118TH CONGRESS  
1ST SESSION

H. CON. RES. ___

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

Mr. KILMER submitted the following concurrent resolution; which was referred to the Committee on ______________________

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 concurring),

2 SECTION 1. SHORT TITLE.

3 This concurrent resolution may be cited as the “Congressional Evidence-Based Policymaking Resolution”.
SEC. 2. COMMISSION ON EVIDENCE-BASED POLICYMAKING.

(a) Establishment.—There is established in the legislative branch the Commission on Evidence-Based Policymaking (in this section referred to as the “Commission”) to review, analyze, and make recommendations with respect to promoting the use of Federal data for evidence-building and evidence-based policymaking.

(b) Membership.—The Commission shall be composed of 12 members, appointed not later than 45 days after the date of the adoption of this resolution, as follows:

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

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

(B) one shall be a former Member or senior staffer of the House; and

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

(2) Three shall be appointed by the minority leader of the House of Representatives, of whom—
(A) one shall be an academic researcher specializing in Congress, social science, or data science;

(B) one shall be a former Member or senior staffer of the House; and

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

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

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

(B) one shall be a former Member or senior staffer of the Senate; and

(C) one shall be an employee of an office that participates in the Congressional Data Task Force or other legislative branch support agency as appropriate for the purposes of studying and developing the recommendations under subsection (g).
(4) Three shall be appointed by the minority leader of the Senate, of whom—

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

(B) one shall be a former Member or senior staffer of the Senate; and

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

(e) Prohibition Against Service by Current Members of Congress.—An individual is not eligible to serve on the Commission if the individual is a current Member of Congress (including a Delegate or Resident Commissioner to the Congress).

(d) Co-Chairs.—The Speaker of the House of Representatives and the majority leader of the Senate shall each select one member of the Commission to serve as co-chairs.

(e) Terms; Vacancies.—Each member shall be appointed for the duration of the Commission. Any vacancy in the Commission shall not affect its powers, and shall
be filled in the manner in which the original appointment
was made.

(f) STAFF.—

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

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

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

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

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

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

(g) RECOMMENDATIONS.—

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

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

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

(C) how Congress can revise existing laws or enact new laws to improve access to administrative and survey data for evidence building;
(D) how to incorporate evidence such as outcomes measurement, rigorous impact analysis, and implementation-aligned language into the lawmaking process;

(E) how Congress can access and incorporate real-time, structured, integrated, and machine-readable data into the lawmaking process;

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

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

(2) ADOPTION OF RECOMMENDATIONS.—Any recommendation considered by the Commission shall only be considered adopted by the Commission upon
receiving the votes of at least two-thirds of the members of the Commission.

(h) Reports.—

(1) Interim Reports.—The Commission may submit to the Speaker of the House and the majority leader of the Senate interim reports containing such findings, conclusions, and recommendations as have been agreed to by at least two-thirds of the members of the Commission.

(2) Final Report.—Not later than the final day of the One Hundred Eighteenth Congress, the Commission shall submit a report to the Speaker of the House and the majority leader of the Senate on the activities and findings of the Commission.

(i) Authorization of Appropriations.—There are authorized to be appropriated such sums as may be necessary to carry out this section, of which—

(1) 50 percent shall be derived from the applicable accounts of the House of Representatives; and

(2) 50 percent shall be derived from the contingent fund of the Senate.