

**U.S. DEPARTMENT OF COMMERCE
OFFICE OF THE UNDER SECRETARY FOR ECONOMIC AFFAIRS
ADVISORY COMMITTEE ON DATA FOR EVIDENCE BUILDING
CHARTER**

- 1. Committee's Official Designation.** Advisory Committee on Data for Evidence Building.
- 2. Authority.** The Foundations for Evidence-Based Policymaking Act of 2018 (P.L. 115-435, Evidence Act), § 101(a)(2) (5 U.S.C. § 315(a)) required the Office of Management and Budget (OMB) Director, or the head of an agency designated by the Director, to establish an Advisory Committee on Data for Evidence Building (Committee). Pursuant to authority granted in the OMB letter dated September 3, 2019, the Committee will be managed and administered by the Department of Commerce, Office of the Under Secretary for Economic Affairs (OUSEA).
- 3. Objectives and Scope of Activities.** The Evidence Act states that the Committee will review, analyze, and make recommendations on how to promote the use of Federal data for evidence building.
- 4. Description of Duties.** The Committee shall assist the OMB Director in carrying out the duties of the Director under part D of subchapter III of chapter 35 of title 44, which concerns access to data for evidence; evaluate and provide recommendations to the Director on how to facilitate data sharing, enable data linkage, and develop privacy enhancing techniques; and review the coordination of data sharing or availability for evidence building across all agencies. The Committee shall submit to the Director and make publicly available an annual report on the activities and findings of the Committee.
- 5. Agency or Official to Whom the Committee Reports.** The Committee reports to the OMB Director.
- 6. Support.** OUSEA has been designated by OMB to provide the Committee with such administrative services, funds, staff, equipment, and other support services as may be necessary to carry out its mission to the extent permitted by law and within existing appropriations.
- 7. Estimated Annual Operating Costs and Staff Years.** The estimated annual operating cost of the Committee is approximately \$391,630.00 per year, which includes 1 full-time equivalent per year of staff support as well as allowable travel expenses for all members, assuming a minimum of three in-person meetings per year or as many as 12 virtual meetings per year. Members of the Committee shall serve without any compensation for their work on the Committee, but will, upon request, be reimbursed for travel expenses. Allowable travel expenses for non-Federal members include per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in government service (5 U.S.C. § 5703), consistent with the availability of funds.

8. **Designated Federal Officer.** The Under Secretary for Economic Affairs shall appoint a full-time or permanent part-time Federal officer or employee to serve as the Designated Federal Officer (DFO) and the alternate DFO. The DFO, under the direction of the Committee Chair, will approve or call all Committee and subcommittee meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, chair meetings when directed to do so by the Chair of the Committee, assemble and maintain the records of the Committee, and ensure compliance with the Federal Advisory Committee Act (FACA) and any other applicable laws and regulations. In the DFO's discretion, the DFO may request the assistance of other Federal employees as support staff to assist the DFO in fulfilling these responsibilities.
9. **Estimated Number and Frequency of Meetings.** Meetings are expected to occur a minimum of three in-person meetings per year or as frequently as monthly in a virtual form as the Chair may determine.
10. **Duration.** The Charter of the Committee will terminate when the Committee terminates on October 23, 2022, unless earlier terminated or renewed by proper authority.
11. **Termination.** As the Evidence Act requires that this Committee shall terminate not later than two years after the date of the first meeting, this Committee will terminate on October 23, 2022.
12. **Membership and Designation.** According to the Evidence Act, the Chief Statistician of the United States shall serve as the Chair of the Committee and other members shall be appointed by the Director of the OMB as follows: one agency Chief Information Officer; one agency Chief Privacy Officer; one agency Chief Performance Officer; three members who are agency Chief Data Officers; three members who are agency Evaluation Officers; and three members who are members of the Interagency Council for Statistical Policy established under section 3504(e)(8) of title 44.

Additionally, at least 10 members will be appointed who are representatives of State and local governments and nongovernmental stakeholders with expertise in government data policy, privacy, technology, transparency policy, evaluation and research methodologies, and other relevant subjects. Of these members: at least one shall have expertise in transparency policy; at least one shall have expertise in privacy policy; at least one shall have expertise in statistical data use; at least one shall have expertise in information management; at least one shall have expertise in information technology; and at least one shall be from the research and evaluation community. Committee members serve for a term of two (2) years. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

Appointed members will present the technical expertise, views and interests of their various communities of data expertise, including privacy policy, information management, evaluation methodologies, etc. Because non-Federal Committee members will serve as

Special Government Employees, they will be subject to certain ethical restrictions and required to submit certain information in connection with the appointment process.

Members shall not reference or otherwise utilize their membership on the Committee in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the Committee, the OMB, OUSEA, or the Department.

13. Subcommittees. Subcommittees may be formed by the Chair to address specific issues. All subcommittees must always report back to the full Committee and must not provide advice or work products directly to the OMB or any other Federal agency or official.

14. Recordkeeping. The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.



Chief Financial Officer and Assistant Secretary
for Administration

1-12-21

Filing Date