

2022 What Works Guide for Federal Legislation

Over the past 10 years, policymakers from across the political spectrum have focused more than ever before on evidence and data to get better results.

The Biden Administration has significantly enhanced these efforts and encouraged the federal government, states, and local partners to make evidence-based decisions when spending federal dollars. The Memorandum on [Scientific Integrity and Evidence-Based Policymaking](#) outlined this vision and has been reinforced through the U.S. Treasury's [State and Local Fiscal Recovery Fund Guidance](#) and the [Compliance and Reporting Guidance](#) for the *American Rescue Plan Act*. Below are Results for America's recommendations for harnessing the power of evidence and data in federal legislation.

1. BUILD EVIDENCE FOR WHAT WORKS

A 2017 Government Accountability Office [report](#) found that most federal policies and programs are rarely, if ever, evaluated to determine their impact and how to improve them. Congress should help by building evidence of what works.

- Set aside at least 1% of funds for rigorous evaluations within each federal discretionary grant program.
 - Example: Federal appropriations laws in FYs 16–21 [authorized](#) the U.S. Secretary of Labor to set aside up to 0.75% of workforce training funds for program evaluations. Since FY16, Labor has set aside \$40 million for evaluations. In FY20, four federal agencies [invested at least 1% in evaluations](#), including the Millennium Challenge Corporation (2.3%), Administration for Community Living at HHS (1.1%), U.S. Agency for International Development (1.07%), and Americorps (1%).
- Require federal grant recipients to participate in federal evaluations as a condition of the grant terms to build evidence through multi-site evaluations, for example.
- [Require and support states to develop longitudinal data systems that integrate administrative data across agencies and allow for a single point of entry](#) for program participants from a person's cradle to career to enhance multi-year, long-term evaluations.

2. INVEST IN WHAT WORKS

Most federal dollars are invested in policies and programs that government leaders *think* are good, but few are targeted toward what has *proven* to be effective. Instead, Congress should identify what works, steer funds toward evidence-based programs, and keep innovating.

- Within each law, policy area, or federal department, define what "evidence-based" means [using a tiered definition](#) to identify solutions with strong, moderate, and preliminary evidence, based on scientific rigor, and then to steer federal funds to more effective approaches (see below for how).
- Where the evidence base is strong, require that all or a percentage of program funds be invested in evidence-based solutions.
 - Example: [The Bipartisan Budget Act of 2018](#) required states, over time, to invest an increasing amount of funds in evidence-based approaches to reemployment services through the US Department of Labor (DOL). In FY19, DOL awarded \$130 million to states to conduct programs that met the requirement. In FY23, states must use no less than 25% of funds on evidence-based approaches, with that amount increasing to 50% in FY26.
- Where the evidence base is moderate or weaker, give a priority or preference to grant applicants using evidence-based solutions.
 - Example: In FY20, ED [prioritized evidence of effectiveness](#) when allocating funds from its five largest competitive grant programs. In FY20, \$3.16 billion was steered toward evidence-based activities.
- Within each law, policy area, or federal department, authorize an innovation fund that uses a tiered "evidence-based" framework to develop, replicate, and scale up effective solutions to big challenges.
 - Examples: There are currently four federal tiered-evidence innovation programs -- the [Education Innovation and Research](#) program at ED; the [Teen Pregnancy Prevention Program](#) at HHS; the [Maternal, Infant and Early Childhood Home Visiting Program](#) at HHS; and the [Development Innovation Ventures](#) at USAID. In FY20, together they steered \$697.4 million toward evidence-based solutions.
- Authorize the relevant federal agency, overseeing each major program in the legislation, to use federal funds for results-based contracting that conditions receipt of funds on achieving agreed-upon outcomes thus paying for results rather than inputs.
 - Example: The bipartisan Workforce Innovation and Opportunity Act (1) increased the amount of WIOA funds states can set aside and distribute directly from 5-10% to 15% and authorized them to invest these funds in Pay for Performance; (2) authorized states to invest their own workforce development funds, as

well as non-federal resources, in Pay for Performance; (3) authorized local workforce investment boards to invest up to 10% of their WIOA funds in Pay for Performance; and (4) authorized states and local workforce investment boards to award Pay for Performance contracts to intermediaries, community based organizations, and community colleges.

3. IMPROVE PLANNING, DATA COLLECTION, AND PROCUREMENT

Even with better evidence and greater investment in what works, state and local government leaders still need better data, smarter guidance, greater flexibility, and sharper technical assistance to take advantage of evidence-based approaches. Congress should help by doing the following:

- Within each law, policy area, or federal department, require federal agencies to identify, disseminate, and promote the utilization of evidence-based interventions (including the results of all federally funded evaluations) in a publicly available, user-friendly format.
 - Example: ED's [What Works Clearinghouse](#)TM (WWC) identifies studies that provide valid and statistically significant evidence of effectiveness of interventions and disseminates summaries and reports on the WWC website. As of April 2020, the WWC has reviewed more than 10,650 studies that are available in a [searchable database](#). It has published more than 590 Intervention Reports and 24 Practice Guides.
- Enhance performance reporting to [measure job quality](#) and [social outcomes](#).
- Require an absolute priority or competitive preference in federal competitive grant programs for applicants that demonstrate they have the capacity to build and use evidence.
 - Example: The bipartisan [Juvenile Justice Reform Act of 2018](#) requires states to give a priority to local applicants for a Youth Promise Grant that demonstrate ability in developing data-driven prevention plans, employing evidence-based prevention strategies, and conducting program evaluations.
- Increase flexibility for federal grantees in exchange for using data and evidence to improve results. For example, [allow states to use longer contract performance periods](#) based on program evidence.
 - Examples: The Workforce Innovation and Opportunity Act (WIOA) authorized the Secretary of Labor to grant WIOA waivers to state governments to test new ways to improve workforce outcomes. The current structure does not require rigorous evaluations of the programs receiving waivers, but it should do so. This would allow DOL to understand whether relevant programs were successful in improving workforce outcomes.

- Require federal agencies to provide technical assistance to grantees on building and using evidence.
 - Example: The bipartisan Juvenile Justice Reform Act of 2018 requires the Office of Juvenile Justice and Delinquency Prevention to provide technical assistance and training to states implementing evidence-based and promising programs and practices.
- Repurpose federal funds away from practices, grantees, and programs that consistently fail to achieve desired outcomes.
 - Example: Required by the Head Start Reauthorization Act of 2007, the [Head Start Designation Renewal System](#) determines whether Head Start and Early Head Start programs are providing high quality services. Where they are not, grantees are denied automatic renewal of their grant and must apply for funding renewal through an open competition process.

Investing ARPA Dollars in What Works

In June 2021, the U.S. Treasury Department issued "[Compliance and Reporting Guidance](#)" for state and local governments to follow when investing their \$350 billion in ARPA State and Local Fiscal Recovery Funds. This guidance reflects the [evidence-based policy recommendations](#) RFA provided and encourages jurisdictions to use data and invest in evidence-based solutions to get better results for their residents. RFA has identified [5 Ways Governments Can Make the American Rescue Plan Work for All](#); specifically how state and local governments should leverage the [ARP Final Rule](#) and Guidance to advance economic recovery, economic mobility, and racial equity by building the capacity for planning, data collection and analysis, policy, and technology, among others. This will enable leaders to better track results and build capacity to sustain outcomes over time.