



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D. C. 20503

ADMINISTRATOR
OFFICE OF
INFORMATION AND
REGULATORY AFFAIRS

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M-15-15

**MEMORANDUM FOR THE HEADS OF SELECTED EXECUTIVE DEPARTMENTS
AND AGENCIES**

FROM: Howard Shelanski
Administrator, Office of Information and Regulatory Affairs *H.S.*

SUBJECT: Improving Statistical Activities through Interagency Collaboration

This memorandum strongly encourages the Federal statistical agencies and units, and their parent Departments, to build interagency collaboration that will help the Federal statistical community more effectively meet the information needs of the 21st century.

My memorandum of November 26, 2014, on *Department Support for Implementation of Statistical Policy Directive No. 1*,¹ asked each Department and Agency hosting a Federal statistical agency or unit to report on its production and dissemination of relevant and timely information, such as how the Department or Agency “facilitates collaboration across other Federal agencies.” In their responses, Departments and Agencies underscored the fundamental importance of such interagency collaboration in maintaining relevant, timely, and accurate Federal statistics in an environment of rapidly changing information technology.

The Federal statistical agencies and units have a long tradition of working together. Two prominent examples are the Federal Interagency Forum on Aging-Related Statistics (the Aging Forum) and the Federal Interagency Forum on Child and Family Statistics (the Children’s Forum). Through the joint efforts of the participating statistical offices, the Federal Government has substantially improved the collection and dissemination of aging-related and child-related statistics by adopting a comprehensive, common Federal approach, rather than relying on stove-piped releases of information by each office.

Other examples of how interagency collaboration has improved the quality of Federal statistics while reducing inefficiencies include scientific symposia and shared use of technical training programs. Agencies have recently been working on sharing administrative data for

¹ OMB Memorandum M-15-03 is available at <http://www.whitehouse.gov/sites/default/files/omb/memoranda/2015/m-15-03.pdf>.

statistical purposes,² which will strengthen the accuracy, relevance, and efficiency of Federal statistics.

There are a number of tools for carrying out interagency collaborations. One of these tools is the Economy Act (31 U.S.C. § 1535), which authorizes Departments and agencies to place orders for goods and services from one another.³ The Economy Act allows Departments and agencies to carry out their missions in a more efficient and effective manner by leveraging their comparative skills rather than operating individually in a stove-piped manner. The Economy Act can be used for agency-to-agency collaborations (e.g., payroll servicing) and for multi-agency collaborations (e.g., the eRulemaking program and *Regulations.gov*).⁴ Use of the Economy Act is addressed in the Federal Acquisition Regulation at 48 C.F.R. Subpart 17.5 (*Interagency Acquisitions*) and in the memorandum on *Improving the Management and Use of Interagency Acquisitions* that OMB's Office of Federal Procurement Policy (OFPP) issued on June 6, 2008.⁵ In the memorandum, OFPP explained that “[i]nteragency acquisitions offer important benefits to Federal agencies, including economies and efficiencies and the ability to leverage resources,” and OFPP provided guidance “intended to help agencies achieve the greatest value possible from interagency acquisitions.”

Other authorities enabling interagency collaborations are available. Some authorities may have greater procurement flexibilities than others, which can be particularly valuable when accommodating plans across multiple agencies for a given fiscal year.⁶

Interagency collaboration can also leverage efficiencies in the procurement of statistical products and services. For example, last December OFPP announced a new model for Federal contracting designed to reduce wasteful duplication of effort across agencies. The Category Management model takes an enterprise-wide approach to spending whereby procurement of common services is examined by category, and each category is managed by a team of experts that develops strategies for consistent deployment across agencies. The Acquisition Gateway, an

² OMB Memorandum M-14-06 is available at

<http://www.whitehouse.gov/sites/default/files/omb/memoranda/2014/m-14-06.pdf>.

³ Under the Economy Act, the amounts for the purchase must be available, there must be a bona fide need, the ordered goods or services cannot be provided by contract from a commercial enterprise as efficiently as could be by the Government, and the servicing agency is able to provide or get by contract the ordered goods or services. The servicing agency must incur the obligation within the available period, and full cost recovery must occur. Within these requirements, the products and services that could be obtained are broad, and do not preclude salaries.

⁴ The Office of Legal Counsel (OLC) has addressed both types of Economy Act agreements. See *Mechanisms for Funding Intelligence Centers*, 28 Op. O.L.C. 62 (2004) and *Reimbursement of the Department of Justice for Providing Legal Assistance to the Department of Health and Human Services*, 9 Op. O.L.C. 96 (1985), available at <http://www.justice.gov/olc/opinions-main>. In addition, as OLC has noted, while GAO opinions “are not binding” on the Executive Branch, they “often provide helpful guidance on appropriations matters and related issues.” 28 Op. O.L.C., *supra*, at 64 n.1 (quoting a prior OLC opinion). GAO’s *Red Book* includes a lengthy discussion of the Economy Act. See GAO, *Principles of Federal Appropriations Law* (3rd ed.), Vol. III, Chapter 12, Section B.1, available at <http://www.gao.gov/legal/redbook/redbook.html>.

⁵ The OFPP memorandum is available at

http://www.whitehouse.gov/sites/default/files/omb/assets/procurement/iac_revised.pdf.

⁶ For example, Section 306(b)(4) of the Public Health Service Act, 42 U.S.C. [242k(b)(4)]]] authorizes the National Center for Health Statistics to collect and analyze health statistics upon request of public and nonprofit private entities under arrangements in which the entities will pay the cost of the service provided. Payments are available for obligation until expended.

online portal guided by the Category Management model of procurement, will provide contract information, pricing tools, and other information to support agency program and acquisition planning. For example, one effort will provide information to facilitate the procurement of a single license for government-wide use of statistical software, in accordance with provisions in the Federal Information Technology Acquisition Reform Act.

The authorities and efforts described above offer important opportunities to further strengthen interagency collaboration. The Statistical and Science Policy Branch of my office, with the support of our Office of General Counsel and OFPP, look forward to facilitating discussions within or across your agencies should your procurement, financial/budget, or legal offices have any questions.