

From: [Mantz, Jeffrey](#)
To: [Plimpton, Suzanne H.](#)
Subject: FW: SAP? (Comment period ends today)
Date: Monday, October 31, 2022 4:14:13 PM

Dear Suzanne,

FYI; these communications are with the human subjects official at the Department of Education.

Thanks so much,
Jeff

Jeff Mantz

*Program Director, Cultural Anthropology Program
[Faculty/"Senior" Solicitation](#)
[Doctoral Student \(DDRIG\) Solicitation](#) (revised for 2023)

*Program Director, Dynamics of Integrated Socio-Environmental Systems (DISES)
[DISES Solicitation](#)

*Human Subjects Research Officer
[NSF Human Subjects Guidance](#)
[Guidance on the new Common Rule](#)
[Guidance on Effects of COVID-19 on Human Subjects Research](#)

*SBE Liaison, Graduate Research Fellowship Program (GRFP)
[Current GRFP Solicitation](#)
[GRFP FAQs](#)

*Program Director, Disrupting Operations of Illicit Supply Networks (D-ISN)
[Most Recent Solicitation \(NSF 21-582\)](#)

Division of Behavioral & Cognitive Sciences
Social, Behavioral, & Economic Sciences Directorate
The National Science Foundation, Suite W 13100
2415 Eisenhower Avenue
Alexandria, VA 22314
(703) 292-7783
jmantz@nsf.gov

From: Rodamar, Jeffery <Jeffery.Rodamar@ed.gov>
Sent: Monday, October 31, 2022 1:52 PM
To: Mantz, Jeffrey <jmantz@nsf.gov>
Subject: [EXTERNAL] - RE: SAP? (Comment period ends today)

Thanks. Just FYI, I've tried entering without the period at the end of the address, but it didn't go through.

ED seems to be interested in potentially extending the SAP for data access to research beyond that

conducted by the “statistical agencies” (e.g. beyond NCES at ED).

Best regards,
--Jeff R.

From: Mantz, Jeffrey <jmantz@nsf.gov>
Sent: Monday, October 31, 2022 1:49 PM
To: Rodamar, Jeffery <Jeffery.Rodamar@ed.gov>
Subject: RE: SAP? (Comment period ends today)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeff,

Looks like there is a stray period at the end of her email address. I’m out today, and I don’t actually know the answer to this. But I believe you’re correct that it covers only the entities under CIPSEA (I think that because I’m pretty sure NCSES is the one entity at NSF covered by CIPSEA). Thanks so much,
Jeff

From: Rodamar, Jeffery <Jeffery.Rodamar@ed.gov>
Sent: Monday, October 31, 2022 1:25 PM
To: Mantz, Jeffrey <jmantz@nsf.gov>
Subject: [EXTERNAL] - FW: SAP? (Comment period ends today)

This email originated from outside of the National Science Foundation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeff,

Just FYI, when I send an email to Suzanne Plimpton using the email address in the NPRM, I receive a message that the address is not valid. She is listed as the NSF point of contact for the NPRM for the SAP.

Best regards,
--Jeff R.

From: Rodamar, Jeffery
Sent: Monday, October 31, 2022 12:31 PM
To: plimpto@nsf.gov
Subject: FW: SAP? (Comment period ends today)

From: Rodamar, Jeffery
Sent: Monday, October 31, 2022 12:27 PM
To: splimpto@nsf.gov.
Cc: jmantz@nsf.gov
Subject: FW: SAP? (Comment period ends today)

Hi Dr. Plimpton,

Can you clarify the intended scope of coverage for the SAP as described in the NPRM (that has a comment period that closes today)? I work on the Common Rule for the Protection of Human Subjects in Research and contacted our colleague Jeff Mantz, but it appears he is tied up in NSF peer review meetings today.

I'm trying to assess to what extent the SAP etc. will apply to "human subjects research" funded by the 20 Federal common rule agencies. Often this does not involve a "statistical unit or agency".

Thank you in advance for your insights on this.

Best regards,
--Jeff Rodamar

Jeffery W. Rodamar

Protection of Human Subjects in Research Coordinator
US Department of Education
400 Maryland Avenue, SW, Office: 5A212
Washington, DC 20202

Phone: 202-987-0066
Email: Jeffery.Rodamar@ed.gov
Email for general queries: HumanSubjectsResearch@ED.gov

Resources: <https://www2.ed.gov/about/offices/list/ocfo/humansub.html>

Training: Department of Education: Implementing the Common Rule
For protection of human subjects in research (34 CFR 97)
[Implementing the Common Rule \(ed.gov\)](#)

via US Postal Service:

US Department of Education; LBJ Building, 400 Maryland Ave. SW; Washington, DC 20202-4331

From: Rodamar, Jeffery
Sent: Monday, October 31, 2022 12:16 PM
To: jmantz@nsf.gov
Subject: FW: SAP? (Comment period ends today)

Hi Jeff,

As NSF is central to the emerging SAP process for data access, do you know the intended scope of the SAP? The text refers to “statistical units or agencies” which would seem to imply that much (or most) human subjects research would not involve data covered by the SAP (and related Evidence Act requirements).

For example, this would appear to require that at IES the NCES studies are covered, but the NCEE studies are not. I suspect similar situations apply at NSF, NIH, HHS, etc. And are the “confidential data assets” (undefined in the NPRM) limited to those of the “statistical agencies and units” (vs those of the broader agency)?

Thanks in advance for your insights on this.

Best regards,
--Jeff R.

From: Rodamar, Jeffery
Sent: Monday, October 31, 2022 12:04 PM
To: Boivin, Sharon <Sharon.Boivin@ed.gov>
Subject: RE: SAP? (Comment period ends today)

Thanks!

From: Boivin, Sharon <Sharon.Boivin@ed.gov>
Sent: Monday, October 31, 2022 12:03 PM
To: Rodamar, Jeffery <Jeffery.Rodamar@ed.gov>
Subject: RE: SAP? (Comment period ends today)

I am not sure of the scope of the SAP. I’m sure it covers the 13 Federal statistical agencies covered by CIPSEA but I’m not sure if it covers non-CIPSEA statistical units. I’m pretty sure it doesn’t cover non-statistical data, although we may use a similar process for data under OCDO’s purview.

From: Rodamar, Jeffery <Jeffery.Rodamar@ed.gov>
Sent: Monday, October 31, 2022 12:00 PM
To: Boivin, Sharon <Sharon.Boivin@ed.gov>
Subject: FW: SAP? (Comment period ends today)

Hi Sharon,

The public comment period for comments on the proposed SAP form closes today.

Do you know whether the intent is that the SAP will only apply to studies from NCES (and other

Federal statistical agencies and units)?

Thanks in advance for your insights.

Best regards,
--Jeff

From: Rodamar, Jeffery
Sent: Monday, October 31, 2022 11:58 AM
To: Albro, Elizabeth <Elizabeth.Albro@ed.gov>
Cc: Namy, Laura <Laura.Namy@ed.gov>
Subject: SAP? (Comment period ends today)

Hi Liz,

Looking for information on the SAP form under the Evidence Act etc, I just found that the public comment period closes today.

Is it the case that the SAP procedures will only apply to NCES data, not to NCEE etc. data?

Thank you in advance for clarification.

Best regards,
--Jeff

For your convenience the Federal Register text follows below:

Notice

Agency Information Collection Activities: Comment Request

A Notice by the [National Science Foundation](#) on [09/01/2022](#)

This document has a comment period that ends today. (10/31/2022) [Submit a formal comment](#)

Thank you for taking the time to create a comment. Your input is important.

Once you have filled in the required fields below you can preview and/or submit your comment to the National Science Foundation for review. All comments are considered public and will be posted online once the National Science Foundation has reviewed them.

You can view [alternative ways to comment](#) or you may also comment via Regulations.gov at, https://www.regulations.gov/commenton/NSF_FRDOC_0001-2997.

Top of Form

It appears that you have attempted to comment on this document before so we've restored your progress.

[Start over.](#)

- 1.
- 2.
3. Comment*
4. What is your comment about?
5. Upload File(s)

Note: You can attach your comment as a file and/or attach supporting documents to your comment. [Attachment Requirements.](#)

6. Email
this will NOT be posted on regulations.gov
7. Opt to receive email confirmation of submission and tracking number?
8. Tell us about yourself! I am...*

An Individual

An Organization

Anonymous

9. First Name*
 10. Last Name*
 11. City
 12. Region
 13. State
 14. Zip
 15. Country
 16. Phone
 17. Organization Type*
 18. Organization Name*
-

19. You are filing a document into an official docket. Any personal information included in your **comment text and/or uploaded attachment(s)** may be publicly viewable on the web.
20. I read and understand the statement above.

- 1.
2. [Preview Comment](#)

Please review the Regulations.gov [privacy notice](#) and [user notice](#).

Document Details

Bottom of Form

Information about this document as published in the *Federal Register*.

Printed version:

[PDF](#)

Publication Date:

[09/01/2022](#)

Agency:

[National Science Foundation](#)

Dates:

Written comments on this notice must be received by October 31, 2022 to be assured of consideration. Comments received after that date will be considered to the extent practicable. Send comments to the address below.

Comments Close:

10/31/2022

Document Type:

Notice

Document Citation:

87 FR 53793

Page:

53793-53795 (3 pages)

Document Number:

2022-18847

Document Details**Document Statistics**

Document page views are updated periodically throughout the day and are cumulative counts for this document. Counts are subject to sampling, reprocessing and revision (up or down) throughout the day.

Page views:

221

as of 10/31/2022 at 10:15 am EDT

Document Statistics**Published Document**

This document has been published in the *Federal Register*. Use the PDF linked in the document sidebar for the official electronic format.

Published Document**Published Document**

This document has been published in the *Federal Register*. Use the PDF linked in the document sidebar for the official electronic format.

AGENCY:

National Center for Science and Engineering Statistics, National Science Foundation.

ACTION:

Notice.

SUMMARY:

The National Center for Science and Engineering Statistics (NCSES) within the National Science Foundation (NSF), as the Standard Application Process (SAP) Program Management Office designated by the Office of Management and Budget (OMB), is announcing plans to establish a common form information collection. NCSES will request approval for an SAP Portal information collection as a Common Form to permit other federal agency users to streamline the information collection in coordination with OMB. The purpose of this notice is to allow for 60 days of public comment on the proposed SAP Portal information collection as a Common Form, prior to the submission of the information collection request (ICR) to OMB for approval.

DATES:

Written comments on this notice must be received by **October 31, 2022 to be assured of consideration. Comments received after that date will be considered to the extent practicable.** Send comments to the address below.

Comments: Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the federal statistical agencies, including whether the information will have practical utility; (b) the accuracy of the NSF's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, use, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT:

Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Suite W18253, Alexandria, Virginia 22314; telephone (703) 292-7556; or send email to splimpto@nsf.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

SUPPLEMENTARY INFORMATION:

The Foundations for Evidence-Based Policymaking Act of 2018 mandates that OMB establish a Standard Application Process (SAP) for requesting access to certain confidential data assets. While the adoption of the SAP is required for statistical agencies and units designated under CIPSEA, it is recognized that other agencies and organizational units within the Executive branch may benefit from the adoption of the SAP to accept applications for access to confidential data assets. The SAP is to be a process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply to access confidential data assets held by a federal statistical agency or unit for the purposes of developing evidence. With the Interagency Council on Statistical Policy (ICSP) as advisors, the entities upon whom this requirement is levied are working with the SAP Project Management Office (PMO) and with OMB to implement the SAP. The SAP Portal is to be a **single web-based common application for the public to request access to confidential data assets from federal statistical agencies and units**. In accordance with the requirements of the Paperwork Reduction Act of 1995, NCSES is providing an opportunity for public comment on this action. After obtaining and considering public comment, NCSES will prepare the submission requesting that OMB approve clearance of this collection for three years.

This request is on behalf of the following federal statistical agencies and units, which may use the Common Form:

- Bureau of Economic Analysis (Department of Commerce)
- Bureau of Justice Statistics (Department of Justice)
- Bureau of Labor Statistics (Department of Labor)
- Bureau of Transportation Statistics (Department of Transportation)
- Census Bureau (Department of Commerce)

- Economic Research Service (Department of Agriculture)
- Energy Information Administration (Department of Energy)
- National Agricultural Statistics Service (Department of Agriculture)
- **National Center for Education Statistics (Department of Education)**
- National Center for Health Statistics (Department of Health and Human Services)
- National Center for Science and Engineering Statistics (National Science Foundation)
- Office of Research, Evaluation, and Statistics (Social Security Administration)
- Statistics of Income Division (Income Revenue Service)
- Microeconomic Surveys Unit (Federal Reserve Board)
- Center for Behavioral Health Statistics and Quality (Department of Health and Human Services)
- National Animal Health Monitoring System (Department of Agriculture)

Title of collection: Standard Application Process (SAP) Portal.

OMB Control Number: 3145-NEW.

Expiration Date of Current Approval: Not Applicable.

Type of Request: Intent to seek approval to collect information from the public through the Standard Application Process (SAP) Portal, as a Common Form.

Abstract: Established within the NSF by the **America COMPETES Reauthorization Act of 2010 § 505, codified in the National Science Foundation Act of 1950, as amended, the National Center for Science and Engineering Statistics (NCSES) serves as a central Federal clearinghouse for the collection, interpretation, analysis, and dissemination of objective data on science, engineering, technology, and research and development for use by practitioners, researchers, policymakers, and the public.**

Title III of the Foundations for Evidence-Based Policymaking Act of 2018 (hereafter referred to as the **Evidence Act**) mandates that OMB establish a **Standard Application Process (SAP) for requesting access to certain confidential data assets. Specifically, the Evidence Act requires OMB to establish a common application process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply for access to confidential data assets collected, accessed, or acquired by a statistical agency or unit.** This new process will be implemented while maintaining stringent controls to protect confidentiality and privacy, as required by the law.

The Evidence Act requires that each statistical agency or unit establish an identical application process. The Evidence Act further requires that federal statistical agencies establish common criteria for determining whether to approve an application for confidential data, timeframes for prompt determination, an appeals process for adverse determinations, and standards for transparency. In response to these requirements, the statistical agencies and units will operate a web-based portal (referred to as the SAP Portal) on behalf of OMB to provide the common application form to applicants. The objective of the SAP Portal is to increase public access to confidential data for the purposes of evidence building and reduce the burden of applying for confidential data, which currently involves separate processes with each of the federal statistical agencies and units.

Data collected, accessed, or acquired by statistical agencies and units is vital for developing 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, as well as policymakers and program managers at the local, State, Tribal, and National levels. The many benefits of access to data for evidence building notwithstanding, the process of discovering confidential data, applying for access, and, in

certain cases, revising an application or appealing an adverse determination through the SAP Portal still places a burden on the public, as outlined below.

The SAP Policy: At the recommendation of the ICSP, the SAP Policy establishes the SAP to be implemented **by statistical agencies and units** and incorporates directives from the Evidence Act. The policy is intended to provide guidance as to the application and review processes using the SAP Portal, setting forth clear standards that enable statistical agencies and units to implement a common application form and a uniform review process. The methods of collection outlined below are in accordance with the SAP Policy. The SAP Policy was submitted to the public for comment in January 2022 ([87 FR 2459](#), 2022). The policy is currently under review and has not yet been finalized.

For the purpose of the SAP Policy, the application process begins with an applicant discovering a confidential data asset for which a statistical agency or unit is accepting applications to access for the purpose of building evidence and ends with the agency or unit's determination on whether to grant access. In the case of an adverse determination, the application process ends with the conclusion of an appeals process if the applicant elects to appeal the determination.

The SAP Portal: The SAP Portal is an application interface connecting applicants seeking data with a catalog of data assets owned by the federal statistical agencies and units. The SAP Portal is not a new data repository or warehouse; confidential data assets will continue to be stored in secure data access facilities owned and hosted by the federal statistical agencies and units. The Portal will provide a streamlined application process across agencies, reducing redundancies in the application process. This single SAP Portal will improve the process for applicants, tracking and communicating the application process throughout its lifecycle. This reduces redundancies and burden on applicants that request access to data from multiple agencies. The SAP Portal will automate key tasks to save resources and time, and will bring agencies into compliance with the Evidence Act statutory requirements.

Data Discovery: Individuals begin the process of accessing restricted use data by discovering confidential data assets through the SAP data catalog, maintained by federal statistical agencies at www.researchdatagov.org. Potential applicants can search by agency, topic, or keyword to identify data of interest or relevance. Once they have identified data of interest, applicants can view metadata outlining the title, description or abstract, scope and coverage, and detailed methodology related to a specific data asset to determine its relevance to their research.

While statistical agencies and units shall endeavor to include metadata in the SAP data catalog on all confidential data assets for which they accept applications, it may not be feasible to include metadata for some data assets (e.g., potential curated versions of administrative data). A statistical agency or unit may still accept an application through the SAP Policy even if the requested data asset is not listed in the SAP data catalog.

SAP Application Process: Individuals who have identified and wish to access confidential data assets will be able to apply for access through the SAP Portal when it is released to the public in late 2022. Applicants must create an account and follow all steps to complete the application. Applicants begin by entering their personal, contact, and institutional information, as well as the personal, contact, and institutional information of all individuals on their research team. Applicants proceed to provide summary information about their proposed project, to include project title, duration, funding, timeline, and other details including the data asset(s) they are requesting and any proposed linkages to data not listed in the SAP data catalog, including non-federal data sources. Applicants then proceed to enter detailed information regarding their proposed project, including a project abstract, research question(s), literature review, project scope, research methodology, project products, and anticipated output. Applicants must demonstrate a need for confidential data, outlining why their research

Jeffery W. Rodamar

Protection of Human Subjects in Research Coordinator

US Department of Education

400 Maryland Avenue, SW, Office: 5A212

Washington, DC 20202

Phone: 202-987-0066

Email: Jeffery.Rodamar@ed.gov

Email for general queries: HumanSubjectsResearch@ED.gov

Resources: <https://www2.ed.gov/about/offices/list/ocfo/humansub.html>

Training: Department of Education: Implementing the Common Rule

For protection of human subjects in research (34 CFR 97)

[Implementing the Common Rule \(ed.gov\)](#)

via US Postal Service:

US Department of Education; LBJ Building, 400 Maryland Ave. SW; Washington, DC 20202-4331