

Approved: Tuesday, December 10, 2019

Commerce Data Governance Board (CDGB) Terms of Reference

1. AUTHORITY:

1.1. The Foundations for Evidence-Based Policymaking Act (the Evidence Act, and guided by OMB M-19-23) prescribes the functions and responsibilities of the Chief Data Officer (the CDO), including the role as chair of the Department's required data governance body. Specifically, Section II.a of M-19-23 states: "By September 30, 2019, the head of each agency must establish an agency Data Governance Body, to be chaired by the Chief Data Officer, with participation from relevant senior-level staff in agency business units, data functions, and financial management...All agencies must include their Data Governance Body in their Strategic Information Resources Management Plan's Governance sections as required by OMB guidance."

2. PURPOSE:

2.1. The purpose of the U.S. Department of Commerce Data Governance Board ("the Board", or CDGB) is to ensure that Commerce data is fully leveraged as a strategic asset by:

- (a) serving as a decision-making body to establish data governance policies and priorities consistent with existing laws, regulations, and policies;
- (b) developing strategies for the effective management and sharing of Department data;
- (c) providing guidance on data asset management practices across the entire data lifecycle;
- (d) promoting effective reporting and communications for data operations; and
- (e) enabling effective collaboration with non-federal stakeholders, federal interagency partners, and the Department's bureaus and offices.

3. KEY GOALS AND SCOPE:

3.1. The primary goal of the Board is to maximize the value of the Department's data assets in meeting the Department's strategic goals consistent with applicable laws and regulations, mission, resource constraints, and U.S. national, homeland, and economic security.

3.2. The Board acknowledges that due to diversity of data and missions within the Department, each different bureau or office is best equipped to maintain the integrity, quality, objectivity, and utility of the data concerning their respective business activity or mission.

3.3. All data received, held, or created by the Department, including mission, financial, programmatic, workforce, and performance data are structured, maintained and shared to

maximize their value in carrying out the Department's mission, particularly the development of evidence needed to improve policy and operations.

4. GOVERNANCE PRINCIPLES AND REPRESENTATION:

4.1. Officers. By the Evidence Act, the Chairperson is the Commerce CDO. A Vice-Chair and Executive Secretary may be appointed by the Chair with the consensus of the Board members.

4.2. The Board will drive to a consensus decision whenever possible.

4.2.1 Consensus is not unanimity, but rather means that:

4.2.1.1. All Board members have had the opportunity to express themselves and lay out their positions in a collegial and collaborative environment.

4.2.1.2. All Board members can support the decision, even if they prefer an alternative.

4.3. The Board shall adopt the following procedures when a consensus decision cannot be reached:

4.3.1. A two-thirds majority of the voting members of the Board shall be required for decisions involving the establishment or modification of policy or other mandatory requirements.

4.3.2. A simple majority of the voting members of the Board shall be required for decisions involving other matters deemed to be significant.

4.3.3. The Board shall accept votes cast either in person at a meeting of the Board or by email for those voting members who cannot be present in person.

4.4. Board decisions and approvals shall be represented by the CDO to the Department leadership, to the Department Management Council, Commerce IT Review Board, and other relevant Departmental Councils and Boards as necessary.

4.5. Any voting Board member can request that an item be placed on the agenda for review and or decision by the Board.

4.5. The CDO is the final arbiter of the Board schedule and may defer items to allow Board deliberation on more pressing issues.

4.7. The CDO shall endeavor to represent the Board's positions to the Department, other Agencies, and as the Department's representative to OMB's Federal Chief Data Officer Council.

5. REPORTING, FINDINGS AND RECOMMENDATIONS:

5.1. The Board shall act on the basis of one of the following:

5.1.1. A recommendation by a subgroup (e.g. working group, committee) chartered to study a particular situation, issue, product or problem,

5.1.2. A recommendation by a Department governance organization,

5.1.3. A proposal by a voting member of the Board, or

5.1.4. A proposal by the Department CFO/ASA, CIO, or another officer.

5.2. The Board meeting minutes shall reflect the items discussed and decisions made by the Board.

5.3. The Board shall report to the Deputy Secretary of Commerce through the Under Secretary for Economic Affairs.

6. MEMBERSHIP AND ATTENDANCE:

6.1. Membership in the Commerce Data Governance Board shall consist of the Department's CDO, CIO, CFO/ASA, Senior GIS Official, Evaluation Officer, Statistical Official, and the CDOs (or similar representative) of each Department bureau or agency. In voting situations, each member shall have one vote.

6.2 Members may be added or removed through modifications to these Terms of Reference in accordance with the decision procedures established under *Governance Principles and Representation* of the Board (see 4.2 and 4.3).

6.3. Board meetings and minutes will be open to any member of the Department. The CDO may call Executive Sessions of the Board at his/her discretion, attendance at which shall be limited to voting members only; access to the minutes of Executive Sessions will likewise be limited.

6.4. Periodically, other Department employees or contractors may be invited to contribute particular information, skills and expertise to the Board. At the option of the members and with the approval of the CDO, other organizations may periodically be invited to attend, observe, or contribute to meetings and activities.

7. SCHEDULE:

7.1. The Board meets monthly. The CDO may adjust this schedule, cancel meetings, and call additional meetings of the Board as needed.

8. PROCEDURES:

8.1. The CDO or his/her Executive Secretary will maintain an official archive of all meeting minutes and Board documents and actions, and provide access on a widely accessible platform.

9. COMMITTEES:

9.1. The Board has the authority to establish standing committees and working groups as necessary to consider items of concern to the Board.

10. PROJECTS:

10.1. When it is necessary to establish ad-hoc task groups to address particular items, a Board member shall serve as the champion for each such task group.

11. STAFF SUPPORT:

11.1. The CDO will provide support to the Board. CDO support will be augmented by members as necessary.

12. MODIFICATIONS:

12.1. These Terms of Reference may be modified in accordance with the decision procedures established under *Governance Principles and Representation* of the Board (see 4.2 and 4.3).