



Commerce, Justice, and Science and Related Agencies Subcommittee
United States Senate Committee on Appropriations

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Written Testimony of Nicholas R. Hart, Chief Executive Officer - Data Coalition

Subject: Support for Effective Implementation of the Foundations for Evidence-Based Policymaking Act, the Federal Data Strategy, and Other Data Innovations in Government

Chairman Moran, Ranking Member Shaheent, and Members of the Commerce, Justice, Science, and Related Agencies Subcommittee on Appropriations, thank you for this opportunity to provide outside written testimony on behalf of the Data Coalition.

The Data Coalition represents a broad group of data analysis and technology companies, public sector consulting and accounting firms, and nonprofits. The Data Coalition promotes policies that enable government data to be high quality, accessible, and usable. Our [members](#) have annual revenues over \$300 billion, employees in every state of the country, and a global reach on emerging innovation and technology issues.

During this unprecedented time in our country, the need for good data about the challenges facing Americans is clear. The Data Coalition's members strongly encourage you to ensure we are collecting the data necessary to understand these challenges, while providing appropriate access to the data as governments plan for our future policy needs.

In 2017, the U.S. Commission on Evidence-Based Policymaking's 15 politically-appointed members issued a set of unanimous recommendations to Congress and the President.¹ The Evidence Commission concluded that the federal government needed to improve access to data it already collects, while simultaneously strengthening privacy and confidentiality protections for the American public. The coronavirus pandemic highlights the urgency with which data improvements are needed in our country. While some federal agencies are rapidly innovating to better use the data the government already collects to improve service delivery and program implementation, there is much room for improvement across the entire federal government. The time for this improvement must be now. The American people cannot afford to wait another year or decade for government to make dramatic improvements to its data infrastructure.

¹ U.S. Commission on Evidence-Based Policymaking. *The Promise of Evidence-Based Policymaking: Final Report of the Commission on Evidence-Based Policymaking*. Washington, D.C.: Government Printing Office, 2017. Available at: <https://www.cep.gov/cep-final-report.html>

We implore Congress to prioritize implementation of the following issues as quickly as possible to provide critically necessary infrastructure that will help our country understand and address the current pandemic and its effects, as well as prepare for future crises.

Advancing the Evidence Commission Recommendations for a National Secure Data Service

The need to enable data access at the federal and state level while protecting privacy is clear; fortunately, existing policy proposals can help address these challenges immediately. In fact, the Evidence Commission offered a compelling strategy as its headline recommendation, one that the current law does not address: to establish a National Secure Data Service. The Evidence Act creates the parameters for organizational capacity and leadership, as well as an incredibly strong privacy framework within which a National Secure Data Service would operate. Congress must now take the next step to make sure the data service becomes a reality. Without this infrastructure, governments at every level will be unable to rapidly analyze and understand the data collected. A National Secure Data Service will be vital for understanding the full impact of government policies and interventions employed to address the coronavirus pandemic.

The [National Secure Data Service](#) was envisioned as a cutting-edge resource to securely and temporarily link survey and administrative data, enabling the generation of new summary insights about the economy and our government programs. The Evidence Commission outlined extensive safeguards for the National Secure Data Service to protect privacy and operate transparently. Establishing such a shared-service operation is technically, operationally, and budgetarily feasible.

With a relatively modest investment, Congress has the opportunity to increase capacity for data analytics for governments to effectively respond to emergencies like the current pandemic as well as longer-term research and evaluation to meaningfully support evidence-based policymaking. Establishing a National Secure Data Service would revolutionize our country's analytical infrastructure and dramatically improve capabilities for ensuring decision-makers have information needed to make good decisions.

The Data Coalition strongly recommends Congress appropriate a portion of the administration's requested funding for a data service, with modification. The FY 2020 President's Budget request included initial seed funding was split between the Bureau of the Census and the Bureau of Economic Analysis at the Department of Commerce. However, there may be other approaches to consider as well. The Evidence Commission identified challenges under existing Title 13 authorities for data sharing activities at the Census Bureau to adequately enable the broad vision of the Evidence Commission. Without further statutory modifications to Title 13, that include clarifying the purposes for which projects can be undertaken in accordance with the Census Bureau's mission, the establishment of a new federal data service, as a shared-service function in government would be inappropriate.

Congress will need to consider creative solutions to ensure that a data service will allow federal, state, and local governments to harness data from multiple government systems along with other relevant and privacy-protective data linkages.

The Data Coalition recommends appropriating \$50 million to establish a Federal Data Service. This amount is a portion of the requested funding for functions and activities related to the development of a framework for a Federal Data Service and is consistent with the authorities granted in the Evidence Act and the vision of the Evidence Commission.

The Monumental Evidence Act Establishes a New Legal Framework for Using Data

Half of the recommendations from the Evidence Commission were ultimately included in the [Foundations for Evidence-Based Policymaking Act of 2018](#) (P.L. 115-435), which includes the OPEN Government Data Act (Title II) and the reauthorization of the Confidential Information Protection and Statistical Efficiency Act (Title III). Taken together, the titles of the Evidence Act collectively represent the greatest shift in expectations and capabilities to use data across government in a generation. While substantial, these changes also do not go far enough – more action is needed to support effective implementation.

The bipartisan Evidence Act moved under unanimous consent in the U.S. Senate and was twice advanced through the U.S. House of Representatives. The Evidence Act is monumental in its ambition and scope, advancing a new paradigm for how government agencies are expected to use data to better achieve missions and meet the needs of the American people. The law creates new leadership roles in agencies: Chief Data Officers, Evaluation Officers, and Statistical Officials. The law establishes new processes for planning research and evaluation activities, assessing agency capabilities to support evidence building, providing public data inventories with summary information about the data government collects, encouraging government agencies to produce more open data, and strengthening a privacy framework for sharing confidential and sensitive data that is one of the strongest privacy laws in the world.

When the Evidence Act became law in January 2019, individuals in private firms, non-profit organizations, and academic institutions hoped that agencies would make rapid progress to implement key provisions. Indeed, [some agencies have](#). But, even prior to the coronavirus pandemic, many agencies were showing signs of lagging implementation, risking success in achieving the intended gains for the American people envisioned by the bipartisan leadership and the large industry, non-profit, and academic coalition that endorsed the legislation.

Resources to implement the Evidence Act would specifically support agencies in rapidly building the capacity and infrastructure to support statistical activities, data governance, and program evaluation. These three functions must be successful across government to understand the impacts of the policy decisions that are being made today, as well as to prospectively plan for future crises. This funding should also be flexible enough to support federal statistical agencies in unique challenges associated with collecting critical and relevant data to assess long-term outcomes associated with the COVID-19 pandemic.

In the FY 2021 appropriations, Congress has an opportunity to ensure that agencies are adequately resourced to effectively implement the Evidence Act. The Data Coalition's members strongly encourage additional appropriations to support these vital activities for the American people.

The Long-Term Federal Data Strategy Offers Additional Opportunities for Gains

Building on the congressional efforts that advanced the Evidence Act, the Executive Branch released a 10-year plan for aligning the Evidence Act and other recent data laws and orders with emerging principles and practices. In December 2019, the Executive Branch published a [one-year action plan](#), outlining a set of actions all agencies are expected to undertake over the next year. Unfortunately, the plan was not paired with new resources, despite many of the actions aligning specifically with Evidence Act requirements and other OMB guidance.

The Federal Data Strategy provides an opportunity to drastically improve the state of the federal government's data infrastructure and governance, which is long overdue and particularly needed now. For large departments and agencies, the governance of agency data requires senior leadership in a Chief Data Officer and a capability to manage and coordinate intra-agency data assets. For too long these activities have been overlooked and neglected in government. The Federal Data Strategy, building on the Evidence Act, makes this a priority for every federal agency. The Data Coalition members recognize that for government to be successful during the recovery and beyond, simply saying data is a priority will not be sufficient. Government must invest resources, both financial and human capital, to ensure government data really becomes a strategic asset.

The Federal Data Strategy is not a partisan or politicized document from the administration – it is a rational, sensible set of policies. **The Data Coalition calls on Congress to fully support agencies in implementing the Federal Data Strategy**, including by providing long-overdue resources in appropriations to address data gaps in federal agencies.

Congress Must Continue to Act to Recognize Data as a Strategic Asset for the American People

The environment across government is ripe for substantial improvements to agencies' data infrastructure while enabling more evidence-based policymaking. The new legal authorities and administrative activities offer tremendous potential for better using data to both improve the fulfilment of agency missions and to hold agencies accountable for producing results. But these activities must also be sustained and encouraged, especially in times of crisis and economic uncertainty. Congress has a vital role to play in ensuring agencies succeed in this regard, so our data can truly benefit recovery efforts and the future of our society.

The Data Coalition and its members request that Congress provide funding for the vital data and evidence priorities, while also planning for the next generation of government data innovation by enabling secure data sharing through a National Secure Data Service. Our need for sound and timely data is far too important to underfund in the current fiscal year, let alone the next.

Thank you for the opportunity to provide written testimony on these important issues. The Data Coalition members look forward to Congress' continued support for evidence-based decision-making.