Charter of the Interagency Council of Statistical Policy's
Standard Application Process Governance Board

1. Background

Data accessed or acquired by recognized statistical agencies and units is vital for building evidence on conditions, characteristics, and behaviors of the public and on the operations and outcomes of public programs and policies. This evidence can benefit the stakeholders in the programs, the broader public, and policymakers and program managers at the local, State, Tribal, and National levels.

The Paperwork Reduction Act provides the authority for the Director of the Office of Management and Budget (OMB) to develop, coordinate and oversee statistical activities along with the privacy, confidentiality, security, disclosure, and sharing of information (44 U.S.C. 3504(a)), and to appoint the Chief Statistician of the United States and establish the Interagency Council on Statistical Policy (ICSP) to advise and assist the Director to carry out statistical policy (44 U.S.C. 3504(e)).

The Foundations for Evidence-Based Policymaking Act (44 U.S.C. 3583), hereafter the Evidence Act, requires that the Director establish a Standard Application Process (SAP) that will be adopted by recognized statistical agencies and units to allow agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, to apply for access to certain confidential data acquired or accessed by recognized statistical agencies and units for the purpose of developing evidence.

Specifically, the recognized statistical agencies and units are required to implement the standardized application process, which includes an application form, the review criteria for determining whether to grant an applicant access to the confidential data asset, timeframes for prompt determinations, an appeal process for adverse determinations, and reporting requirements for full transparency of the process. While the adoption of the SAP is required for recognized statistical agencies and units, other agencies and organizational units within the Executive branch may be eligible to use the SAP to accept applications for access to confidential data assets available for the purpose of building evidence.

OMB's SAP policy specifies requirements for OMB, agencies, a Program Management Office (PMO), and the ICSP. The policy delegates to the ICSP responsibility to oversee the SAP and coordinate the agencies and units that accept applications through the SAP. This includes making key decisions, as specified in this charter and identifying opportunities to improve the efficiency of the SAP, including through further standardization.

2. The ICSP's Standard Application Process Governance Board

The SAP Governance Board (SAP-GB), which serves as the executive steering committee for the SAP and operates as a subcommittee of the full ICSP, serves dual roles. The first is to represent

the agencies and units utilizing the SAP. The second is to assist OMB in the oversight and coordination of the Standard Application Process, which is designed to standardize the way in which individuals or entities may apply to access available confidential data assets accessed or acquired by recognized statistical agencies and units, in accordance with the Evidence Act.

Consistent with the SAP Policy, the ICSP determines the composition and structure of the SAP-GB and may update the composition and structure as necessary.

The SAP-GB will:
   i.   develop protocols and procedures for areas assigned to it by the OMB SAP Policy;
   ii. identify opportunities to improve the efficiency of the SAP, including through further standardization;
   iii. work to expand use of the SAP by other Executive branch agencies or organization units beyond recognized statistical agencies and units as appropriate;
   iv. approve a communications strategy designed to communicate the SAP policy effectively and meet the policy's core organizational objectives;
   v.   ensure regular engagement with stakeholders and the public to identify ways to improve the SAP and the use of data for evidence building; and,
   vi. monitor the broader perspectives on evolving federal statistical policy as it impacts the SAP and apprise the ICSP and OMB, as appropriate.

3. Composition

The SAP-GB will be composed of ICSP members and others who have broad knowledge and experience with the Federal statistical system. The initial guidelines for SAP-GB member composition are as follows:

- The SAP-GB will be co-chaired by the Chief Statistician of the United States who will serve as an ex officio member. The other co-chair is to be selected by the Chief Statistician from the elected voting members.
- All members will hold Federal Employee status.
- The SAP-GB will consist of nine (9) voting members:
   i.   Majority of the members will be from ICSP member agencies that represent one of the recognized statistical agencies that are initially accepting applications through the SAP; these members shall be either the ICSP member, or a senior leader of the member agency as determined by that ICSP member.
   ii. Given the role of the SAP-GB in overseeing the expansion of the SAP, at least one member shall be an ICSP member from an agency without a recognized statistical agency, or a senior leader of the member agency as determined by the ICSP member.
   iii. Remaining members shall include: an ICSP member, Chief Data Officer, Evaluation Officer, and/or a Senior Agency Official for Privacy.
- Committee members will serve for a term up to three years. Appointments may be for one, two, or three years to provide staggered terms for continuity purposes. All

members will be reevaluated at the conclusion of the term with the prospect of renewal for an additional term. Active attendance and participation in meetings and activities (e.g., conference calls and assignments) will be factors considered when determining term renewal or membership continuance.

- The ICSP will organize the slate of SAP-GB nominees, and conduct the vote on the slate of SAP-GB nominees, with only ICSP members being eligible voters.

4. Advisory Support

The ICSP affirms that stakeholder feedback and advice is a critical input into the SAP governance process and should be inclusive in representing stakeholders' perspectives regarding the conceptualization, governance, and implementation of the Standard Application Process.

Initial external input and advisory support for the SAP-GB will be organized by the SAP Communications Working Group (see Section 7). The Working Group will conduct a regular series of moderated roundtables with key stakeholder groups. The purpose of this activity is to collect feedback and advise on the processes and implementation of the SAP. These moderated roundtables are not intended to solicit consensus recommendations, but gather feedback from the community of SAP users and stakeholders to inform the operation, development, and governance of the SAP. The SAP-GB will also discuss other means for future external input and advisory support during its charter tenure.

5. Operations of the SAP-GB

As the SAP is implemented and performance is observed over time, the SAP-GB will monitor the performance of the SAP by tracking its progress on meeting application decision timing, assessing the efficiency of the technical SAP portal implementation, and commission from the Program Management Office (PMO) an annual report of SAP activities. The PMO annual report will address performance and recommendations, and identify opportunities to improve the efficiency of the SAP, including through further standardization, as appropriate.

The SAP-GB will operate in the following manner:
   i.   Decisions will be taken in the presence of a quorum, where a majority of the voting members constitute a quorum.
   ii.   Decisions will be determined by majority vote in the presence of a quorum. Each voting member will designate a second who can attend meetings as a voting member in their stead, if necessary.
   iii. Meetings will be scheduled quarterly, or more often if decision points require.
   iv.   Working groups staffed by the ICSP member agencies will address specific issues to facilitate the timely and efficient operation of the SAP-GB's activities.
   v.   An annual report of activities and recommendations to include, both policy and processes, will be delivered to the OMB Director and the ICSP.

6. Key Policies and Practices Delegated to the SAP-GB

6.1 Mission

The mission of the SAP-GB is to guide the strategic direction for the SAP and ensure agencies will:
  i.   provide equitable opportunities to access available confidential data assets maintained by recognized statistical agencies and units, which may include training on the SAP process;
  ii. employ transparent procedures and application processes;
  iii. approve improvements and changes to operations and processes supporting the SAP;
  iv. identify interdependencies between the SAP and the implementation of other federal statistical policies and regulations, and advise OMB as appropriate.

OMB's SAP Policy established specific roles and responsibilities for the SAP-GB essential to implementing the SAP, including the following:

6.2 Data Catalog

The SAP Data Catalog provides the core metadata, identifies the agency that curates the data, and includes links to the location of complete data documentation about the dataset. The metadata within the SAP Data Catalog includes: i) key information that allows applicants to identify data assets (both confidential and public access versions) that may potentially be useful for their research; ii) information on the authorization levels that must be obtained or verified for access to be granted; and iii) information about the time window during which applications will be accepted by the statistical agency or unit if applicable. The SAP-GB will approve recommendations for metadata standards developed by the PMO.

6.3 Common Application Form

The SAP-GB will
  i.   approve the recommendations for common application fields by the PMO;
  ii. review any unique application field(s) requested by agencies or units because they deem them essential to meeting their legal requirements for evaluating applications for access to restricted-use data; if approved, directs the PMO to implement.

6.4 Criteria for Review and Disposition of Applications

The SAP-GB will:
  i.   as needed, provide updates to or clarification of guidance to ensure a standardized approach for evaluating applications under the SAP common review criterion, including the Maintaining Public Trust criterion;
  ii. assist the PMO in identifying, over time, opportunities to promote greater standardization by, for example, expanding reciprocity of security credentialing

across agencies and developing and standardizing data stewardship training and other data sharing documents (e.g., institutional, cooperative, data use, and nondisclosure agreements) across agencies.

6.5 Timeframes for Determination

The SAP-GB will:
i. grant or deny extension requests from statistical agencies or units beyond the initial 6-week extension;
ii. regularly review the timeframes required in practice and, if appropriate, recommend updates to the specific timeframes.
iii. coordinate and work to standardize the duration and timing of review windows across agencies that find the use of application windows necessary.

6.6 Appeals Process

The SAP-GB will facilitate conversations for improving the appeals process that can include a process for appealing a decision when a proposal involving multiple agencies' or units' data is denied.

6.7 Public Reporting

The SAP-GB may elect to expand the set of information reported to the public, but it must be implemented consistently across all statistical agencies and units using the SAP.

6.8 Use of the SAP

The SAP-GB will develop transparent criteria for reviewing requests from non-statistical agencies or units to utilize the SAP for accepting applications. Based on these criteria, the SAP-GB will approve requests from non-statistical agencies or units within the Executive branch to utilize the SAP for processing applications for access to confidential data assets.

6.9 Application Amendments

The SAP-GB will approve standards for application changes that require an applicant to apply for an amendment through the SAP.

7. Working Groups

The SAP-GB will create three standing working groups to be staffed by the ICSP member agencies:
- Budget: delegated to determine the annual budget requirements of the SAP and consults with OMB and the ICSP to identify funding;
- Communications: delegated to implement the SAP-GB Communications Strategy, and conduct stakeholder input and outreach.

- Technical: delegated to provide oversight and review of technical operational activities of the SAP policy.

Additional working groups can be created when necessary to meet the SAP-GB's responsibilities. Formation of these working groups must be approved by the ICSP and will be staffed by ICSP member agencies.

A SAP-GB member will be assigned as a liaison member of each working group, standing and ad hoc.

8. SAP Program Management Office

Key decisions implemented by the PMO require approval of the SAP-GB as defined in OMB's SAP Policy.[1] The SAP-GB shall coordinate with the PMO to implement, operate, and maintain the SAP as established in the OMB SAP Policy.

9. Amendments and Revision of this Charter

This initial SAP-GB Charter will expire three years after its ratification, at which time the ICSP shall establish a revised charter based on the experiences and feedback received over the initial implementation of the SAP. Amendments and revisions of this Charter can be made at any time during this operating period and must be approved by a majority of ICSP members.

10. Effective Date

This charter is effective as of the date approved in the ICSP full council meeting and as signed by the Chair and remains in effect until modified or rescinded.

Approved December 2022.

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[1] To support the continued use of the SAP, OMB is responsible for ensuring the continued existence of a PMO to fulfill the roles and responsibilities delegated to that entity under OMB's SAP Policy. The PMO is responsible for the development, operation, and maintenance of the SAP Portal and any additional technical services required to facilitate the SAP. The full description of the PMO duties and responsibilities is presented in OMB's SAP Policy.