetings but may miss meetings at the discretion of the Chair. If a member misses all meetings in one year, this will be considered grounds for replacing the member. SAB Office staff will attend all working group meetings and may provide staff support for the meetings, if desired.

Working groups and their members may meet in executive session without representatives from NOAA programs present. These sessions should be limited in scope and should not take up an entire meeting. SAB Office staff may attend these sessions and may provide staff support, if needed.

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Working group meetings are not advertised as open to the public because they are not federal advisory committees in their own right. However, these meetings should not be specifically closed. All requests to attend WG meetings by non-members should be granted unless unique circumstances dictate otherwise. All working group documents, correspondence, and other materials may be made available to the public, if requested, because they function under the auspices of a federal advisory committee.

Disestablishment

Task forces of the SAB are generally disestablished after they have submitted a final report to the SAB. The members of a task force may be invited to attend or call in to the meeting at which NOAA provides its response to the final report, within a year after its transmission to NOAA (see Work Products section below). However, if desired, and if stated in the original terms of reference, task forces may be called upon in the future to provide advice to the SAB on specific questions or to review specific documents. The SAB also retains the right to transition task forces into status as standing working groups if deemed desirable and supported by NOAA.

Standing working groups of the SAB are disestablished if they have not met for one full calendar year or if the SAB decides that there is no longer a need for the group. In the case of the former, the SAB Chair will work with the SAB members and liaisons to the working group, the Chair of the working group, and the supporting NOAA offices to determine what the reason is for the failure to meet. The decision to disestablish a standing working group will be made as part of a review of working group activities at an SAB meeting. . The SAB Chair will then send a letter to the NOAA Administrator informing hm/her of the disestablishment of the standing working group and the reasons for doing so. Subsequent to the disestablishment of a standing working group, if there are compelling reasons why the meetings have not been held by a working group and the interest in the group is high in NOAA and on the part of the working group members and relevant SAB members, the working group may be re-established.

Work Products

The working groups of the SAB are convened in order to investigate and collect information on specific, relevant topics as well as to review and assess NOAA programs, offices, and operations in the context of science and research requirements under the NOAA mission and goals. This work should result in written documents that are provided to the SAB. *All products of the working groups are considered input to the SAB and not to NOAA.* The SAB takes action on the transmission of all reports to NOAA. Transmission may include all of a report, a modified report, parts of a report or a decision not to transmit the report at all.

Standing working groups should provide the results of their work to the SAB on a regular basis, at least once a year, at a regularly-scheduled, in-person SAB meeting. These may take the form of written reports or short memoranda. Both types of document should summarize the work conducted to date and provide recommendations to the SAB. Recommendations in any working group document should be clearly labeled as such, numbered for easy reference, and be worded

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in a way as to make clear the action NOAA is recommended to undertake. While NOAA is generally allowed to take up to one year to respond to SAB recommendations, the working group may request that the SAB ask NOAA to respond in a shorter time, citing the rationale for this request. The SAB will decide what response timeframe to request and will work with NOAA to come to an agreement on this.

The final product of a task force is a generally a single report. The draft report from a task force is sent out for public comment via a Federal Register Notice, in order to ensure that all material is reviewed in an open and transparent manner. Reports and reviews from standing working groups are sent out for public comment at the recommendation of the SAB. A working group is not obligated to incorporate all suggestions received through the public comment process but should, at a minimum, provide a summary of actions taken as in response to the comments. Both draft and final reports will be presented to the SAB at regularly-scheduled, in-person SAB meetings. SAB questions and concerns must be addressed before the SAB accepts any working group report as final. The SAB may have follow-up meetings by teleconference to refine comments and consider the details of transmission of the documents.

Once the SAB has agreed upon the report, it will be transmitted to NOAA with a cover letter addressed to the NOAA Administrator. After the report has been transmitted, the Administrator will assign the responsibility for the response to a specific entity, which may be an Assistant Administrator, Council, Goal Team, or other appropriate individual. That person or entity will then work with the SAB Office to ensure that the final response is prepared in timely and appropriate fashion. This may include reviews of materials up through the full NOAA leadership before being presented to the SAB. NOAA responses to SAB recommendations should include a history or background of the issue, any internal policy or organizational changes that may have occurred to affect the response since the SAB report was transmitted, and specific responses to each recommendation provided. Because many of the recommendations made by the SAB are substantial, one year may not be enough time to show significant progress. Therefore, the assumption is that NOAA will continue to report back to the SAB on these recommendations in the future, as progress is made.

The written response to SAB recommendations presented at an SAB meeting is considered draft until the SAB members have a chance to review it. This review should consist of editorial considerations, for technical precision, clarity of language, etc. The SAB may also allow the working group or task force that originally drafted the SAB report to review the NOAA written response. NOAA may also present its response to the originating working group or task force directly. In that case, the working group or task force may choose to make comments on the written response as well. The SAB liaison(s) to the working group or task force will be expected to facilitate this interaction. NOAA may consider the comments made by the working group but is not required to incorporate them into its final report. It is assumed that the SAB and NOAA will continue to interact on these recommendations in the future if there is any controversy.

Support

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Working groups of the NOAA SAB are supported financially by NOAA. Standing groups are supported by the relevant NOAA program liaison offices, identified at the time each working group is established. The SAB Office may provide support to standing groups if staff time and budget permit and if requested by the relevant NOAA program liaison office. Task forces (*ad hoc* working groups) have received logistical, travel and staff support from the NOAA SAB Office in the past but may require other NOAA sponsorship in the future, as with the standing working groups.

NOAA Roles

The relevant NOAA line and program offices with most significant interests are identified for each working group at the time it is established. These offices provide individuals to serve as the liaisons with the working group, ensuring that NOAA provides technical, organizational, and fiscal information to the working group as requested (and appropriate). These individuals may also provide the formal agency response to any advice and recommendations that may be provided to NOAA from the SAB as a result of the working group's efforts.

The SAB Office of NOAA provides advice to all working groups and task forces about the rules of the Federal Advisory Committee Act (FACA) and how these are applied to the SAB with respect to the efforts of the working groups. The SAB Office facilitates communications between the SAB and the working groups and ensures coordination among the different SAB working groups. SAB staff attends working group meetings in order to ensure that the groups are conducting business as appropriate under the rules of FACA. The SAB Office works with the appropriate NOAA staff to ensure that responses to working group products, as relayed by the SAB, are handled appropriately and in a timely fashion. The SAB Office ensures that the working groups are provided access to SAB meetings where the results of their work are being considered.

Other Considerations

As stated earlier, working groups and task forces of the SAB do not provide direct advice to NOAA programs. Information and recommendations are provided only to the SAB from these groups. However, upon occasion, a NOAA program office may ask for comments on a topic or issue from individual members of a working group. This advice would be provided as individual, non-consensus advice to the agency.