



Focus Area 1: Legislation and Regulations

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Overview of Proposed Focus Area Scope

Scope of Topics

- **Emphasize the impact and clarify the need for using existing legal authorities.** Regulations and guidance have not yet been developed for important elements of the Evidence Act (e.g., presumption of accessibility, OPEN Government Data Act implementation & standard data sensitivity assessment).
- **Identify additional guidance or regulation** that may be needed to promote successful data sharing policies, potentially including standardized MOUs.
- **Weigh Evidence Commission-suggested additional authorities and statutory modifications** (e.g., Title 13 and 26) based on current environment and capabilities, including to support implementation of NSDS.
- **Consider additional proposals to support intergovernmental cooperation, statistical system efficiency,** and priorities from other subcommittees (e.g., data sync)

Initial Low-Hanging Fruit

Potential Quick Wins

- Call on OMB to **issue overdue regulations and guidance under the Evidence Act, OPEN Government Data Act, and CIPSEA**:
 - Issue Interim Direct Final Rule on Public Trust in government Data under Evidence Act Title 3 / CIPSEA
 - Issue Interim Direct Final Rule on Presumption of Data Accessibility in Evidence Act Title 3 / CIPSEA
 - Issue Proposed Rule on CIPSEA delegation status from Evidence Act
 - Issue OMB Guidance on Evidence Act Title 2/ OPEN Government Data Act Implementation
- Recommend that OMB **update overdue data standards**, such as for race/ethnicity
- Direct OMB to use its authority under the Paperwork Reduction Act to **compel agency data sharing in targeted, high-priority areas** like COVID mitigation, oversight of pandemic spending, and improper payments
- Endorse select legislative proposals offered by the Evidence Commission such as the strategies to promote intergovernmental cooperation, sharing of specific income/earnings data

Committee Discussion

Discussion Questions

- Does the committee generally agree that OMB needs to issue regulations and guidance for current law, upon which this committee's work is intended to build and provide advice on?
- Does the committee generally agree with the legislative recommendations offered by the Evidence Commission?
- To what extent does the committee want to include appropriations within this subcommittee's work?