



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE ORDER

No. 2022-11

Department of Technology, Management, and Budget Michigan Center for Data and Analytics

To get things done for the people of Michigan, state government needs the best possible information. In the twenty-first century, that means both access to data and the ability to analyze and use it effectively. By establishing the Michigan Center for Data and Analytics ("Center"), we can bring the State of Michigan's information and analytical capabilities together to increase knowledge and informed decision making. We can also identify areas where state actions can be most effective. Creating the Center will build on our efforts, reflected in Executive Order 2016-24, to establish enterprise information management architecture and centralized mechanisms for information sharing and analysis.

Properly analyzed, data can provide us with insights that we can use to move Michigan forward. These insights will also open new possibilities for collaboration with problem solvers inside and outside of government to address the most important challenges Michiganders face. We can study wage, employment history, and benefit programs to grow the middle class. We can direct economic development investments to bolster a wide range of industries and empower small businesses in every region of Michigan. We can better understand how to mitigate the economic impacts of climate change. We can reduce crime and recidivism by linking workforce and corrections data to identify which programs are most successful in connecting people to jobs. We can connect health and education systems to learn how to put our children on the strongest path to success.

Developing Michigan's data capabilities also enhances coordination across state agencies. Information should not be siloed. Instead, it should be appropriately used across government to make decisions and coordinate resources.

Information should also be protected and used appropriately. Safe management and storage is a critical aspect of the state's responsibility. Establishment of the Center will build on the work of the departments to increase our ability to use data without jeopardizing its security and integrity.

A dedicated Center, housed within the Department of Technology, Management, and Budget ("Department"), will provide Michigan with the expertise to analyze large datasets, understand the challenges we face, and evaluate solutions. The Center will also facilitate cooperation and information-sharing between departments and independent agencies. Unleashing the state's data potential will help us build a stronger Michigan.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 2 of article 5 of the Michigan Constitution of 1963 empowers the governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the governor considers necessary for efficient administration.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Under MCL 16.107, the Department must create the Michigan Center for Data and Analytics. The Chief Data Officer, established by Executive Order 2016-24, shall serve as Director of the Center ("Director").
2. The Center will consult with the Enterprise Information Management Steering Committee established by Executive Order 2016-24 to establish evidence-based policy priorities, share best practices, and discuss cross-departmental initiatives.
3. As set forth in MCL 18.1124(3), all departments and agencies are required to cooperate with the Department to facilitate the sharing of data. The Center is created to ensure the state can efficiently and safely share and analyze information in order to increase the state's access to evidence-based insights and to better inform decision makers.
4. Departments and agencies must provide the Center with access to Government Data held by their departments or agencies upon request of the Director or their designee. For the purposes of this Executive Order, "Government Data" is defined as any information created, received, maintained, or stored by or otherwise in the control of a department or agency covered by this order, regardless of the form or the media on which the information is recorded.
5. Pursuant to MCL 18.1124(3), the Chief Information Officer must "determine data ownership assignments among executive branch departments and agencies." By virtue of this order, the Chief Information Officer confirms that each executive branch department or agency retains ownership of Government Data created, received, maintained, or stored by or otherwise in the control of that department or agency. All requests for Government Data from entities not covered by this order, including but not limited to, requests pursuant to civil process or the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, must be processed by the department or agency that retains ownership of the Government Data, as required by law.
6. Each department and agency, including DTMB and the Center, has a responsibility to protect all Government Data in its possession or control. Where two or more departments and agencies have access to the same data, each has an independent

responsibility to secure their means of access to the Government Data.

7. This order is not intended to alter any statute, regulation, or written agreement that governs the collection, storage, or use of any Government Data.
8. Where access to or sharing of data is prohibited by written agreement or by law, including federal law or regulation and state law or regulation, the department or agency must provide the Director or their designee with a written notice including the text of the applicable prohibition. Where access to or sharing of data is restricted by written agreement or by law, including federal law or regulation and state law or regulation, the department or agency must work with the Director or their designee to establish procedures to allow relevant portions of the Government Data to be accessed by the Center. Such procedures may include but are not limited to redacting or anonymizing the Government Data or providing additional protections to comply with applicable restrictions.
9. The Center will not share Government Data with entities not covered by this order unless the department or agency that has ownership of that Government Data agrees and such sharing is permitted under the applicable law and regulations. Any sharing of Government Data will be done in accordance with the provisions of section 8 of this order. Where individual-level data is necessary, any required matching and suppression work will be handled by the Center before any further dissemination or re-disclosure.
10. If a department or agency reasonably believes that information is not Government Data, the department or agency must provide written documentation to the Director with respect to that concern. Upon review of that written document, the Director may exempt that information from sharing pursuant to this order.
11. To comply with the requirements of the U.S. Department of Labor, Executive Order 2020-107 is amended to add new Section (1)(a)(8) "The State Adult Education Director" and to add new Section (1)(a)(9) "The Director of Michigan Rehabilitation Services."
12. This order is effective upon filing.

(cont.)

Given under my hand and the great seal of the State of Michigan.

Date: September 21, 2022

Time: 7:35am



GRETCHEN WHITMER
GOVERNOR

By the Governor:

Jocelyn Benson
SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 9/21/22 AT 1:18 P.M.