

Implementation of the Evidence Act

What is the Evidence Act?

The [Foundations for Evidence-Based Policymaking Act of 2018](#) (Evidence Act) aims to increase the availability of data and evidence necessary to make decisions about program operations, policy, and regulations. The law requires that Federal agencies, including DOL, advance evidence-building activities, open government data, and strengthen the provisions relating to confidential information protection and statistical efficiency.

Who has key responsibilities in implementation of the Evidence Act?

The law enumerates three “Evidence Officials” to oversee the implementation of the law’s components: an **Evaluation Officer**, **Chief Data Officer**, and **Statistical Official**.

Within DOL, the Evidence Officials also include the Director of the Performance Management Center, to reflect the Department’s commitment to evidence-building activities including statistics, performance management, data management and analysis, and evaluation. DOL’s Evidence Officials coordinate to ensure strategic overlap in function and in meeting various interrelated requirements including but not limited to the Evidence Act.

- **Evaluation Officer and the Chief Evaluation Office (CEO)**

The Chief Evaluation Officer and CEO, in the Office of the Assistant Secretary for Policy, coordinate the Department’s evidence-building activities, including developing three new public-facing Departmental resources to support the use of evidence during the next four years:

1. A retrospective assessment of gaps, strengths, and challenges in the Department’s capacity to develop and use rigorous data for decision-making, spanning FY 2018-2022.
2. A forward-facing evidence-building plan describing key activities that the Department will undertake during FY 2022-2026, in order to develop and use data
3. A forward-facing annual evaluation plan, describing significant evaluations that will be undertaken across the Department in the subsequent FY.

Further, the DOL Chief Evaluation Officer is one of three Evaluation Officers across Federal government appointed to the Evidence-Act mandated [Advisory Committee on Data for Evidence Building](#), which will review, analyze, and make recommendations on how to promote the use of Federal data for evidence building. The committee’s duties include assisting the Director of OMB on issues of access to data and providing recommendations on how to facilitate data sharing, data linkage, and privacy enhancing techniques. The first meeting of this 2-year advisory committee is October 23, 2020.

- **Chief Data Officer and the Office of Data Governance**

The Chief Data Officer and the Office of Data Governance, in the Office of the Assistant Secretary for Policy, coordinate the Department’s response to the Evidence Act’s Title 2 requirements. [Guidance](#) from OMB for Title 2 in the form of the emerging [Federal Data](#)

[Strategy](#) requires Federal agencies to stand up a diverse data governance body and to implement numerous assessments and actions related to data management, skills, sharing and use. In addition, the last four years have seen a proliferation of laws related to specific kinds of data management, use, and sharing including the [Geospatial Data Act of 2018](#) and the [Grant Reporting Efficiency and Agreements Transparency Act of 2019](#).

- **Statistical Official and the Bureau of Labor Statistics (BLS)**

The Commissioner of Labor Statistics is the Statistical Official for the Department. The duties and responsibilities of the Statistical Official are laid out in [OMB memorandum M-19-23](#) on pages 30 and 31.

Further, BLS, as the statistical agency in DOL, implements provisions related to confidential information protection and statistical efficiency. In addition, the new version codifies the four primary principles from [OMB Statistical Policy Directive No. 1, “Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units”](#), which require agencies to “produce and disseminate relevant and timely information; conduct credible and accurate statistical activities; conduct objective statistical activities; and protect the trust of information providers by ensuring the confidentiality and exclusive statistical use of their responses.” The BLS coordinated the development of regulations implementing these new provisions, working with other statistical agencies. Those regulations are pending at OMB.