



Laws and Regulations Focus Area

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Draft Subcommittee Recommendations

Evidence Act Regulations and Guidance

- **ACDEB Recommendation #1 – Evidence Act Rules: The OMB Director should take immediate steps to issue guidance and regulations required or expected under the Evidence Act, with input from the Advisory Committee on Data for Evidence Building.** These include:
 - Notice of Proposed Rulemaking under CIPSEA Sec. 3581 for the Presumption of Accessibility to administrative data.
 - Notice of Proposed Rulemaking Under CIPSEA Sec. 3582 for expanding access to CIPSEA data assets.
 - Notice of Proposed Rulemaking under CIPSEA Sec. 3563 on responsibilities for statistical agencies and public trust.
 - Implementation guidance for the OPEN Government Data Act, including how agencies should implement “open data by default,” data inventories, and data sensitivity considerations. This guidance should also provide increased clarity on interagency, and intergovernmental data sharing responsibilities and expectations.

Draft Subcommittee Recommendations

CEP Recommendations for Further Action

- **ACDEB Recommendation #2 – Evidence Commission Proposals: The OMB Director should develop legislative proposals for Congress or regulatory actions to consider in implementing the remaining Evidence Commission recommendations, in consultation with the Advisory Committee on Data for Evidence Building, including the following:**
 - Recommendation 2-6 from the CEP encouraged expanded access to income and earnings data already acquired by federal agencies in order to facilitate evidence-building activities. Expanded access under legislation to the National Directory of New Hires for research and evaluation is one low-burden, high-value strategy for advancing access to priority data assets.
 - Recommendation 3-2 from the CEP encouraged innovation for privacy-preserving technologies. A legislative proposal to test and pilot emerging approaches such as multi-party computation would support scale and future adoption of new approaches for protecting data, which could include consideration of safe harbor provisions for those testing new approaches.

Draft Subcommittee Recommendations

Efficiency Improvements for the National Data Infrastructure

- **ACDEB Recommendation #3 – Model MOU:** The OMB Director, working in consultation with the Interagency Council on Statistical Policy, the Chief Data Officer Council, and the Federal Privacy Council, should facilitate the creation of updated model language for Memoranda of Understanding [or a shared standard for data sharing] to facilitate data sharing and linkage projects and reduce the number of MOUs required to conduct regular evaluations of programs and policies.
- **ACDEB Recommendation #4 -- SORNs:** The OMB Director, working in consultation with the Federal Privacy Council and other relevant officials, should develop standard language for modifying Systems of Record Notices under the Privacy Act to facilitate secondary uses of administrative data when permissible by law and necessary for evidence-building activities.
- **ACDEB Recommendation #5 -- Guidance:** The OMB Director should issue a detailed memorandum to agency heads clarifying expectations that agencies use existing authorities and flexibilities to facilitate data sharing and use.

Draft Subcommittee Recommendations

Leadership Under Existing Authority

- **ACDEB Recommendation #6 – Chief Statistician: The OMB Director should take immediate steps to designate a full-time Chief Statistician of the United States.**
- **ACDEB Recommendation #7 – Standard-Setting Procedures: The OMB Director and Chief Statistician of the United States should leverage existing authority under the Paperwork Reduction Act to establish a clear procedure for public and stakeholder engagement on areas for development and use of future data standards for information shared in intergovernmental, intra-agency, or interagency contexts.**

Draft Subcommittee Recommendations

Legal Framework for an NSDS

PENDING VISION STATEMENT DIALOGUE

- **ACDEB Recommendation #8 – NSDS Authorization: The Congress should advance a legislative proposal to establish the legal expectation and authority for creation of a National Secure Data Service.**

Draft Subcommittee Recommendations

Resources for Data Infrastructure and E-B Activities

- **ACDEB Recommendation #9 – Appropriations Requests:** The OMB Director should include specific requests for increased funding to support implementation of the Federal Data Strategy priorities and Foundations for Evidence-based Policymaking Act requirements in the FY 2023 President’s Budget request to Congress.
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- **ACDEB Recommendation #10 – Funding Flexibilities:** The OMB Director should propose legislative flexibilities for facilitating set-asides for data infrastructure and analysis activities, recognizing these activities are core functions of government.