

Frequently Asked Questions Related to the Commission on Evidence-Based Policymaking's Report

General

What is the Commission on Evidence-Based Policymaking and what was it charged to do?

The U.S. Commission on Evidence-Based Policymaking was established by the bipartisan Evidence-Based Policymaking Commission Act of 2016 (P.L. 114-140), jointly sponsored by Speaker of the House Paul Ryan and Senator Patty Murray and signed by President Barack Obama on March 30, 2016. The Act directed the Commission to consider how to strengthen government's evidence-building and policymaking efforts. Specifically, the Act directed the Commission to study how the data that government already collects can be used to improve government programs and policies. The Commission was directed to submit to the Congress and the President a detailed statement of its findings and recommendations. The Commission submitted its final report, *The Promise of Evidence-Based Policymaking*, on September 7, 2017.

How did the Commission develop its findings and recommendations?

The Commission held its first public meeting in July 2016. Over the course of the following eight months, the Commission studied issues about the current state of evidence production and use in the Federal government as well as the Federal government's policies and practices to protect data confidentiality. The Commission's fact-finding process included:

- 7 public meetings with a total of 49 invited witnesses
- 3 public hearings with a total of 39 members of the public presenting information to the Commission
- Additional meetings and input from more than 40 organizations
- Over 350 responses to a Request for Comments in the *Federal Register*, and
- A survey of 209 Federal offices that generate or use evidence.

Following the formal stakeholder input processes, the Commission compiled and reviewed the body of information collected, developing findings and recommendations.

Did all Commissioners agree with the recommendations?

Yes. All 15 Commissioners cast votes in the affirmative, approving the findings and recommendations in the final report.

What is the Commission hoping to achieve with these recommendations?

The Commission's recommendations in the *Promise of Evidence-Based Policymaking* represent a comprehensive strategy for tackling the greatest problems facing evidence building today: unintentional limits on data access, inadequate privacy practices, and insufficient capacity to generate the amount of quality evidence needed to support policy decisions. The Commission envisions a future in which rigorous evidence is created efficiently, as a routine part of government operations, and used to construct effective public policy. With its

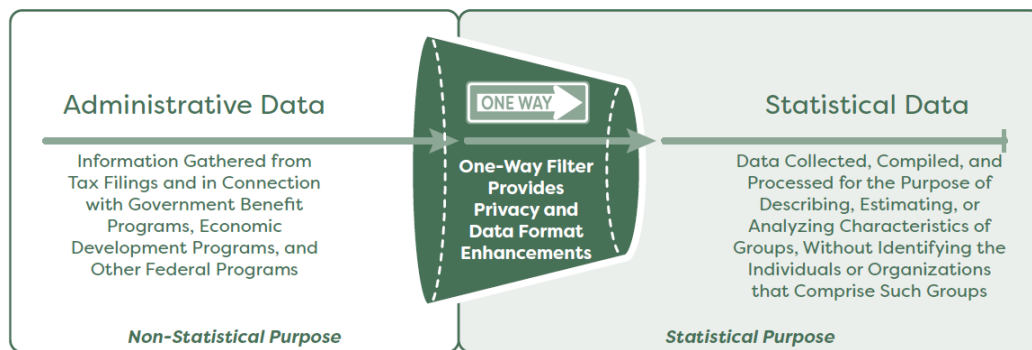
recommendations, the Commission hopes to make this vision a reality. The Commission believes that advances in technology and statistical methodology, coupled with a modern legal framework and a commitment to transparency, make it possible to do this while simultaneously providing stronger protections for privacy and confidentiality of the people, businesses, and organizations from which the government collects information.

How will the American people benefit from implementation of these recommendations?

The American people are best served by a government that functions efficiently and responsibly to address the problems that face this country. Today, too little evidence is generated to support policy decisions in government. Fully implementing the Commission’s recommendations will lead to substantial progress in addressing the greatest challenges for generating more and better evidence for our society: unintentional limits on data access, inadequate privacy practices, and insufficient capacity to generate the amount of quality evidence needed to support policy decisions.

What is the difference between statistical, administrative, and nonstatistical data?

The Commission recognizes that different types of data merit different types of protections and involve different types of uses. Administrative data are generally those collected by programs for the purpose of operating the programs for nonstatistical purposes. These types of nonstatistical data are useful for evidence building but are primarily collected for activities such as administering a program, determining benefits, or enforcing laws. In contrast, statistical data are those collected and used for statistical purposes, specifically generating statistics and conducting analyses without identifying individuals or organizations that comprise groups. Administrative and nonstatistical data can be used for statistical purposes, but statistical data can never be used for nonstatistical purposes due to a concept called “functional separation.”



Source: *Commission on Evidence-Based Policymaking*

Did the Commission propose principles for evidence-based policymaking?

Yes. In developing its recommendations, the Commission developed five guiding principles that helped shape the strategy proposed in *The Promise of Evidence-Based Policymaking*. The principles include the following:

- *Privacy.* Individual privacy and confidentiality must be respected in the generation and use of data and evidence.
- *Rigor.* Evidence should be developed using well-designed and well-implemented methods tailored to the questions being asked.
- *Transparency.* Those engaged in generating and using data and evidence should operate transparently, providing meaningful channels for public input and comment and ensuring that evidence produced is made publicly available.
- *Humility.* Care should be taken not to over-generalize from findings that may be specific to a particular study or context.
- *Capacity.* The capacity to generate and use data and evidence should be integrated within government institutions and adequately funded and staffed.

National Secure Data Service

What is the National Secure Data Service (NSDS)?

The National Secure Data Service (NSDS) is a solution proposed by the Commission to address existing gaps in the Federal government’s capacity to enable consistent, transparent, and accountable secure access to data. It is an entity that should (1) support secure access to confidential datasets in a setting that meets stringent protection standards, (2) be responsible for developing and implementing state-of-the-art methods to safely combine data for evidence building, and (3) develop and apply cutting-edge technologies for creating privacy-protective versions of combined datasets. The Commission recommends that the NSDS be designated as a Principal Statistical Agency and be provided with the powers and exemptions necessary to use, for statistical purposes, data collected by other agencies.

Is the National Secure Data Service a data clearinghouse or warehouse?

No, the NSDS is not recommended as a data clearinghouse or a data warehouse. The Evidence-Based Policymaking Commission Act of 2016 charged the Commission with considering whether the country needed a data “clearinghouse.” While not defined in the statute, the term “clearinghouse” evokes images of past proposals, including the Kaysen Committee’s Data Bank proposal in the 1960s, and connotes a data storage facility that permanently stores records from multiple databases from multiple agencies and, therefore grows with each new data linkage. The Commission rejects the clearinghouse model in favor of the NSDS model. The NSDS should be designed to link data on an individual project basis only. In contrast to a clearinghouse, it should not lead to the establishment of a store of data that grows with every research project conducted. The data linked for a project through the NSDS should be kept structurally separate from other data linked through the NSDS for other projects. Also, the proposed 1960s Data Bank could have been used for diverse purposes; the NSDS would be limited to exclusively statistical purposes. By strictly enforcing this design, the NSDS will further the goal of increased access to and use of data for specific research and evaluation efforts, while protecting against privacy harm.

Can the National Secure Data Service be used for nonstatistical activities?

No. According to the Commission's vision, the NSDS will temporarily link and provide secure access to data for projects conducted for exclusively statistical purposes. Further, the NSDS would be limited to approved projects by approved researchers.

How will the National Secure Data Service promote transparency?

The National Secure Data Service (NSDS) is intended to be a center for unparalleled transparency about government uses of confidential data for exclusively statistical purposes. The NSDS will make information about data sensitivity, risk assessments for public release of de-identified confidential data, and individual evidence-building projects available in ways that exceed previous transparency and accountability for evidence building in the United States. Specifically, the NSDS will achieve this by developing and maintaining a transparency portal that gives the public details about each project using integrated confidential data for evidence building and each external researcher accessing confidential data for evidence building. The transparency portal will also feature a public inventory of data available for evidence building, including an analysis of the sensitivity of the data, and publicly available risk assessments for the public release of de-identified confidential data. The portal will also include a mechanism for public feedback. Once established, the transparency portal will provide a valuable resource for the public to understand how data are being used for evidence building.

Privacy

How do your recommendations improve privacy?

The Commission believes the existing Fair Information Practice Principles that guide the Federal government's privacy policy should similarly guide the use of data for evidence-based policymaking, in accordance with the Commission's guiding principles. By considering each of the Fair Information Practice Principles in the context of evidence building, the Commission has taken an ethical approach to data use that addresses both privacy and the need to generate accurate and reliable evidence. Taken as a whole, the Commission's recommendations address transparency, individual participation, purpose specification, data minimization, use limitation, data quality and integrity, security, and accountability and auditing.

How is it possible to both increase the use of data and improve privacy?

Throughout its deliberations, the Commission prioritized consideration of privacy on behalf of the American public. Based on the information gathered during the fact-finding process, the Commission determined that greater use of existing data is now possible in conjunction with stronger privacy and legal protections, as well as increased transparency and accountability. Advances in technology and statistical methodology offer new opportunities to improve protections for the privacy and confidentiality of the people, businesses, and organizations from which the government collects data while simultaneously increasing access to confidential data for evidence building. Improved access to data under more privacy-protective conditions can enable an increase in both the quantity and the quality of evidence that can be securely generated to inform important program and policy decisions. This expanded access can be achieved

through a modernized legal framework designed to improve the government’s capacity to use data already collected through standardizing access to data for statistical purposes in a secure environment and the facilitation of temporary data linkages.

Access

How do your recommendations improve secure access to confidential data?

The Commission makes a number of recommendations to address barriers to the effective use of government data to generate evidence. Reducing these barriers will improve secure access to confidential data. First, the Commission recommends establishing a National Secure Data Service (NSDS) to facilitate access to confidential data for evidence building and ensuring that the NSDS has the appropriate authority to acquire data for evidence building while adhering to stringent privacy qualifications. Second, the Commission recommends Congress review laws authorizing Federal data collection and use to ensure limited access to administrative and survey data is possible under strict privacy controls. The Commission also makes recommendations about ensuring that state-collected administrative data are available for statistical purposes. Finally, the Commission recommends that the Office of Management and Budget reduce the unnecessary or unintended administrative hurdles related to data access by developing a uniform process for external researchers to apply and qualify for secure access to confidential government data for evidence-building purposes.

Capacity

How do your recommendations improve government’s capacity to build evidence?

Today, Federal government infrastructure to generate more high quality evidence is insufficient. The Commission’s recommendations seek to improve capacity within the Federal evidence-building community. The recommendations also seek to encourage individuals outside of the Federal government, including non-governmental researchers, philanthropic organizations, universities, and other partners, to work with Federal agencies to expand capacity. The Commission’s recommendations for Federal departments seek to ensure the capacity of all departments to carry out and coordinate the development of statistics, program evaluation, and policy research for the purposes of evidence building. The Commission also recommends the establishment of a Chief Evaluation Officer within each department to focus on strengthening the program evaluation capacity of departments and to spearhead the development of a “learning agenda” for the purposes of short- and long-term evidence-building priorities for each department. Furthermore, the Commission recommends that the Office of Management and Budget strengthen its internal capacity to coordinate the Federal government’s evidence-building activities across government, and that administrative processes be better aligned to support evidence building.