

114TH CONGRESS
1ST SESSION

H. R. 1831

IN THE SENATE OF THE UNITED STATES

JULY 28, 2015

Received

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Evidence-Based Policy-
3 making Commission Act of 2015”.

4 **SEC. 2. ESTABLISHMENT.**

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

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

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

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

14 (A) one shall be an academic researcher,
15 data expert, or have experience in administering
16 programs;

17 (B) one shall have expertise in database
18 management, confidentiality, and privacy mat-
19 ters; and

20 (C) one shall be the Director of the Office
21 of Management and Budget (or the Director’s
22 designee).

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

1 (A) two shall be academic researchers,
2 data experts, or have experience in admin-
3 istering programs; and

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

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

9 (A) two shall be academic researchers,
10 data experts, or have experience in admin-
11 istering programs; and

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

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

17 (A) two shall be academic researchers,
18 data experts, or have experience in admin-
19 istering programs; and

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

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

1 (A) two shall be academic researchers,
2 data experts, or have experience in admin-
3 istering programs; and

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

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

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

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

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

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

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

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

9 (a) STUDY OF DATA.—The Commission shall conduct
10 a comprehensive study of the data inventory, data infra-
11 structure, and statistical protocols related to Federal pol-
12 icymaking and the agencies responsible for maintaining
13 that data to—

14 (1) determine the optimal arrangement for
15 which administrative data on Federal programs and
16 tax expenditures, survey data, and related statistical
17 data series may be integrated and made available to
18 facilitate program evaluation, continuous improve-
19 ment, policy-relevant research, and cost-benefit anal-
20 yses by qualified researchers and institutions;

21 (2) make recommendations on how data infra-
22 structure and statistical protocols should be modified
23 to best fulfill the objectives identified in paragraph
24 (1); and

1 (3) make recommendations on how best to in-
2 corporate outcomes measurement, institutionalize
3 randomized controlled trials, and rigorous impact
4 analysis into program design.

5 (b) CLEARINGHOUSE.—In undertaking the study re-
6 quired by subsection (a), the Commission shall consider
7 whether a clearinghouse for program and survey data
8 should be established and how to create such a clearing-
9 house. The Commission shall evaluate—

10 (1) what administrative data and survey data
11 are relevant for program evaluation and Federal pol-
12 icy-making and should be included in a potential
13 clearinghouse;

14 (2) which survey data the administrative data
15 identified in paragraph (1) may be linked to, in ad-
16 dition to linkages across administrative data series;

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

19 (4) what data-sharing infrastructure should be
20 used to facilitate data merging and access for re-
21 search purposes;

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

23 (6) which types of researchers, officials, and in-
24 stitutions should have access to data and what their
25 qualifications should be;

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

3 (8) how to protect information and ensure indi-
4 vidual privacy and confidentiality;

5 (9) how data and results of research can be
6 used to inform program administrators and policy-
7 makers to improve program design; and

8 (10) what incentives may facilitate interagency
9 sharing of information to improve programmatic ef-
10 fectiveness and enhance data accuracy and com-
11 prehensiveness.

12 (c) REPORT.—Upon the affirmative vote of at least
13 three-quarters of the members of the Commission, the
14 Commission shall submit to the President and Congress
15 a detailed statement of its findings and conclusions as a
16 result of the activities required by subsections (a) and (b),
17 together with its recommendations for such legislation or
18 administrative actions as the Commission considers appro-
19 priate in light of the results of the study.

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

24 (e) DEFINITION.—In this section, the term “adminis-
25 trative data” means data—

1 (1) held by an agency or a contractor or grant-
2 ee of an agency (including a State or unit of local
3 government); and

4 (2) collected for other than statistical purposes.

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

6 (a) EXECUTIVE BRANCH ASSISTANCE.—The heads of
7 the following agencies shall advise and consult with the
8 Commission on matters within their respective areas of re-
9 sponsibility:

10 (1) The Bureau of the Census.

11 (2) The Internal Revenue Service.

12 (3) The Department of Health and Human
13 Services.

14 (4) The Department of Agriculture.

15 (5) The Department of Housing and Urban De-
16 velopment.

17 (6) The Social Security Administration.

18 (7) The Department of Education.

19 (8) The Department of Justice.

20 (9) The Office of Management and Budget.

21 (10) The Bureau of Economic Analysis.

22 (11) The Bureau of Labor Statistics.

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

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

6 (c) RULES OF PROCEDURE.—The chairperson and
7 co-chairperson shall, with the approval of a majority of
8 the members of the Commission, establish written rules
9 of procedure for the Commission, which shall include a
10 quorum requirement to conduct the business of the Com-
11 mission.

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

16 (e) CONTRACTS.—The Commission may contract
17 with and compensate government and private agencies or
18 persons for any purpose necessary to enable it to carry
19 out this Act.

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

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

1 **SEC. 6. FUNDING.**

2 (a) IN GENERAL.—Subject to subsection (b) and the
3 availability of appropriations—

4 (1) at the request of the Director of the Cen-
5 sus, the agencies identified as “Principal Statistical
6 Agencies” in the report, published by the Office of
7 Management and Budget, entitled “Statistical Pro-
8 grams of the United States Government, Fiscal Year
9 2015” shall transfer funds, as specified in advance
10 in appropriations Acts and in a total amount not to
11 exceed \$3,000,000, to the Bureau of the Census for
12 purposes of carrying out the activities of the Com-
13 mission as provided in this Act; and

14 (2) the Bureau of the Census shall provide ad-
15 ministrative support to the Commission, which may
16 include providing physical space at, and access to,
17 the headquarters of the Bureau of the Census, lo-
18 cated in Suitland, Maryland.

19 (b) PROHIBITION ON NEW FUNDING.—No additional
20 funds are authorized to be appropriated to carry out this
21 Act. This Act shall be carried out using amounts otherwise
22 available for the Bureau of the Census or the agencies de-
23 scribed in subsection (a)(1).

24 **SEC. 7. PERSONNEL.**

25 (a) DIRECTOR.—The Commission shall have a Direc-
26 tor who shall be appointed by the chairperson with the

1 concurrence of the co-chairperson. The Director shall be
2 paid at a rate of pay established by the chairperson and
3 co-chairperson, not to exceed the annual rate of basic pay
4 payable for level V of the Executive Schedule (section
5 5316 of title 5, United States Code).

6 (b) STAFF.—The Director may appoint and fix the
7 pay of additional staff as the Director considers appro-
8 priate.

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

15 **SEC. 8. TERMINATION.**

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

Passed the House of Representatives July 27, 2015.

Attest:

KAREN L. HAAS,

Clerk.