

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1831
OFFERED BY MR. CHAFFETZ OF UTAH**

Strike all after the enacting clause and insert the following:

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;

1 (B) one shall have expertise in database
2 management, confidentiality, and privacy mat-
3 ters; and

4 (C) one shall be the Director of the Office
5 of Management and Budget (or the Director's
6 designee).

7 (2) Three shall be appointed by the Speaker of
8 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 (3) Three shall be appointed by the Minority
16 Leader of the House of Representatives, 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 (4) Three shall be appointed by the Majority
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 (5) Three shall be appointed by the Minority
8 Leader of the Senate, 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 (b) EXPERTISE.—In making appointments under this
16 section, consideration should be given to individuals with
17 expertise in economics, statistics, program evaluation,
18 data security, confidentiality, or database management.

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

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

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

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

8 (g) TRAVEL EXPENSES.—Each member of the Com-
9 mission shall be allowed travel expenses, including per
10 diem in lieu of subsistence, at rates authorized for employ-
11 ees of agencies under subchapter I of chapter 57 of title
12 5, United States Code, while away from their homes or
13 regular places of business in the performance of services
14 for the Commission.

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

16 (a) STUDY OF DATA.—The Commission shall conduct
17 a comprehensive study of the data inventory, data infra-
18 structure, and statistical protocols related to Federal pol-
19 icymaking and the agencies responsible for maintaining
20 that data to—

21 (1) determine the optimal arrangement for
22 which administrative data on Federal programs and
23 tax expenditures and related data series may be in-
24 tegrated and made available to facilitate program
25 evaluation, continuous improvement, policy-relevant

1 research, and cost-benefit analyses by qualified re-
2 searchers and institutions;

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

6 (3) make recommendations on how best to in-
7 corporate outcomes measurement, institutionalize
8 randomized controlled trials, and rigorous impact
9 analysis into program design.

10 (b) CLEARINGHOUSE.—In undertaking the study re-
11 quired by subsection (a), the Commission shall consider
12 whether a clearinghouse for program and survey data
13 should be established and how to create such a clearing-
14 house. The Commission shall evaluate—

15 (1) what administrative data are relevant for
16 program evaluation and Federal policy-making and
17 should be included in a potential clearinghouse;

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

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

23 (4) what data-sharing infrastructure should be
24 used to facilitate data merging and access for re-
25 search purposes;

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

2 (6) which types of researchers, officials, and in-
3 stitutions should have access to data and what their
4 qualifications should be;

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

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

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

12 (10) what incentives may facilitate interagency
13 sharing of information to improve programmatic ef-
14 fectiveness and enhance data accuracy and com-
15 prehensiveness.

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

24 (d) DEADLINE.—The report under subsection (c)
25 shall be submitted not later than the date that is 15

1 months after the date a majority of the members of the
2 Commission are appointed pursuant to section 3.

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

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

8 (2) collected for other than statistical purposes.

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

10 (a) EXECUTIVE BRANCH ASSISTANCE.—The heads of
11 the following agencies shall advise and consult with the
12 Commission on matters within their respective areas of re-
13 sponsibility:

14 (1) The Bureau of the Census.

15 (2) The Internal Revenue Service.

16 (3) The Department of Health and Human
17 Services.

18 (4) The Department of Agriculture.

19 (5) The Department of Housing and Urban De-
20 velopment.

21 (6) The Social Security Administration.

22 (7) The Department of Education.

23 (8) The Department of Justice.

24 (9) The Office of Management and Budget.

25 (10) The Bureau of Economic Analysis.

1 (11) The Bureau of Labor Statistics.

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

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

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

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

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

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

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

3 **SEC. 6. FUNDING.**

4 Subject to the availability of appropriations—

5 (1) at the request of the Director of the Cen-
6 sus, the agencies identified as “Principal Statistical
7 Agencies” in the report, published by the Office of
8 Management and Budget, entitled “Statistical Pro-
9 grams of the United States Government, Fiscal Year
10 2015” shall provide funds, in a total amount not to
11 exceed \$3,000,000, to the Director for purposes of
12 carrying out the activities of the Commission as pro-
13 vided 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 **SEC. 7. PERSONNEL.**

20 (a) DIRECTOR.—The Commission shall have a Direc-
21 tor who shall be appointed by the chairperson with the
22 concurrence of the co-chairperson. The Director shall be
23 paid at a rate of pay established by the chairperson and
24 co-chairperson, not to exceed the annual rate of basic pay

1 payable for level V of the Executive Schedule (section
2 5316 of title 5, United States Code).

3 (b) STAFF.—The Director may appoint and fix the
4 pay of additional staff as the Director considers appro-
5 priate.

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

12 **SEC. 8. TERMINATION.**

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

