



POLICY ISSUE

(Notation Vote)

October 1, 2020

SECY-20-0088

FOR: The Commissioners

FROM: Margaret M. Doane
Executive Director for Operations

SUBJECT: PROPOSED EVALUATION POLICY STATEMENT

PURPOSE:

The purpose of this paper is to seek Commission approval of a proposed Evaluation Policy Statement (policy statement) that the staff has developed in accordance with the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act). Staff is also seeking approval to publish the proposed policy statement in the *Federal Register* for a 30-day comment period.

BACKGROUND:

The Evidence Act requires each agency to name an Evaluation Officer who shall “establish and implement an agency evaluation policy” (5 U.S.C. § 313 (d)(3)). For the U.S. Nuclear Regulatory Commission (NRC), the Evaluation Officer is Raymond Furstenau, Director, Office of Nuclear Regulatory Research (RES). The Evaluation Officer is supported by the Chief Data Officer, David Nelson, NRC's Chief Information Officer; and the Statistical Official, Michael Case, Director, Division of Systems Analysis, RES. The Office of Management and Budget (OMB) issued two guidance documents that describe the duties of the Evaluation Officer and the necessary content that the Evaluation Officer should include in the policy statement.

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First, on July 10, 2019, OMB issued M-19-23, “Phase 1 Implementation of the Foundations for Evidence Based Policymaking Act of 2018: Learning Agendas, Personnel, and Planning Guidance.” It describes the duties of the Evaluation Officer as follows:

[O]versees or conducts the...establishment and implementation of an agency evaluation policy that affirms the agency's commitment to conducting rigorous, relevant evaluations and to using evidence from evaluations to inform policy and practice. The policy will provide the agency's stakeholders with a clear understanding of the expectations related to key principles, such as evaluation rigor, relevance, transparency, independence, and ethics.

Second, on March 10, 2020, OMB issued M-20-12, “Phase 4 Implementation of the Foundations for Evidence Based Policymaking Act of 2018: Program Evaluation Standards and Practices,” which, in Appendix C, “Evaluation Practices,” provides guidance on how to establish, implement, and widely disseminate an agency evaluation policy.

The OMB convened an interagency council to consult on this guidance for the Federal agencies to develop effective policy statements. The interagency council reviewed an extensive list of source documents such as Federally-commissioned reports by the National Academies; publications by the Commission for Evidence-Based Policymaking; guidelines and principles published by the American Evaluation Association; a wide cross-section of Federal agency evaluation policies and guidelines; reports and guidance issued by the U.S. Government Accountability Office; and standards and guidelines issued by international agencies and nongovernmental organizations.

M-20-12 discusses the following approaches:

- ensuring that the agency evaluation policy incorporates the evaluation standards contained in M-20-12,
- ensuring that the policy statement is written in plain language,
- publishing the evaluation policy publicly,
- providing training to make staff at all levels aware of the policy and its role in guiding the agency's evaluation activities, and
- referencing and requiring adherence to the evaluation policy in funding opportunities.

Appendix C to M-20-12 also provides the Federal program evaluation standards “to improve the quality and use of evaluation across Federal agencies.” At the same time the guidance considers that individual agency initiatives may vary depending on its mission and size. It provides that agencies must “build policies, evaluation offices, and infrastructure that meet their distinct evaluation needs and responsibilities.”

DISCUSSION:

The NRC staff followed the applicable guidance listed above to develop the enclosed proposed policy statement. The policy statement will be published in the *Federal Register*, pending Commission approval, for public notice and a 30-day comment period. The staff will consider holding a public meeting to discuss the feedback provided by the public if the staff receives an adequate number of comments on the policy statement. The NRC staff will also address additional actions for implementing the policy statement in the evidence building and evaluation

management directive that it committed to prepare in SECY-20-0067, “Foundations for Evidence-Based Policymaking Act of 2018: Interim Learning Agenda, Interim Capacity Assessment, and Annual Evaluation Plan.” The proposed policy statement was developed in consultation with the NRC’s Data Governance Board.

Specifically, the proposed policy recognizes that NRC is a smaller agency and the infrastructure to carry out these standards is appropriate to its size. Further, because of the agency’s unique mission to protect public health and safety, and the environment, it must routinely evaluate engineering and scientific standards to support its decision-making. The NRC staff currently performs evaluations that are of high-quality, which the Evidence Act further enhances. The agency has invested significant time and resources into performing these high-quality evaluations and incorporating data, as appropriate, in making decisions to assure adequate protection of public health and safety and the environment. The evaluation standards presented in this proposed policy statement strengthen and document the NRC’s commitment to continuing to perform high-quality evaluations. The policy statement also serves to inform stakeholders of the NRC’s continued commitment to conducting rigorous, relevant evaluations and to using evidence from those evaluations to inform policy and practice.

NEXT STEPS:

Listed below are the next steps that the NRC staff will take, should the Commission approve the proposed policy statement.

1. Publish the proposed policy statement in the *Federal Register* for public notice and a 30-day comment period following Commission approval.
2. Provide a Notation Vote paper to the Commission with the final proposed policy statement for approval 60-days after the closure of the *Federal Register* comment period.
3. The Office of the Executive Director for Operations, led by the Evaluation Officer, will continue to work with the program offices to support rollout, communications, and training efforts, as appropriate. The Evaluation Officer will continue to participate in interagency dialogues to ensure knowledge of, and promote the use of, best practices and governmentwide standards.

RECOMMENDATION:

The staff recommends that the Commission approve the enclosed proposed policy statement for publication in the *Federal Register*.

The Commissioners

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COORDINATION:

The Office of the General Counsel reviewed this package and has no legal objection.

Margaret M. Doane
Margaret M. Doane
Executive Director
for Operations

Digitally signed by Margaret M.
Doane
Date: 2020.10.01 14:17:36 -04'00'

Enclosure:

1. FRN Noticing Proposed
Evaluation Policy Statement
for Public Comment.

SUBJECT: PROPOSED EVALUATION POLICY STATEMENT DATED: October 1, 2020

**ADAMS Accession Number: Package: ML20268A650; SECY: ML20268A731
Enclosure 1: ML20268A811**

***via email**

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