

## S&T Analysis and Management of Innovation Activity IV (STAMINA IV)

FY24 Annual Report for Period September 29, 2023 to September 28, 2024

### Appendix E: Synopsis of NDAA 17, 6 U.S. Code § 195e - Transparency in Research and Development, and Evidence Act Summary.

#### E1. NDAA17: Sec. 1906. Transparency in Research and Development. Public Law 114–328—Dec. 23, 2016, National Defense Authorization Act for Fiscal Year 2017.

Sec. 1906. Transparency in Research and Development. Public Law 114–328—Dec. 23, 2016, National Defense Authorization Act for Fiscal Year 2017.

##### (a) Requirement to list research and development programs

(1) In general. The [Secretary](#) shall maintain a detailed list of the following:

(A) Each [classified](#) and unclassified research and development [project](#), and [all appropriate details](#) for each such [project](#), including the component of the [Department](#) responsible for each such [project](#).

(B) Each task order for a Federally Funded Research and Development Center not associated with a research and development [project](#).

(C) Each task order for a University-based center of excellence not associated with a research and development [project](#).

(D) The indicators developed and tracked by the Under [Secretary](#) for Science and Technology with respect to transitioned [projects](#) pursuant to subsection (c).

(2) Exception for certain completed projects. Paragraph (1) shall not apply to a [project](#) completed or otherwise terminated before December 23, 2016.

(3) Updates. The list required under paragraph (1) shall be updated as frequently as possible, but not less frequently than once per quarter.

(4) Research and development defined. For purposes of the list required under paragraph (1), the [Secretary](#) shall provide a definition for the term “research and development”.

##### (b) Requirement to report to Congress on all projects

Not later than January 1, 2017, and annually thereafter, the [Secretary](#) shall submit to the Committee on [Homeland](#) Security of the House of Representatives and the Committee on [Homeland](#) Security and Governmental Affairs of the Senate a [classified](#) and unclassified report, as applicable, that lists each ongoing [classified](#) and unclassified [project](#) at the [Department](#), including [all appropriate details](#) of each such [project](#).

##### (c) Indicators of success of transitioned projects

(1) In general. For each [project](#) that has been transitioned to practice from research and development, the Under [Secretary](#) for Science and Technology shall develop and track indicators to demonstrate the uptake of the technology or [project](#) among customers or end-users.

(2) Requirement. To the fullest extent possible, the tracking of a [project](#) required under paragraph (1) shall continue for the three-year period beginning on the date on which such [project](#) was transitioned to practice from research and development.

(d) Definitions

In this section:

(1) All appropriate details. The term “[all appropriate details](#)” means, with respect to a research and development [project](#)—

- (A) the name of such [project](#), including both [classified](#) and unclassified names if applicable;
- (B) the name of the component of the [Department](#) carrying out such [project](#);
- (C) an abstract or summary of such [project](#);
- (D) funding levels for such [project](#);
- (E) [project](#) duration or timeline;
- (F) the name of each contractor, grantee, or cooperative agreement partner involved in such [project](#);
- (G) expected objectives and milestones for such [project](#); and
- (H) to the maximum extent practicable, relevant literature and patents that are associated with such [project](#).

(2) Classified. The term “[classified](#)” means anything containing—

- (A) [classified](#) national security information as defined in section 6.1 of [Executive Order 13526 \(50 U.S.C. 3161\)](#) note) or any successor order;
- (B) Restricted Data or data that was formerly Restricted Data, as defined in [section 2014\(y\) of title 42](#);
- (C) material [classified](#) at the Sensitive Compartmented Information (SCI) level, as defined in [section 3345 of title 50](#); or
- (D) information relating to a special access program, as defined in section 6.1 of [Executive Order 13526 \(50 U.S.C. 3161\)](#) note) or any successor order.

(3) Controlled unclassified information. The term “[controlled unclassified information](#)” means information described as “[Controlled Unclassified Information](#)” under [Executive Order 13556 \(50 U.S.C. 3501\)](#) note) [\[1\]](#) or any successor order.

(4) Project. The term “[project](#)” means a research or development [project](#), program, or activity administered by the [Department](#), whether ongoing, completed, or otherwise terminated.

(e) Limitation. Nothing in this section overrides or otherwise affects the requirements specified in [section 468 of this title](#).

## E2. Evidence Act Summary Extracts from Selected Government References

### E2.1. Overview

[The Foundations for Evidence-Based Policymaking Act of 2018](#) ("Evidence Act"), signed into law on January 14, 2019, establishes processes for the federal government to modernize data management practices, evidence-building functions, and statistical efficiency. It was established to advance evidence-building in the federal government by improving access to data and expanding evaluation capacity, and it requires the federal government to modernize its data management practices.

The Evidence Act requires the White House Office of Management and Budget and federal agencies to build the foundational capacity to use evidence and data in their decisions and policymaking.

Evidence-based policymaking is the process of using high-quality information to inform decisions that are made about government policies. It involves the systematic collection and analysis of high-quality data with rigorous research methods, which creates evidence on which decisions can be based.

The framework has five key components, each with multiple steps that enable governments to make better choices through evidence-based policymaking: (1) program assessment, (2) budget development, (3) implementation oversight, (4) outcome monitoring, and (5) targeted evaluation. The Evidence Act emphasizes collaboration and coordination to advance data and evidence-building functions in the federal government by mandating federal evidence-building activities, open government data, confidential information protection, and statistical efficiency.

### E2.2. Learning Agendas

Learning Agendas, or evidence-building plans, are systematic plans for identifying and addressing priority questions relevant to an agency's programs, policies, and regulations. They identify, prioritize, and establish strategies to develop evidence to answer important short- and long-term questions, including:

- Strategic questions about how the agency meets its mission(s), including how programs, policies, and regulations function, and
- Operational questions about the agency's operations including human resources, grant-making procedures, financial systems and tracking, and internal processes.

Learning agendas should be iterative, flexible, transparent, and tailored to meet an individual agency's needs and address agency-specific challenges to developing evidence. Sources: [OMB M-19-23](#) and [OMB M-21-27](#).

### E2.3. Capacity Assessments for Statistics, Research, Evaluation, and Other Analysis

As required by the Evidence Act, agencies must assess the coverage, quality, methods, effectiveness, and independence of their statistics, evaluation, research, and analysis efforts. The Capacity Assessment is intended to help agencies assess their ability and infrastructure to

conduct evidence-building activities like foundational fact-finding, performance measurement, policy analysis, and program evaluation.

For additional details about the requirements of the Capacity Assessment, see Appendix D of [OMB M-19-23](#) and [Section 290 of A-11](#).

[The Capacity Assessment for DHS is here.](#)

#### **E2.4. Annual Evaluation Plans**

Annual Evaluation Plans describe the "significant" evaluations an agency plans to conduct in the fiscal year indicated by the plan. Each agency defines how to determine significant evaluations, but most reflect factors such as:

- The importance of a program or funding stream to the agency's mission,
- The size of the program in terms of funding or people served, and
- The extent to which the study will fill a critical knowledge gap regarding the program, population(s) served, or the issue(s) the program was designed to address.

Sources: [OMB M-19-23](#) and [OMB M-21-27](#).

[The FY2025 Annual Evaluation Plan for DHS is provided here.](#)

#### **E2.5. Evaluation Policies**

Agency Evaluation Policies, required by the Evidence Act for CFO Act agencies, must be established as a guide for the agency's evaluation activities throughout the evaluation lifecycle. Evaluation policies should incorporate the standards described in [OMB M-20-12](#) and any other standards or principles deemed essential for the agency.

CFO Act agencies are expected to publish this document in February 2022. Evaluation.gov will be updated to provide active links to these agency documents as they become available.

[The Evaluation Policy for DHS is provided here.](#)

It states as its purpose,

The Department of Homeland Security (DHS) is committed to ensuring a strong culture of evaluation, evidence-building, and organizational learning. A robust and coordinated evaluation function is essential to the Department's capacity to build rigorous evidence for better decision making. This Directive provides the overall policy, responsibilities, and principles for the evaluation within the Department.