

113TH CONGRESS  
2D SESSION

# S. 2952

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

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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

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## A BILL

To establish the Commission on Evidence-Based Policymaking, 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.**

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

6 **SEC. 2. ESTABLISHMENT.**

7 There is established in the executive branch a com-  
8 mission to be known as the “Commission on Evidence-  
9 Based Policymaking” (in this Act referred to as the “Com-  
10 mission”).

1 **SEC. 3. MEMBERS OF THE COMMISSION.**

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

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

6 (A) 1 shall be an academic researcher,  
7 data expert, or have experience in program ad-  
8 ministration;

9 (B) 1 shall have expertise in database  
10 management, confidentiality, and privacy mat-  
11 ters; and

12 (C) 1 shall be the Director of the Office of  
13 Management and Budget (or the Director's des-  
14 ignee).

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

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

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

23 (3) Three shall be appointed by the Minority  
24 Leader of the House of Representatives, of whom—

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

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

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

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

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

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

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

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

23 (b) EXPERTISE.—In making appointments under this  
24 section, consideration should be given to individuals with

1 expertise in economics, statistics, program evaluation,  
2 data security, confidentiality, or database management.

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

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

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

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

17 (g) TRAVEL EXPENSES.—Each member of the Com-  
18 mission shall be allowed travel expenses, including per  
19 diem in lieu of subsistence, at rates authorized for employ-  
20 ees of agencies under subchapter I of chapter 57 of title  
21 5, United States Code, while away from their homes or  
22 regular places of business in the performance of services  
23 for the Commission.

1 **SEC. 4. DUTIES OF THE COMMISSION.**

2 (a) **STUDY OF DATA.**—The Commission shall conduct  
3 a comprehensive study of the data inventory, data infra-  
4 structure, and statistical protocols related to Federal pol-  
5 icymaking and the statistical and programmatic agencies  
6 responsible for maintaining that data to—

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

13 (2) make recommendations on how data infra-  
14 structure and protocols should be modified to best  
15 fulfill the objectives identified in paragraph (1); and

16 (3) make recommendations on how best to in-  
17 corporate outcomes measurement, institutionalize  
18 randomized controlled trials, and rigorous impact  
19 analysis into program design.

20 (b) **CLEARINGHOUSE.**—In undertaking the study re-  
21 quired by subsection (a), the Commission shall consider  
22 if and how to create a clearinghouse for program and sur-  
23 vey data, which shall include evaluation of—

24 (1) what administrative datasets that are rel-  
25 evant for program evaluation and Federal policy-

1 making should be included in a potential clearing-  
2 house;

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

7 (3) what are the legal and administrative bar-  
8 riers to including or linking these data series;

9 (4) what data-sharing infrastructure should be  
10 used to facilitate data merging and access for re-  
11 search purposes;

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

13 (6) which types of qualified researchers, offi-  
14 cials, and institutions should have access to data;

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

17 (8) how to protect information and ensure indi-  
18 vidual privacy and confidentiality;

19 (9) how the data and results of research can be  
20 used to inform program administrators and policy-  
21 makers to improve program design; and

22 (10) what incentives may facilitate interagency  
23 sharing of information to improve programmatic ef-  
24 fectiveness and enhance data accuracy and com-  
25 prehensiveness.

1 (c) REPORT.—Upon the affirmative vote of at least  
2 three-quarters of the members of the Commission, the  
3 Commission shall submit to the President and Congress  
4 a detailed statement of its findings and conclusions as a  
5 result of the study required by subsection (a), together  
6 with its recommendations for such legislation or adminis-  
7 trative actions as the Commission considers appropriate  
8 in light of the results of the study.

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

13 (e) DEFINITION.—In this section, the term “adminis-  
14 trative data” means information, in whatever form, gen-  
15 erated or collected by an agency in carrying out a Federal  
16 program, including any customer service measure, effi-  
17 ciency measure, milestone, outcome measure, or perform-  
18 ance indicator, as those terms are defined in section  
19 1115(h) of title 31, United States Code.

20 **SEC. 5. OPERATION AND POWERS OF THE COMMISSION.**

21 (a) ADMINISTRATIVE ASSISTANCE.—The heads of  
22 the following agencies shall advise and consult with the  
23 Commission on matters within their respective areas of re-  
24 sponsibility:

25 (1) The Office of Management and Budget.

1           (2) The Bureau of the Census.

2           (3) The Internal Revenue Service.

3           (4) The Bureau of Economic Analysis.

4           (5) The Bureau of Labor Statistics.

5           (6) The Department of Health and Human  
6       Services.

7           (7) The Department of Agriculture.

8           (8) The Department of Housing and Urban De-  
9       velopment.

10          (9) The Social Security Administration.

11          (10) The Department of Education.

12          (11) The Department of Justice.

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

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

20       (c) RULES OF PROCEDURE.—The chairperson and  
21 co-chairperson shall, with the approval of a majority of  
22 the members of the Commission, establish written rules  
23 of procedure for the Commission, which shall include a  
24 quorum requirement to conduct the business of the Com-  
25 mission.



1 (d) HEARINGS.—The Commission may, for the pur-  
2 pose of carrying out this Act, hold hearings, sit and act  
3 at times and places, take testimony, and receive evidence  
4 as the Commission considers appropriate.

5 (e) CONTRACTS.—Subject to the availability of appro-  
6 priations, the Commission may contract with and com-  
7 pensate government and private agencies or persons for  
8 any purpose necessary to enable it to carry out this Act.

9 (f) MAILS.—The Commission may use the United  
10 States mails in the same manner and under the same con-  
11 ditions as other agencies of the Federal Government.

12 (g) GIFTS.—The Commission may accept, use, and  
13 dispose of gifts or donations of services or property.

14 (h) CENSUS BUREAU AND NAPA.—Subject to the  
15 availability of appropriations, the Director of the Census  
16 shall contract with the National Academy of Public Ad-  
17 ministration to administer the Commission.

18 (i) FUNDING.—

19 (1) IN GENERAL.—Subject to the availability of  
20 appropriations, at the request of the Director of the  
21 Census, the principal statistical agencies shall pro-  
22 vide funds, in a total amount not to exceed  
23 \$2,000,000, to the Director for purposes of funding  
24 the operations of the Commission.

1           (2) DEFINITION.—In this subsection, the term  
2           “principal statistical agency” has the meaning given  
3           that term in the report, published by the Office of  
4           Management and Budget, entitled “Statistical Pro-  
5           grams of the United States Government, Fiscal Year  
6           2014”.

7 **SEC. 6. PERSONNEL.**

8           (a) DIRECTOR.—The Commission shall have a Direc-  
9           tor who shall be appointed by the chairperson with the  
10          concurrence of the co-chairperson. The Director shall be  
11          paid at a rate of pay established by the chairperson and  
12          co-chairperson, not to exceed the annual rate of basic pay  
13          payable for level V of the Executive Schedule (section  
14          5316 of title 5, United States Code).

15          (b) STAFF.—The Director may appoint and fix the  
16          pay of additional staff as the Director considers appro-  
17          priate.

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

1 **SEC. 7. TERMINATION.**

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

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