

## Attachment A

### Authorization for Research Data Center Proposal

#### National Center for Health Statistics

**Sec. 306 [242k]** (a) There is established in the Department of Health and Human Services the National Center for Health Statistics (hereinafter in this section referred to as the "Center") which shall be under the direction of a Director who shall be appointed by the Secretary. The Secretary, acting through the Center, shall conduct and support statistical and epidemiological activities for the purpose of improving the effectiveness, efficiency, and quality of health services in the United States.

(b) In carrying out subsection (a), the Secretary, acting through the Center—

(1) shall collect statistics on—

(A) the extent and nature of illness and disability of the population of the United States (or of any groupings of the people included in the population), including life expectancy, the incidence of various acute and chronic illnesses, and infant and maternal morbidity and mortality,

(B) the impact of illness and disability of the population on the economy of the United States and on other aspects of the well-being of its population (or of such groupings),

(C) environmental, social, and other health hazards,

(D) determinants of health,

(E) health resources, including physicians, dentists, nurses, and other health professionals by specialty and type of practice and the supply of services by hospitals, extended care facilities, home health agencies, and other health institutions,

(F) utilization of health care, including utilization of (i) ambulatory health services by specialties and types of practice of the health professionals providing such services, and (ii) services of hospitals, extended care facilities, home health agencies, and other institutions,

(G) health care costs and financing, including the trends in health care prices and cost,

- Section 306(b)(4) of the Public Health Service Act [42 U.S.C. 242k(b)(4)] –

“(b) Duties

In carrying out subsection (a), the Secretary, acting through the Center,

...

(4) may collect, furnish, tabulate, and analyze statistics, and prepare studies, on matters referred to in paragraph (1) upon request of public and nonprofit private entities under arrangements under which the entities will pay the cost of the service provided.”

One Hundred Fifteenth Congress  
of the  
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,  
the third day of January, two thousand and eighteen*

An Act

To amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Foundations for Evidence-Based Policymaking Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—FEDERAL EVIDENCE-BUILDING ACTIVITIES**

Sec. 101. Federal evidence-building activities.

**TITLE II—OPEN GOVERNMENT DATA ACT**

Sec. 201. Short title.

Sec. 202. OPEN Government data.

**TITLE III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY**

Sec. 301. Short title.

Sec. 302. Confidential information protection and statistical efficiency.

Sec. 303. Increasing access to data for evidence.

**TITLE IV—GENERAL PROVISIONS**

Sec. 401. Rule of construction.

Sec. 402. Use of existing resources.

Sec. 403. Effective date.

**TITLE I—FEDERAL EVIDENCE-BUILDING ACTIVITIES**

**SEC. 101. FEDERAL EVIDENCE-BUILDING ACTIVITIES.**

(a) **IN GENERAL.**—Chapter 3 of part I of title 5, United States Code, is amended—

(1) by inserting before section 301 the following:

“SUBCHAPTER I—GENERAL PROVISIONS”; AND

(2) by adding at the end the following:

- Title III - Confidential Information Protection and Statistical Efficiency (see 44 U.S.C.

3583).

“(a) STANDARD APPLICATION PROCESS -The Director shall establish a process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply to access the data assets accessed or acquired under this subchapter by a statistical agency or unit for purposes of developing evidence.

(1) Sufficient detail to ensure that each statistical agency or unit establishes an identical process.

(2) A common application form.

(3) Criteria for statistical agencies and units to determine whether to grant an applicant access to a data asset.

(4) Timeframes for prompt determinations by each statistical agency or unit.

(5) An appeals process for adverse decisions and noncompliance with the process established under this subsection.

(6) Standards for transparency, including requirements to make the following information publicly available:

(A) Each application received.

(B) The status of each application.

(C) The determination made for each application.

(D) Any other information, as appropriate, to ensure full transparency of the process established under this subsection.

(b) CONSULTATION.—In establishing the process required under subsection (a), the Director shall consult with stakeholders, including the public, agencies, State and local governments, and representatives of non-governmental researchers.

(c) IMPLEMENTATION.—The head of each statistical agency or unit shall implement the process established under subsection (a).”