



BIPARTISAN POLICY CENTER

# THE PROMISE OF EVIDENCE-BASED POLICYMAKING

*Report of the U.S. Commission on Evidence-Based Policymaking*

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FESAC MEETING  
DECEMBER 15, 2017



#EvidencePromise | [bipartisanpolicy.org/evidence](http://bipartisanpolicy.org/evidence)



- Commission was the result of bipartisan agreement between Congress and the Obama administration that, with more and better evidence, the federal government could make better decisions on the budget and in authorizing and reforming programs
- Created by legislation co-sponsored by Speaker Paul Ryan and Senator Patty Murray, enacted March 30, 2016 (P.L. 114-140)
- Members appointed by the President, Speaker of the House, House Minority Leader, and Senate Majority and Minority Leaders –
  - 1/3 with expertise in privacy and confidentiality
  - 2/3 experts on program administration, data, or research
- Final Commission report sent to the President and the Congress on September 7, 2017



# Commission's Process



- Commission spent 8 months gathering input:
  - 7 Public Meetings with 49 invited witnesses
  - 3 Public Hearings in DC, Chicago, and San Francisco with 37 witnesses
  - Request for Comments in the *Federal Register* with more than 350 submitted comments
  - CEP Survey of 209 Federal offices
  - More than 40 meetings with other groups
- Following its fact-finding, Commission met in closed session to consider all of the input received
- Areas of agreement distilled into 22 recommendations
  - All endorsed unanimously by all 15 Commissioners

# Commission's Vision

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*“The Commission ... envisions a future in which rigorous evidence is created efficiently, as a routine part of government operations, and used to construct effective public policy.”*

The Promise of Evidence-Based Policymaking: Report of the Commission on Evidence-Based Policymaking, September 2017

# Major Themes in Final Report



- ***Improved Access to Data*** – improve access to data for program administrators and researchers, facilitate linking of data sets
- ***Stronger Privacy Protections*** – strengthen privacy protections by making them more uniform across government and more dynamic in the face of changing risks associated with the use of data
- ***Greater Capacity*** – fill the existing gaps in capacity across actors inside and outside government, establish a single entity to better support data access and privacy protection

# Recommendations to Improve Access to Data for Evidence-Building Purposes



- Establish a *National Secure Data Service (NSDS)* to facilitate access to data for evidence building while ensuring privacy and transparency in how the data are used.
- Extend legal framework currently applicable to federal statistical agencies to *prohibit use of data assembled by the NSDS for non-statistical purposes.*
- *Review and revise laws authorizing Federal data collection and use* to allow secure access to administrative and survey data for approved statistical projects.
- *Take steps to make data collected by states available* for evidence building purposes when program receives substantial Federal support.
- *Develop a single streamlined process for external researchers* to apply and qualify for secure access to confidential government data.

# Recommendations to Modernize Privacy Protections for Evidence Building



- *Require comprehensive risk assessments on de-identified confidential data* intended for public release to improve how data are protected and risk is managed.
- *Adopt modern privacy-enhancing technologies for confidential data* used for evidence building to ensure the government's capabilities to keep data secure and protect confidentiality are constantly improving.
- *Assign a senior official for data policy* in each government department to be responsible for stewarding that department's data.
- *Codify existing policies for maintaining integrity and objectivity* in Federal statistics to promote continued trust in the accuracy of this information.

# Recommendations to Strengthen Federal Capacity for Evidence Building



- *Identify or establish a Chief Evaluation Officer* in each department to coordinate evaluation and policy research.
- *Develop learning agendas in Federal departments* to support the generation and use of evidence to address the full range of policymakers' questions.
- *Improve coordination of government-wide evidence building* under OMB's leadership.
- *Align administrative processes* with evidence-building activities, including processes related to the approval of information collections and the procurement of services for evidence building.
- *Ensure that sufficient resources are available* to support evidence-building activities, including resources to support implementation of the Commission's recommendations.



# Building the National Secure Data Service



- Would be *a separate entity* in the Department of Commerce built on existing capacity at the Census Bureau and elsewhere.
- Would *not replace existing arrangements for accessing confidential data* that Federal agencies have already put in place.
- Would play a leadership role in the *development and application of state-of-the-art privacy protecting technologies*.
- Would have *capacity to provide technical and analytical services* on a fee-for-service basis for states and other jurisdictions
- Would maintain *a searchable inventory of approved projects*.
- Would be guided by *a steering committee* with broad representation from the public, Federal agencies, states and academia.

# Next Steps



- House Oversight and Government Reform Committee held a hearing about the report and recommendations on Sept. 26, 2017
- Bipartisan Policy Center agreed to continue the work of the Commission after it sunset on Sept. 30, 2017. BPC will advocate for implementation of the recommendations and further develop ideas contained in report



# Next Steps (continued)



- Speaker Ryan and Sen. Murray co-filed the "*Foundations for Evidence-Based Policymaking Act*" in the House and Senate.
- Bill addresses 10 of the Commission's recommendations.
- The bill was *voted out of the House Committee on Oversight and Government Reform on Nov. 2* and *voted out of the House on Nov. 15*.
- Additional legislation to be developed over the next year.
- Implementation also will require additional guidance from OMB

115TH CONGRESS  
1ST SESSION

## H. R. 4174

To amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 31, 2017

Mr. RYAN of Wisconsin (for himself, Mr. FARENTHOLD, Mr. GOWDY, and Mr. KILMER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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### A BILL

To amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**  
4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Foundations for Evidence-Based Policymaking Act of  
6 2017”.

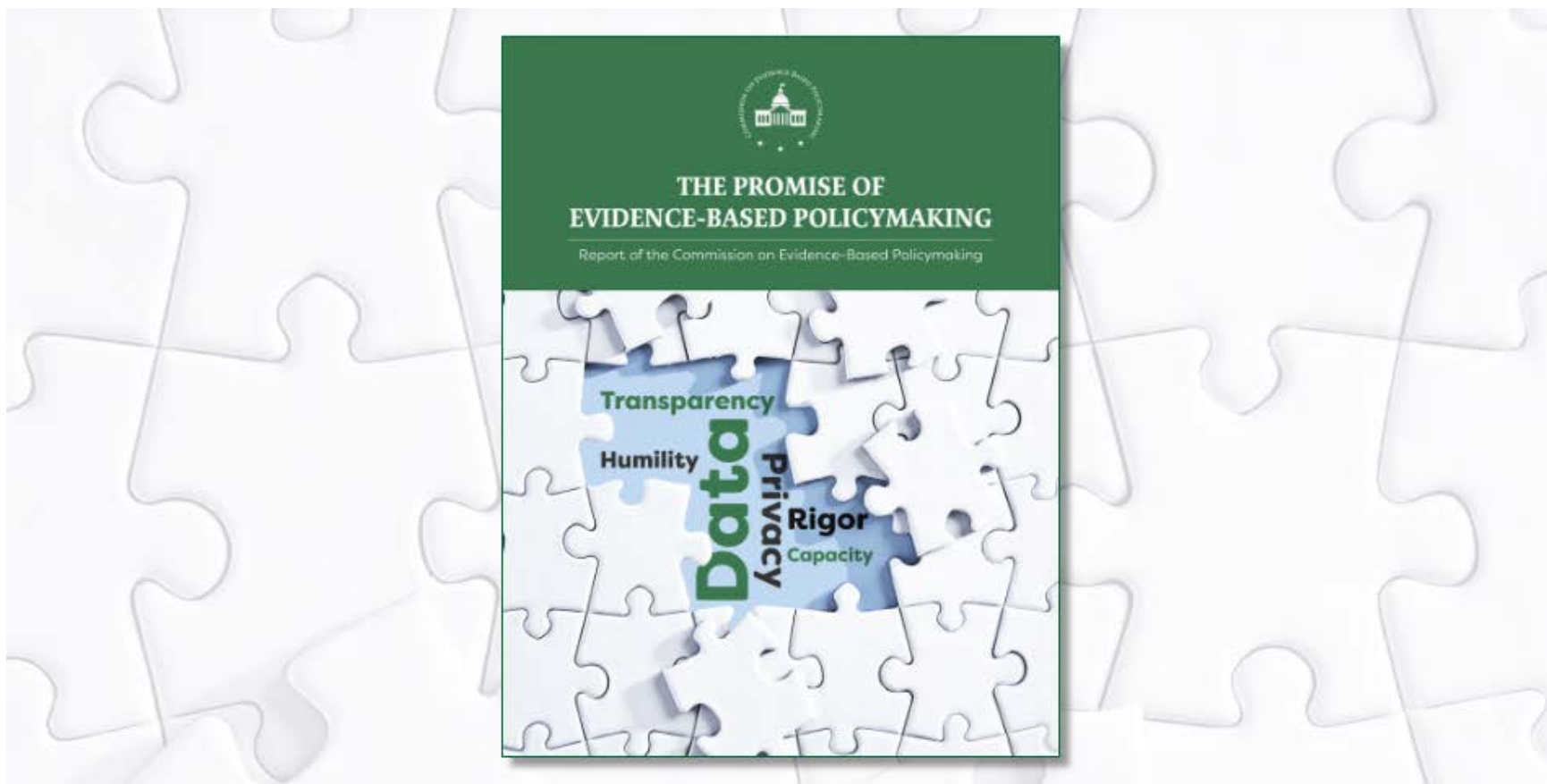
# Next Steps (continued)



- ***Selected provisions contained in H.R. 4174***
  - Establishes an advisory council charged to develop an implementation plan for the NSDS
  - Clarifies that, unless otherwise prohibited by law, data maintained by federal agencies shall, to the extent practicable, be available for evidence-building purposes
  - Directs departments to develop inventories of the data they collect
  - Requires comprehensive risk assessments of certain data releases, strengthening efforts to protect confidentiality
  - Establishes Chief Evaluation Officer positions in government agencies
  - Directs government agencies to develop learning agendas
- ***Issues for future legislation***
  - Creation of the NSDS
  - Review and revision of laws that restrict federal agencies' compilation and use of confidential data for evidence-building purposes
  - Provision of resources to support expansion of evidence-building activities
- To join BPC's Evidence Initiative distribution list for periodic updates, email [nhart@bipartisanpolicy.org](mailto:nhart@bipartisanpolicy.org)



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