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Delivered by Electronic Mail

RE: Strategies for Encouraging Use of Data to Support Biden-Harris Administration Priorities

Deputy Director Young –

Recognizing the enormity of the challenges the Biden-Harris Administration is responding to in 2021 and the many issues your team at OMB is working diligently to address, the Data Coalition members encourage OMB to put data at the center of decision-making and planning activities. As the country looks toward the better days ahead for our country, we must know what works and in what contexts, and enable more evidence-based policymaking. This requires investing in the data and evidence infrastructure.

The Data Coalition members applaud the leadership expressed in President Biden’s memorandum to agency heads about scientific integrity and evidence that elevates the role of data in decision-making activities. Building on President Biden’s memorandum and other recent executive actions, this letter provides actionable suggestions for the Administration and OMB to consider, including several apolitical efforts underway in recent years that we hope can continue or be reinvigorated this year. We encourage that these activities be integrated into the Fiscal Year 2022 President’s Budget, the President’s Management Agenda, revisions to OMB Circular A-11, regulatory review requirements, implementation of the American Rescue Plan, and any forthcoming national infrastructure plan to the extent possible.

The Data Coalition is an initiative that aligns interests across organizations in the national data community, advocating for responsible policies to make government data high-quality, accessible, and useful. As part of the non-profit Data Foundation, the Data Coalition specifically works to unite communities that focus on data science, management, evaluation, statistics, and technology, in industry, non-profits, and universities.

Recent legislation like the [Foundations for Evidence-Based Policymaking Act](#) (Evidence Act) – including the OPEN Government Data Act and the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) – are broad in focus, implicating a whole-of-government approach to better using data. Similarly, because of the Data Coalition’s broad membership and interests, our expertise and suggestions are not isolated to a single policy domain. Our suggestions fall along six key areas: leadership, statutory compliance, information sharing, administrative processes, and workforce capacity and resources. Each is discussed in greater detail below.

Leadership and Transparency

The Data Coalition appreciates the efforts from the Biden-Harris Administration to date in elevating and encouraging the central role of data and evidence in decision-making. Following through on promises and bold statements will require sustained engagement and leadership from all levels of the Administration. Specifically, we hope the Biden-Harris Administration and OMB will consider the following:

- **Issue a National Data Strategy Focused on Presidential Priorities.** The Executive Branch developed a reasonable [Federal Data Strategy](#) with extensive input from federal agencies, industry, non-profits, and academia. The strategy, with its annual action plan, provided a clear sense of direction and organization for the vast number of needed improvements for data infrastructure in government. **OMB should re-issue and re-enforce a coherent national data strategy** and corresponding action plan as part of the President's Management Agenda, organized around the key priorities of the administration.
- **Improve Coordination Within OMB.** The division of labor on data and information management activities at OMB is understandably segregated. However, this approach has recognized limitations for effectively coordinating data matters government-wide. Improving collaboration across the Office of Information and Regulatory Affairs, Economic Policy, Performance and Personnel Management, the Office of Electronic Government, and other divisions of OMB should be prioritized by OMB leadership. The Data Coalition members encourage a deliberate focus on sustained, coordinated leadership within OMB for delivering on data priorities and commitments. Additional legal authority is not likely needed to accomplish this coordination, but rather **support from the Director, Deputy Director, and other senior leaders in the agency is instrumental** for encouraging divisions to effectively and routinely coordinate information management activities. We hope that OMB will also leverage improved internal coordination to support agency leaders in collaborating with each other to support data and evidence priorities, including through the President's Management Council, Chief Data Officers Council, Evaluation Officers Council, Interagency Council on Statistical Policy, Chief Information Officers Council, and other interagency bodies.
- **Task the [Advisory Committee on Data for Evidence Building \(ACDEB\)](#) with Priority Questions.** The ACDEB, or Evidence Act Advisory Committee, can be a resource for OMB and the White House in studying and addressing core data issues across government with expertise from across government, industry, and academia. Despite the recent delegation of the chair role from OMB to the National Science Foundation, Congress intended for OMB to play a central role in steering the direction of the committee and intended the Federal Chief Statistician to chair the committee. ACDEB has not yet issued recommendations publicly to date. **OMB leadership should provide clear direction and suggestions to the advisory committee** about areas of focus and need to support response to Biden-Harris Administration priorities, which may include the role of data linkage and sharing for addressing economic mobility, social inequities, climate change, or pandemic response.
- **Direct Agencies to Make Evidence Act Planning Documents Publicly Accessible.** Agencies have made some progress in developing evidence-building plans, evidence assessments, and evaluation plans as required by the Evidence Act, yet much of this progress has not been shared publicly or conducted with meaningful stakeholder engagement. The Data Coalition encourages that when

issuing updated guidance to agencies, consistent with Section 5 of President Biden's scientific integrity memo, that OMB prioritize transparency in process and final publication of learning agendas and other data and evidence planning documents. Specifically, the Data Coalition strongly encourages **OMB to direct agencies to publish machine-readable plans and for OMB to provide a central portal for the data and evidence community to access such information**. This requirement need not wait for publication of quadrennial strategic plans and should be implemented as soon as possible.

Statutory Compliance with New Data Laws

The advent of new laws like the Evidence Act, the Digital Accountability and Transparency (DATA) Act, and others suggest a clear intent from Congress to prioritize open data and the organization of information for accountability and decision-making purposes. Passage of these laws must be matched with effective, timely implementation efforts within the Executive Branch to achieve their purpose. The Data Coalition encourages OMB to prioritize implementation in several key areas from recent data laws, such as:

- **Issue Required CIPSEA Regulations.** Title III of the Evidence Act (Sec. 303) placed responsibilities with OMB to issue regulations related to Statistical Policy Directive #1 and public trust in data, the designation of CIPSEA units, and to authorize the use of the presumption of accessibility authority under CIPSEA. This third provision and new authority, based on a recommendation from the U.S. Commission on Evidence-Based Policymaking, allows the statistical system to request access to and use of administrative records for statistical purposes, generating relevant insights for decision-makers within a strong privacy framework. The unanimity of the Evidence Commission's recommendations and the near-unanimous movement of the legislation through Congress suggests widespread support for this provision being quickly instituted by OMB. **The Data Coalition encourages OMB to advance all of the delayed CIPSEA regulatory actions**, including publishing the presumption of accessibility as an Interim Final Rule. Such an approach, permissible under the Administrative Procedure Act, allows for rapid action while not precluding further revisions based on valuable public comment and input.
- **Provide Guidance on Making Data Open by Default.** Title II of the Evidence Act – the OPEN Government Data Act – outlines expectations for federal agencies to publish machine-readable open data as a default, subject to guidance issued by the OMB Director. More than two years after enactment of this law, OMB has not issued open data guidance that addresses risks of re-identification, security considerations, costs and benefits of converting data assets, and procedures for developing prioritized open data plans. **The Data Coalition calls on OMB, in collaboration with the Chief Data Officers Council and other relevant interagency bodies, to publish this long-overdue guidance on open data.**
- **Prioritize GREAT Act Implementation.** Now in the second year of implementation of the Grant Reform Efficiency and Agreements Transparency (GREAT) Act, OMB is tasked with partnering with the Department of Health and Human Services (HHS) to issue data standards within 2 years of the law's enactment. Ensuring these standards are developed with a collaborative and consultative process must be a priority to achieve this law's intent, higher-quality data and lower burden on grantees for reporting. The Data Coalition members **encourage OMB to consider the use of non-**

proprietary identifiers in developing standards and for the report required by Section 7 of the GREAT Act.

- **Accelerate Implementation of New AI Laws.** In 2020, Congress approved the bipartisan Artificial Intelligence (AI) Initiative Act and the AI in Government Act. These new laws provide an opportunity for the White House and government to lean-in on long-overdue activities to accelerate government adoption and use of AI. The Data Coalition members look forward to collaborating with OMB and agencies in implementing these important authorities as the Executive Branch shifts from researching AI to ethically using AI at a production level to improve our society.

Responsible, Secure Data Sharing

As the Biden-Harris Administration and OMB continue to respond to the global pandemic, address economic uncertainties, and design policies aimed at reducing social inequities, our country must ensure the necessary data can be shared and used across agencies and in collaboration with experts in the data and research community. The Data Coalition encourages OMB to fund strategies that enable responsible, secure data sharing as part of the Fiscal Year 2022 Budget Request and any forthcoming supplementation appropriations requests.

- **Establish a National Secure Data Service.** In 2017 the U.S. Commission on Evidence-Based Policymaking recommended a National Secure Data Service to help address the challenges created by the decentralized nature of federal government data collection. In 2020, building on the Evidence Commission's proposal, [a suggestion to immediately launch a data service as a Federally-Funded Research and Development Center at the National Science Foundation](#) emerged to rapidly accelerate progress on this deficit in government's infrastructure. The **Data Coalition members encourage OMB to include start-up funding for a data service in the FY 2022 Budget Request, and to proceed rapidly with other administrative and operational steps to launch a data service.** Of note, a data service could substantially improve existing capabilities for analyzing disparities and inequities by race, ethnicity, and gender in program implementation without introducing new risks or potential harms from adding sensitive data elements to existing data collections for government services and benefits. The Evidence Commission's unanimous recommendations offered a compelling case for the data service; hopefully the Biden-Harris Administration will advance this much-needed resource for the data community to address policymakers' priority questions.
- **Expand Access to Income and Earnings Information.** Multiple administrations have proposed expanding access to certain data assets with income and earnings information to support research and evaluation activities. The Data Coalition members encourage the Biden-Harris Administration to **use the FY 2022 President's Budget to acknowledge support for such proposals and to transmit proposed legislative language to Congress** -- such as limited expansions to access the National Directory of New Hires and certain tax information -- that can enable improved analysis about eligibility for benefit programs and impacts on employment and training programs at the national, state, and local levels.
- **Pilot Test Innovative Approaches for Secure Data Sharing.** As the country and world explore strategies for more efficiently using existing data assets while deploying privacy and confidentiality

protections, the US has an opportunity to provide global leadership in the deployment and use of privacy-preserving technologies. The Data Coalition encourages OMB and federal agencies to consider applications and tests of multi-party computation and other approaches over the next year, focusing on high-value data assets where there are currently disincentives for sharing information across jurisdictions or entities. **OMB should allocate resources from existing appropriate funds and identify new resources needs to support pilot tests and demonstration projects of privacy-preserving technologies in domestic, non-security agencies.**

Data Standards and Administrative Processes

There are longstanding needs for improved data standards and technical specifications as well as simple improvements to administrative processes that could benefit evidence-building and data use in our society. The broad existing authority in the Paperwork Reduction Act for the Chief Statistician to issue standards and the ability of OMB's Office of Information and Regulatory Affairs to align certain processes have long been under-recognized for their role in making data use more efficient. The Data Coalition appeals to OMB to not lose sight of the small changes that can have major implications and efficiencies for reducing burden and increasing value with data in our society, including:

- **Review and Modify Inefficiencies in the Paperwork Reduction Act Implementation.** The Paperwork Reduction Act has long been described as both a support and an impediment to government data collection and use. Government must do more to remove the inefficient, unnecessary barriers that inhibit generating high-quality insights needed for addressing and monitoring public policy matters. The Paperwork Reduction Act should not be about just burden reduction, but a means to improve and enhance the value of government data to benefit society. Reimagining how this law is implemented was a focus of a Data Coalition working group in 2020, which offered a series of small process modifications that could drastically improve the usefulness of this law while reducing a well-recognized pain point in government that distracts from real data management and analysis activities. The Data Coalition encourages **OMB to accelerate the implementation of automated tools for information collection requests and clarifying its guidance on pain points for agencies' PRA implementation.**
- **Apply Long-Overdue Data Standards for National Collections in Public Health and Economic Response.** Setting data standards is a basic process by which stakeholders and the data community agree on a common meaning for particular data elements. Having agreed-upon and applied data standards supports innovation, sharing, and identifying meaning in data analysis. Existing authority could be used to deploy better standards for public health, to support addressing the coronavirus pandemic, and for economic response and recovery, with improved entity identification in financial regulations and other entity reporting. Data standards will by no means solve all data issues facing government and society today, but data standards offer a common starting point to build upon. The **Data Coalition strongly encourages OMB and relevant federal agencies to pursue improved standards in public health reporting and in financial reporting** that can strengthen the quality of information used in our country's response to current crises.
- **Update OMB Data Standard on Race and Ethnicity.** OMB Statistical Policy Directive No. 15 provides for a common standard for race and ethnicity, which is widely recognized to be outdated and in

need of revision. Over the past four years, despite an effort to consider revisions, OMB failed to propose and finalize an updated standard that could be used to improve analysis about inequities in government services and policies. The **Data Coalition encourages OMB to update the federal race and ethnicity data standard as soon as possible** based on public consultation and expert judgment about necessary revisions.

- **Refocus on DATA Act Implementation and Budget Transparency.** The federal budget formulation and execution processes are among the most routine in government, notwithstanding challenges in timely appropriations actions. As the federal government implements budgetary obligations, prioritizing transparency and clarity for the American public can support efforts to build and restore public trust in government operations and activities. While many agencies made tremendous progress in implementing the DATA Act, too many agencies are struggling to achieve implementation requirements and expectations that support OMB's use of the data, just as much as the American people, industry, and researchers. OMB can support improvements in data quality by demonstrating to federal agencies how the data can be useful, such as adopting DATA Act standards and approaches for producing federal budget crosscuts (e.g., climate change, disaster), monitoring forthcoming earmarks, and even publishing connections to agency budget justifications. The **Data Coalition encourages OMB to approach transparency in government spending data in a more holistic manner** and to lead among agencies in using the available data assets in published OMB analyses and databases.

Workforce Capacity and Resources

None of the goals for Executive Branch agencies can be reasonably attained without dedicated attention to workforce capacity and resources. When it comes to data policy and implementing the suggestions of this letter or other aspects of cohesive data management in agencies, the Data Coalition encourages OMB to work in collaboration with agencies and Congress to enable dedicated attention to capacity and resources.

- **Strengthen and Diversify the Federal Data Workforce.** OMB today can use existing survey mechanisms and data collections facilitated by the Office of Personnel Management (e.g., Federal Employee Viewpoint Survey) to analyze a broad range of expertise, diversity and inclusion attributes across every unit of government. But identifying gaps rapidly using real data, OPM and OMB can also determine where the workforce needs are greatest. In conjunction with agency assessments for evidence-building capacity, required by the Evidence Act and submitted to OMB in September 2020, **OMB should use every available means to prioritize ensuring agencies have the people to meet emerging data, evidence, and innovation needs.** OMB should encourage agencies to use existing authorities – such as the Intergovernmental Personnel Act – and prioritize hiring to fill critical gaps in data science, statistics, and evaluation.
- **Provide Adequate Resources for Chief Data Officers.** Federal agencies need the capacity to pursue open data, data transparency, data governance, and data analysis activities; every agency needs adequate resources to truly recognize data as a strategic asset. Providing at least \$50 million in implementation funding for FY 2022 for Chief Data Officers will directly support efforts to improve accountability and transparency of government policies and programs by better managing and using data.

- **Establish Practices for Flexible Data and Evidence Funding.** While many agencies need additional resources to support evidence-building and data management activities, some agencies will also benefit from recognize funding flexibilities such as Evidence Incentive Funds, set-asides of discretionary appropriations, and waiver authorities in mandatory programs. The Data Coalition encourages OMB to include funding flexibilities in the FY 2022 Budget Request for every agency to support Evidence Act implementation.

Our country needs good data to support useful evidence for decision-makers. OMB has a central role in fostering a cohesive data and evidence ecosystem. If this is successful, and data are a forethought in our government’s operations, our society will benefit from realistic solutions, accelerated policy coordination, and real innovation. The Data Coalition members look forward to supporting OMB and federal agencies in continuing to build a stronger national data infrastructure and welcome the opportunity to provide further expertise and perspective on the suggestions in this letter. We welcome the opportunity to provide technical assistance to any OMB officials or career staff in order to advance coherent, sound data policy in the United States.

Respectfully,



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