

HOUR OF MEETING ON TOMORROW

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

FOUNDATIONS FOR EVIDENCE- BASED POLICYMAKING ACT OF 2017

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4174) to amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Foundations for Evidence-Based Policymaking Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEDERAL EVIDENCE-BUILDING ACTIVITIES

Sec. 101. Federal evidence-building activities.

TITLE II—OPEN GOVERNMENT DATA ACT

Sec. 201. Short title.

Sec. 202. OPEN Government Data.

TITLE III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFI- CIENCY

Sec. 301. Short title.

Sec. 302. Confidential information protection and statistical efficiency.

Sec. 303. Increasing access to data for evidence.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Rule of construction.

Sec. 402. Effective date.

TITLE I—FEDERAL EVIDENCE-BUILDING ACTIVITIES

SEC. 101. FEDERAL EVIDENCE-BUILDING ACTI- VITIES.

(a) IN GENERAL.—Chapter 3 of part I of title 5, United States Code, is amended—

(1) before section 301, by inserting the following:

“SUBCHAPTER I—GENERAL
PROVISIONS”; AND

(2) by adding at the end the following:

“SUBCHAPTER II—FEDERAL EVIDENCE-
BUILDING ACTIVITIES

“§ 311. Definitions

“In this subchapter:

“(1) AGENCY.—The term ‘agency’ means an agency referred to under section 901(b) of title 31.

“(2) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.

“(3) EVALUATION.—The term ‘evaluation’ means an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.

“(4) EVIDENCE.—The term ‘evidence’ has the meaning given that term in section 3561 of title 44.

“(5) STATE.—The term ‘State’ means each of the several States, the District of Columbia, each territory or possession of the United States, and each federally recognized Indian Tribe.

“(6) STATISTICAL ACTIVITIES; STATISTICAL AGENCY OR UNIT; STATISTICAL PURPOSE.—The terms ‘statistical activities’, ‘statistical agency or unit’, and ‘statistical purpose’ have the meanings given those terms in section 3561 of title 44.

“§ 312. Agency evidence-building plan

“(a) REQUIREMENT.—Not later than the first Monday in February of each year, the head of each agency shall submit to the Director and Congress a systematic plan for identifying and addressing policy questions relevant to the programs, policies, and regulations of the agency. Such plan shall be made available on the public website of the agency and shall cover at least a four-year period beginning with the first fiscal year following the fiscal year in which the plan is submitted and published and contain the following:

“(1) A list of policy-relevant questions for which the agency intends to develop evidence to support policymaking.

“(2) A list of data the agency intends to collect, use, or acquire to facilitate the use of evidence in policymaking.

“(3) A list of methods and analytical approaches that may be used to develop evidence to support policymaking.

“(4) A list of any challenges to developing evidence to support policymaking, including any statutory or other restrictions to accessing relevant data.

“(5) A description of the steps the agency will take to accomplish paragraphs (1) and (2).

“(6) Any other information as required by guidance issued by the Director.

“(b) CONSULTATION.—In developing the plan required under subsection (a), the head of an agency shall consult with the following:

“(1) The public.

“(2) Any evaluation or analysis unit and personnel of the agency.

“(3) Agency officials responsible for implementing privacy policy.

“(4) The Chief Data Officer of the agency.

“(5) The officials of the agency designated under section 315.

“(6) The Performance Improvement Officer of the agency.

“(7) Program administrators of the agency.

“(8) The committees of the House of Representatives and Senate with oversight jurisdiction over the agency.

“(9) Any other individual or entity as determined by the Director.

“§ 313. Governmentwide evidence-building co- ordination

“(a) IN GENERAL.—The Director shall consolidate the plans submitted under section 312 in a unified evidence-building plan. The Director shall notify agency heads of potentially overlapping or unnecessarily duplicative data acquisition plans and facilitate interagency evidence gathering and sharing. The head of an agency may incorporate the results of any interagency coordination by

updating the plan required under section 312. The Director shall incorporate any such agency update in the unified evidence-building plan.

“(b) CONSULTATION.—In developing the unified evidence-building plan required under subsection (a), the Director shall consult with the following:

“(1) The public.

“(2) The Interagency Council on Statistical Policy established under section 3504(e)(8) of title 44.

“(3) Any other relevant interagency council.

“(4) The head of each agency.

“(5) Any other individual or entity as determined by the Director.

“§ 314. Chief Evaluation Officers

“(a) ESTABLISHMENT.—The head of each agency shall appoint or designate an employee of the agency as the Chief Evaluation Officer of the agency.

“(b) QUALIFICATIONS.—The Chief Evaluation Officer of an agency shall be appointed or designated without regard to political affiliation and based on demonstrated expertise in evaluation methodology and practices and appropriate expertise to the disciplines of the agency.

“(c) LIMITATIONS.—The Chief Evaluation Officer of an agency may not simultaneously serve as any of the following:

“(1) The Chief Financial Officer of any agency.

“(2) The Chief Information Officer of any agency.

“(3) The Chief Human Capital Officer of any agency.

“(4) The Chief Acquisition Officer of any agency.

“(5) The Inspector General of any agency.

“(d) COORDINATION.—The Chief Evaluation Officer of an agency shall, to the extent practicable, coordinate activities with agency officials, including the following:

“(1) Agency officials responsible for implementing privacy policy regarding privacy and confidentiality issues.

“(2) The Chief Data Officer of the agency.

“(3) Agency officials designated under section 315.

“(4) Any evaluation or analysis unit and personnel of the agency on the needs for evaluation and analysis.

“(5) The Performance Improvement Officer of the agency.

“(6) Program administrators of the agency.

“(7) The Chief Evaluation Officers of other agencies.

“(e) FUNCTIONS.—The Chief Evaluation Officer of each agency shall—

“(1) continually assess the coverage, quality, methods, consistency, effectiveness, independence, and balance of the portfolio of evaluations, policy research, and ongoing evaluation activities of the agency;

“(2) assess agency capacity to support the development and use of evaluation;

“(3) establish and implement an agency evaluation policy; and

“(4) coordinate, develop, and implement the plan required under section 312.

“§ 315. Statistical expertise

“(a) IN GENERAL.—The head of each agency shall designate the head of any statistical agency or unit within the agency, or in the case of an agency that does not have a statistical agency or unit, any senior agency official with appropriate expertise, as a statistical official to advise on statistical policy, techniques, and procedures. Agency officials engaged in statistical activities may consult with any such statistical official as necessary.

“(b) MEMBERSHIP ON INTERAGENCY COUNCIL FOR STATISTICAL POLICY.—Each statistical official designated under subsection (a) shall