

118TH CONGRESS
1ST SESSION

H. CON. RES. 49

Establishing the Commission on Evidence-Based Policymaking to review, analyze, and make recommendations to Congress to promote the use of Federal data for evidence-building and evidence-based policymaking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2023

Mr. KILMER (for himself, Mr. TIMMONS, Mr. MORELLE, and Mr. PHILLIPS) submitted the following concurrent resolution; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

CONCURRENT RESOLUTION

Establishing the Commission on Evidence-Based Policymaking to review, analyze, and make recommendations to Congress to promote the use of Federal data for evidence-building and evidence-based policymaking, and for other purposes.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

3 **SECTION 1. SHORT TITLE.**

4 This concurrent resolution may be cited as the “Con-
5 gressional Evidence-Based Policymaking Resolution”.

1 **SEC. 2. COMMISSION ON EVIDENCE-BASED POLICYMAKING.**

2 (a) **ESTABLISHMENT.**—There is established in the
3 legislative branch the Commission on Evidence-Based Pol-
4 icymaking (in this section referred to as the “Commis-
5 sion”) to review, analyze, and make recommendations with
6 respect to promoting the use of Federal data for evidence-
7 building and evidence-based policymaking.

8 (b) **MEMBERSHIP.**—The Commission shall be com-
9 posed of 12 members, appointed not later than 45 days
10 after the date of the adoption of this resolution, as follows:

11 (1) Three shall be appointed by the Speaker of
12 the House of Representatives, of whom—

13 (A) one shall be an academic researcher
14 specializing in Congress, social science, or data
15 science;

16 (B) one shall be a former Member or sen-
17 ior staffer of the House; and

18 (C) one shall be an employee of an office
19 that participates in the Congressional Data
20 Task Force or other legislative branch support
21 agency as appropriate for the purposes of
22 studying and developing the recommendations
23 under subsection (g).

24 (2) Three shall be appointed by the minority
25 leader of the House of Representatives, of whom—

1 (A) one shall be an academic researcher
2 specializing in Congress, social science, or data
3 science;

4 (B) one shall be a former Member or sen-
5 ior staffer of the House; and

6 (C) one shall be an employee of an office
7 that participates in the Congressional Data
8 Task Force or other legislative branch support
9 agency as appropriate for the purposes of
10 studying and developing the recommendations
11 under subsection (g).

12 (3) Three shall be appointed by the majority
13 leader of the Senate, of whom—

14 (A) one shall be an academic researcher
15 specializing in Congress, social science, or data
16 science;

17 (B) one shall be a former Member or sen-
18 ior staffer of the Senate; and

19 (C) one shall be an employee of an office
20 that participates in the Congressional Data
21 Task Force or other legislative branch support
22 agency as appropriate for the purposes of
23 studying and developing the recommendations
24 under subsection (g).

1 (4) Three shall be appointed by the minority
2 leader of the Senate, of whom—

3 (A) one shall be an academic researcher
4 specializing in Congress, social science, or data
5 science;

6 (B) one shall be a former Member or sen-
7 ior staffer of the Senate; and

8 (C) one shall be an employee of an office
9 that participates in the Congressional Data
10 Task Force or other legislative branch support
11 agency as appropriate for the purposes of
12 studying and developing the recommendations
13 under subsection (g).

14 (c) PROHIBITION AGAINST SERVICE BY CURRENT
15 MEMBERS OF CONGRESS.—An individual is not eligible to
16 serve on the Commission if the individual is a current
17 Member of Congress (including a Delegate or Resident
18 Commissioner to the Congress).

19 (d) CO-CHAIRS.—The Speaker of the House of Rep-
20 resentatives and the majority leader of the Senate shall
21 each select one member of the Commission to serve as co-
22 chairs.

23 (e) TERMS; VACANCIES.—Each member shall be ap-
24 pointed for the duration of the Commission. Any vacancy
25 in the Commission shall not affect its powers, and shall

1 be filled in the manner in which the original appointment
2 was made.

3 (f) STAFF.—

4 (1) DIRECTOR.—The Commission shall have a
5 Director who shall be appointed jointly by the co-
6 chairs. The Director shall be paid at a rate of pay
7 established by the co-chairs, not to exceed the an-
8 nual rate of basic pay payable for level V of the Ex-
9 ecutive Schedule under section 5316 of title 5,
10 United States Code.

11 (2) OTHER STAFF.—The Director may appoint
12 and fix the pay of not more than 8 full-time equiva-
13 lent employees and 4 part-time employees.

14 (3) COVERAGE UNDER CONGRESSIONAL AC-
15 COUNTABILITY ACT OF 1995.—For purposes of the
16 Congressional Accountability Act of 1995 (2 U.S.C.
17 1301 et seq.)—

18 (A) the Commission shall be treated as an
19 employing office under the Act; and

20 (B) an employee of the Commission shall
21 be treated as a covered employee under the Act.

22 (4) DETAIL OF EMPLOYEES.—At the request of
23 the Commission, an employee of an office of the
24 House of Representatives or Senate may be detailed

1 to the Commission to assist the Commission with
2 carrying out its duties.

3 (g) RECOMMENDATIONS.—

4 (1) IN GENERAL.—The Commission shall study
5 and consider approval of applicable recommenda-
6 tions with respect to evidence-based policymaking
7 within the Federal Government, including—

8 (A) how Congress may encourage Federal
9 agencies to produce and prioritize evidence on
10 effectiveness for major new programs and reau-
11 thorizations, consistent with the Foundations
12 for Evidence-Based Policymaking Act of 2018
13 (Public Law 115–435) and the amendments
14 made by such Act;

15 (B) how Congress may encourage Federal
16 agencies to support States in making data more
17 open and accessible, in a manner similar to that
18 provided under the Foundations for Evidence-
19 Based Policymaking Act of 2018 (Public Law
20 115–435) and the amendments made by such
21 Act;

22 (C) how Congress can revise existing laws
23 or enact new laws to improve access to adminis-
24 trative and survey data for evidence building;

1 (D) how to incorporate evidence such as
2 outcomes measurement, rigorous impact anal-
3 ysis, and implementation-aligned language into
4 the lawmaking process;

5 (E) how Congress can access and incor-
6 porate real-time, structured, integrated, and
7 machine-readable data into the lawmaking pro-
8 cess;

9 (F) the potential need for and duties of a
10 congressional Chief Data Officer, including
11 whether the officer should be located in a
12 stand-alone office or housed within another ex-
13 isting agency and how such an office would
14 function with existing data and transformation
15 units in Congress; and

16 (G) ways to increase data and data privacy
17 expertise in Congress through the incorporation
18 of technologists, data scientists, data analysts,
19 privacy experts, social scientists, and engineers
20 to assist in policy evaluation and legislative
21 drafting.

22 (2) ADOPTION OF RECOMMENDATIONS.—Any
23 recommendation considered by the Commission shall
24 only be considered adopted by the Commission upon

1 receiving the votes of at least two-thirds of the mem-
2 bers of the Commission.

3 (h) REPORTS.—

4 (1) INTERIM REPORTS.—The Commission may
5 submit to the Speaker of the House and the major-
6 ity leader of the Senate interim reports containing
7 such findings, conclusions, and recommendations as
8 have been agreed to by at least two-thirds of the
9 members of the Commission.

10 (2) FINAL REPORT.—Not later than the final
11 day of the One Hundred Eighteenth Congress, the
12 Commission shall submit a report to the Speaker of
13 the House and the majority leader of the Senate on
14 the activities and findings of the Commission.

15 (i) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated such sums as may be
17 necessary to carry out this section, of which—

18 (1) 50 percent shall be derived from the appli-
19 cable accounts of the House of Representatives; and

20 (2) 50 percent shall be derived from the contin-
21 gent fund of the Senate.

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