To establish the Commission on Evidence-Based Policymaking, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2014

Mrs. MURRAY introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish the Commission on Evidence-Based Policymaking, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Evidence-Based Policy-
making Commission Act of 2014”.

SEC. 2. ESTABLISHMENT.

There is established in the executive branch a com-
mission to be known as the “Commission on Evidence-
Based Policymaking” (in this Act referred to as the “Com-
mission”).
SEC. 3. MEMBERS OF THE COMMISSION.

(a) NUMBER AND APPOINTMENT.—The Commission shall be comprised of 15 members as follows:

(1) Three shall be appointed by the President, of whom—

(A) 1 shall be an academic researcher, data expert, or have experience in program administration;

(B) 1 shall have expertise in database management, confidentiality, and privacy matters; and

(C) 1 shall be the Director of the Office of Management and Budget (or the Director’s designee).

(2) Three shall be appointed by the Speaker of the House of Representatives, of whom—

(A) 2 shall be academic researchers, data experts, or have experience in program administration; and

(B) 1 shall have expertise in database management, confidentiality, and privacy matters.

(3) Three shall be appointed by the Minority Leader of the House of Representatives, of whom—
(A) 2 shall be academic researchers, data experts, or have experience in program adminis-
tration; and

(B) 1 shall have expertise in database management, confidentiality, and privacy mat-
ters.

(4) Three shall be appointed by the Majority Leader of the Senate, of whom—

(A) 2 shall be academic researchers, data experts, or have experience in program adminis-
tration; and

(B) 1 shall have expertise in database management, confidentiality, and privacy mat-
ters.

(5) Three shall be appointed by the Minority Leader of the Senate, of whom—

(A) 2 shall be academic researchers, data experts, or have experience in program adminis-
tration; and

(B) 1 shall have expertise in database management, confidentiality, and privacy mat-
ters.

(b) EXPERTISE.—In making appointments under this section, consideration should be given to individuals with
expertise in economics, statistics, program evaluation,
data security, confidentiality, or database management.

(c) CHAIRPERSON AND CO-CHAIRPERSON.—The
President shall select the chairperson of the Commission
and the Speaker of the House of Representatives shall se-
lect the co-chairperson.

(d) TIMING OF APPOINTMENTS.—Appointments to
the Commission shall be made not later than 45 days after
the date of enactment of this Act.

(e) TERMS; VACANCIES.—Each member shall be ap-
pointed for the duration of the Commission. Any vacancy
in the Commission shall not affect its powers, and shall
be filled in the manner in which the original appointment
was made.

(f) COMPENSATION.—Members of the Commission
shall serve without pay.

(g) TRAVEL EXPENSES.—Each member of the Com-
mission shall be allowed travel expenses, including per
diem in lieu of subsistence, at rates authorized for employ-
ees of agencies under subchapter I of chapter 57 of title
5, United States Code, while away from their homes or
regular places of business in the performance of services
for the Commission.
SEC. 4. DUTIES OF THE COMMISSION.

(a) STUDY OF DATA.—The Commission shall conduct a comprehensive study of the data inventory, data infrastructure, and statistical protocols related to Federal policymaking and the statistical and programmatic agencies responsible for maintaining that data to—

(1) determine the optimal arrangement for which administrative data on Federal programs and tax expenditures and related data series may be integrated and made available to facilitate program evaluation, policy-relevant research, and cost-benefit analyses by qualified researchers and institutions;

(2) make recommendations on how data infrastructure and protocols should be modified to best fulfill the objectives identified in paragraph (1); and

(3) make recommendations on how best to incorporate outcomes measurement, institutionalize randomized controlled trials, and rigorous impact analysis into program design.

(b) CLEARINGHOUSE.—In undertaking the study required by subsection (a), the Commission shall consider if and how to create a clearinghouse for program and survey data, which shall include evaluation of—

(1) what administrative datasets that are relevant for program evaluation and Federal policy-
making should be included in a potential clearing-house;

(2) which survey datasets the administrative datasets identified in paragraph (1) may be linked to, in addition to linkages across administrative data series;

(3) what are the legal and administrative barriers to including or linking these data series;

(4) what data-sharing infrastructure should be used to facilitate data merging and access for research purposes;

(5) how a clearinghouse could be self-funded;

(6) which types of qualified researchers, officials, and institutions should have access to data;

(7) what limitations should be placed on the use of data provided;

(8) how to protect information and ensure individual privacy and confidentiality;

(9) how the data and results of research can be used to inform program administrators and policymakers to improve program design; and

(10) what incentives may facilitate interagency sharing of information to improve programmatic effectiveness and enhance data accuracy and comprehensiveness.
(c) REPORT.—Upon the affirmative vote of at least three-quarters of the members of the Commission, the Commission shall submit to the President and Congress a detailed statement of its findings and conclusions as a result of the study required by subsection (a), together with its recommendations for such legislation or administrative actions as the Commission considers appropriate in light of the results of the study.

(d) DEADLINE.—The report under subsection (c) shall be submitted not later than the date that is 15 months after the date a majority of the members of the Commission are appointed pursuant to section 3.

(e) DEFINITION.—In this section, the term “administrative data” means information, in whatever form, generated or collected by an agency in carrying out a Federal program, including any customer service measure, efficiency measure, milestone, outcome measure, or performance indicator, as those terms are defined in section 1115(h) of title 31, United States Code.

SEC. 5. OPERATION AND POWERS OF THE COMMISSION.

(a) ADMINISTRATIVE ASSISTANCE.—The heads of the following agencies shall advise and consult with the Commission on matters within their respective areas of responsibility:

(1) The Office of Management and Budget.
(2) The Bureau of the Census.

(3) The Internal Revenue Service.

(4) The Bureau of Economic Analysis.


(6) The Department of Health and Human Services.

(7) The Department of Agriculture.

(8) The Department of Housing and Urban Development.

(9) The Social Security Administration.

(10) The Department of Education.

(11) The Department of Justice.

(12) Any other agency, as determined by the Commission.

(b) MEETINGS.—The Commission shall meet not later than 30 days after the date upon which a majority of its members have been appointed and at such times thereafter as the chairperson or co-chairperson shall determine.

(e) RULES OF PROCEDURE.—The chairperson and co-chairperson shall, with the approval of a majority of the members of the Commission, establish written rules of procedure for the Commission, which shall include a quorum requirement to conduct the business of the Commission.
(d) **Hearings.**—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(e) **Contracts.**—Subject to the availability of appropriations, the Commission may contract with and compensate government and private agencies or persons for any purpose necessary to enable it to carry out this Act.

(f) **Mails.**—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(g) **Gifts.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

(h) **Census Bureau and NAPA.**—Subject to the availability of appropriations, the Director of the Census shall contract with the National Academy of Public Administration to administer the Commission.

(i) **Funding.**—

   (1) **In General.**—Subject to the availability of appropriations, at the request of the Director of the Census, the principal statistical agencies shall provide funds, in a total amount not to exceed $2,000,000, to the Director for purposes of funding the operations of the Commission.
(2) DEFINITION.—In this subsection, the term “principal statistical agency” has the meaning given that term in the report, published by the Office of Management and Budget, entitled “Statistical Programs of the United States Government, Fiscal Year 2014”.

SEC. 6. PERSONNEL.

(a) DIRECTOR.—The Commission shall have a Director who shall be appointed by the chairperson with the concurrence of the co-chairperson. The Director shall be paid at a rate of pay established by the chairperson and co-chairperson, not to exceed the annual rate of basic pay payable for level V of the Executive Schedule (section 5316 of title 5, United States Code).

(b) STAFF.—The Director may appoint and fix the pay of additional staff as the Director considers appropriate.

(c) EXPERTS AND CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not to exceed the daily equivalent of the annual rate of basic pay for a comparable position paid under the General Schedule.
SEC. 7. TERMINATION.

The Commission shall terminate not later than 18 months after the date of enactment of this Act.