

117TH CONGRESS  
2D SESSION

# H. CON. RES. 116

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2022

Mr. KILMER (for himself, Mr. TIMMONS, Mr. PHILLIPS, and Mr. JOYCE of Ohio) submitted the following concurrent resolution; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Reform, 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

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## 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 180 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 or data science;

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

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

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

25 (A) one shall be an academic researcher  
26 specializing in Congress or data science;

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

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

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

11 (A) one shall be an academic researcher  
12 specializing in Congress or data science;

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

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

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

23 (A) one shall be an academic researcher  
24 specializing in Congress or data science;

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

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

9 (c) PROHIBITION AGAINST SERVICE BY CURRENT  
 10 MEMBERS OF CONGRESS.—An individual is not eligible to  
 11 serve on the Commission if the individual is a current  
 12 Member of Congress (including a Delegate or Resident  
 13 Commissioner to the Congress).

14 (d) CO-CHAIRS.—The Speaker of the House of Rep-  
 15 resentatives and the majority leader of the Senate shall  
 16 each select one member of the Commission to serve as co-  
 17 chairs.

18 (e) STAFF.—

19 (1) DIRECTOR.—The Commission shall have a  
 20 Director who shall be appointed jointly by the co-  
 21 chairs. The Director shall be paid at a rate of pay  
 22 established by the co-chairs, not to exceed the an-  
 23 nual rate of basic pay payable for level V of the Ex-  
 24 ecutive Schedule under section 5316 of title 5,  
 25 United States Code.

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

4           (3) COVERAGE UNDER CONGRESSIONAL AC-  
5           COUNTABILITY ACT OF 1995.—For purposes of the  
6           Congressional Accountability Act of 1995 (2 U.S.C.  
7           1301 et seq.)—

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

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

12           (4) DETAIL OF EMPLOYEES.—At the request of  
13           the Commission, an employee of an office of the  
14           House of Representatives or Senate may be detailed  
15           to the Commission to assist the Commission with  
16           carrying out its duties.

17           (f) RECOMMENDATIONS.—

18                   (1) IN GENERAL.—The Commission shall study  
19                   and consider approval of applicable recommenda-  
20                   tions with respect to evidence-based policymaking  
21                   within the Federal Government, including—

22                           (A) how to incorporate outcomes measure-  
23                           ment, rigorous impact analysis, and implemen-  
24                           tation-aligned language into the lawmaking  
25                           process;

1 (B) how Congress can access and incor-  
2 porate real-time, structured, and machine-read-  
3 able data into the lawmaking process;

4 (C) the potential need for and duties of a  
5 congressional Chief Data Officer, including  
6 whether the officer should be located in a  
7 stand-alone office or housed within another ex-  
8 isting agency and how such an office would  
9 function with existing data and transformation  
10 units in Congress;

11 (D) ways to increase data expertise in  
12 Congress through the incorporation of tech-  
13 nologists, data scientists, and engineers to as-  
14 sist in policy evaluation and legislative drafting;  
15 and

16 (E) how Congress may encourage Federal  
17 agencies to produce evidence on effectiveness  
18 for major new programs and reauthorizations,  
19 consistent with the Foundations for Evidence-  
20 Based Policymaking Act of 2018 (Public Law  
21 115–435).

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 (g) 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 2 years  
 11 after the date of the adoption of this resolution, 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 (h) 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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