

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2142
OFFERED BY MR. CUELLAR OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Government Efficiency, Effectiveness, and Performance
4 Improvement Act of 2010”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Agency defined.
- Sec. 4. Sense of Congress regarding the need for increased consultation between Congress and Federal agencies on performance management issues.
- Sec. 5. Performance assessments.
- Sec. 6. Strategic planning amendments.
- Sec. 7. Improving Government performance.
- Sec. 8. Assessments and reports.

7 SEC. 2. FINDINGS AND PURPOSES.

8 (a) FINDINGS.—Congress finds the following:

9 (1) Weaknesses in established management
10 processes pertaining to the use of information about
11 the performance of Federal agencies undermine the
12 confidence of the American people in the Govern-

1 ment and reduce the Federal Government's ability to
2 adequately address public needs.

3 (2) To restore the confidence of the American
4 people in its Government and to increase the Fed-
5 eral Government's ability to adequately address vital
6 public needs, the Federal Government must contin-
7 ually seek to improve the effectiveness, efficiency,
8 and accountability of Federal programs.

9 (3) With the passage of the Government Per-
10 formance and Results Act of 1993, Congress di-
11 rected the executive branch to seek improvements in
12 the performance and accountability of Federal pro-
13 grams by having agencies focus on strategic objec-
14 tives and annual results.

15 (4) The requirements of the Government Per-
16 formance and Results Act of 1993 have produced an
17 infrastructure of outcome-oriented strategic plans,
18 performance measures, and accountability reporting
19 that serve as a solid foundation for agencies working
20 with Congress to achieve long-term strategic goals
21 and improve the performance of Federal programs;
22 use of those plans and reports to improve outcomes
23 has, however, been limited.

24 (5) Congressional policy making, spending deci-
25 sions, and program oversight have been handicapped

1 by insufficient attention to program performance
2 and results.

3 (6) While improvements have been made in the
4 development of outcome-oriented strategic plans,
5 performance measures, and accountability reporting
6 for individual programs, progress is still needed to
7 ensure that agency leaders, employees, and delivery
8 partners regularly use performance information to
9 improve the effectiveness and efficiency of govern-
10 ment operations and to communicate performance
11 information coherently and candidly to inform con-
12 gressional decision-making in conducting program
13 authorization, appropriation, and oversight.

14 (7) Regular performance assessments, com-
15 plemented by periodic assessments of Federal pro-
16 grams, provide critical information on whether pro-
17 grams are achieving specific performance objectives,
18 help Congress and the executive branch identify the
19 most pressing policy and program issues, and deter-
20 mine if specific legislative, operational, financial, or
21 strategic reforms are needed to increase program ef-
22 fectiveness and efficiency.

23 (8) Programs performing similar or duplicative
24 functions within a single agency or across multiple
25 agencies should be identified and their performance

1 and results shared among all such programs to im-
2 prove coordination or possible consolidation and, ul-
3 timately, performance and results.

4 (9) The performance reporting requirements of
5 the Government Performance and Results Act of
6 1993, along with individual performance and ac-
7 countability reporting requirements contained in leg-
8 islation, are in some cases redundant, and steps
9 should be taken to eliminate duplicative performance
10 policies and to streamline outdated and unused re-
11 ports.

12 (b) PURPOSES.—The purposes of this Act are as fol-
13 lows:

14 (1) To improve the Government Performance
15 and Results Act of 1993 by implementing perform-
16 ance assessment processes that seek to assess Fed-
17 eral programs on a periodic basis with a particular
18 focus on the following:

19 (A) Identification by agency leaders of
20 clear priorities and setting of outcome-focused,
21 measurable, ambitious targets for those prior-
22 ities.

23 (B) Regular goal-focused, data driven per-
24 formance assessments to measure progress and
25 adjust strategies.

1 (C) Accountability expectations that en-
2 courage managers to innovate, informed by evi-
3 dence and analysis of experience.

4 (D) Transparent, coherent, and candid
5 communication of results.

6 (2) To use relevant performance and related in-
7 formation to help agencies make informed manage-
8 ment decisions, improve the effectiveness of agency
9 and program operations (particularly for those pro-
10 grams, projects, and activities that are deemed poor-
11 ly performing), and submit funding requests based
12 on evidence and other relevant information.

13 (3) To provide congressional policy makers with
14 information needed to conduct more effective over-
15 sight and assist in the improvement of agency oper-
16 ations, and to make performance-informed and re-
17 sults-based authorization and appropriation deci-
18 sions that improve the effectiveness of program op-
19 erations.

20 (4) To establish the Performance Improvement
21 Council as a body that will assist in the development
22 of performance measurement and management
23 standards and assessment methodologies, identify
24 best practices in Federal performance management,
25 facilitate the exchange of information among agen-

1 cies on these practices, and collaborate on and
2 strengthen the effectiveness of agency performance
3 improvement efforts.

4 (5) To establish agency performance improve-
5 ment officers to institutionalize and enhance the
6 strategic and performance management activities of
7 Federal agencies.

8 **SEC. 3. AGENCY DEFINED.**

9 In this Act, the term “agency” means an executive
10 agency as defined in section 306 of title 5, United States
11 Code.

12 **SEC. 4. SENSE OF CONGRESS REGARDING THE NEED FOR**
13 **INCREASED CONSULTATION BETWEEN CON-**
14 **GRESS AND FEDERAL AGENCIES ON PER-**
15 **FORMANCE MANAGEMENT ISSUES.**

16 It is the sense of Congress that the head of each Fed-
17 eral agency should make every effort to consult with the
18 committees with jurisdiction over the agency and other in-
19 terested members of Congress each fiscal year regarding
20 the performance plan and priorities of the agency (re-
21 quired by sections 1115 and 1120 of title 31, United
22 States Code).

1 **SEC. 5. PERFORMANCE ASSESSMENTS.**

2 (a) REQUIREMENT FOR PERFORMANCE ASSESS-
3 MENTS.—Chapter 11 of title 31, United States Code, is
4 amended by adding at the end the following new section:

5 **“§ 1120. Performance assessments**

6 “(a) IDENTIFICATION OF HIGH-PRIORITY PERFORM-
7 ANCE GOALS.—For the purpose of improving agency per-
8 formance, the head of each Federal agency, in consultation
9 with the Director of the Office of Management and Budg-
10 et, shall identify near-term and long-term high-priority
11 goals for purposes of this section. In identifying such
12 goals, the head of the agency shall—

13 “(1) rely on the agency’s mission, strategic plan
14 and objectives, and statutory directives;

15 “(2) consult with Congress, including each ap-
16 propriate committee of Congress;

17 “(3) select goals that—

18 “(A) clearly identify agency priorities and
19 have performance outcomes that can be clearly
20 and objectively assessed and measured; and

21 “(B) are ambitious targets that have high
22 direct value to the public;

23 “(C) involve indicators for which the agen-
24 cy can collect reliable and timely data that may
25 be used in performance assessments to measure
26 progress and adjust strategies; and

1 “(D) involve multiple programs, including
2 programs within and across multiple agencies
3 that are performing similar functions, serve
4 similar populations, have similar purposes, or
5 share common objectives, for purposes of identi-
6 fying common challenges, exemplary goals and
7 practices, common measures of performance,
8 and potential opportunities for more effective
9 and efficient means of achieving goals, includ-
10 ing through the integration and consolidation of
11 Federal functions; and

12 “(4) with respect to a subcomponent of the
13 agency, ensure the goals are consistent with the
14 goals of the entire agency.

15 “(b) PERFORMANCE ASSESSMENTS.—The head of
16 each Federal agency, in consultation with the Director of
17 the Office of Management and Budget, shall, not less
18 often than quarterly—

19 “(1) assess progress toward achieving the goals
20 identified under subsection (a);

21 “(2) assess whether relevant agency programs
22 and initiatives are contributing as expected toward
23 the goals identified under subsection (a); and

1 “(3) identify prospects and strategies for per-
2 formance improvement, including any needed
3 changes to agency programs or initiatives.

4 “(c) PERFORMANCE ASSESSMENT REQUIRE-
5 MENTS.—In conducting an assessment of agency progress
6 toward achieving the goals identified under subsection (a),
7 the head of a Federal agency, in consultation with the Di-
8 rector of the Office of Management and Budget, shall—

9 “(1) coordinate with relevant personnel within
10 and outside the agency who contribute to the accom-
11 plishment of the goals; and

12 “(2) encourage innovation and hold leaders and
13 managers accountable for effective and efficient im-
14 plementation based on evidence and continuing anal-
15 ysis of experience.

16 “(d) TRANSPARENCY OF GOALS AND PERFORMANCE
17 ASSESSMENTS.—The Director of the Office of Manage-
18 ment and Budget shall—

19 “(1) make available, as part of the President’s
20 budget submission and through the Office of Man-
21 agement and Budget website and other relevant
22 websites, and provide to the congressional commit-
23 tees described in subsection (i)—

24 “(A) a list of goals identified under sub-
25 section (a) and reviewed by the Director;

1 “(B) consistent with section 1115 of this
2 title, annual goals defined by objectively meas-
3 urable outcomes for each program administered
4 in whole or in part by the agency;

5 “(C) the methods that will be used to
6 make progress toward achieving the goals iden-
7 tified under subparagraphs (A) and (B);

8 “(D) the expected contribution that dif-
9 ferent agency programs and initiatives will
10 make toward achieving the goals identified
11 under subparagraphs (A) and (B) and the ex-
12 pected timeline for achieving those goals; and

13 “(E) the approach that will be used by
14 agencies to assess progress toward achieving
15 the goals identified under subparagraphs (A)
16 and (B);

17 “(2) provide a mechanism for interested per-
18 sons, including the general public and members and
19 committees of Congress, to submit comments on the
20 goals being assessed and the methods that will be
21 used to make progress toward achieving those goals;

22 “(3) provide a mechanism for agency delivery to
23 and consideration of comments provided under para-
24 graph (2) by each relevant agency and adjustment

1 of goals based on the comments, with approval of
2 the Director; and

3 “(4) make available through the Office of Man-
4 agement and Budget website a summary of com-
5 ments received under paragraph (2), any adjustment
6 of goals under paragraph (3), and any changes to
7 goals required by the Office of Management and
8 Budget.

9 “(e) TRANSPARENCY OF PERFORMANCE RESULTS.—

10 (1) The head of an agency shall ensure that all results
11 of the assessments conducted under this section by the
12 agency during a fiscal year shall be readily accessible to
13 and easily found on the Internet by the public and mem-
14 bers and committees of Congress in a searchable, machine
15 readable format, in accordance with guidance provided by
16 the Director of the Office of Management and Budget that
17 ensures such information is provided in a way that pre-
18 sents a coherent picture of the performance of Federal
19 agencies. At a minimum, the results of the assessments
20 conducted under this section shall be available on the
21 website of the Office of Management and Budget and also
22 may be made available on any other website considered
23 appropriate by the agency or the Director. The Director
24 shall also notify the appropriate committees of Congress

1 when quarterly assessments become available on the Inter-
2 net.

3 “(2) The performance information related to the as-
4 sessments of goals in this section shall—

5 “(A) include—

6 “(i) a brief summary of the problem or op-
7 portunity being addressed and reasons for iden-
8 tifying these agency goals as well as key find-
9 ings of the assessments;

10 “(ii) a list of each program and agency
11 contributing to achievement of the goal and the
12 time frame for such contributions;

13 “(iii) an assessment of the quality of the
14 performance measures, and the extent to which
15 necessary performance data are collected;

16 “(iv) a description of how leaders and
17 managers are held accountable for achieving
18 program results, and the extent to which strong
19 financial management tools are in place;

20 “(v) contextual indicators that provide a
21 sense of external factors that can influence per-
22 formance trends related to key outcomes;

23 “(vi) as appropriate, indicators that pro-
24 vide information about the population being
25 served;

1 “(vii) factors affecting the performance of
2 programs, projects, and activities and how they
3 are impeding or contributing to failures or suc-
4 cesses of the programs, projects, and activities,
5 and the reasons for any substantial variation
6 from the targeted level of achievement of the
7 goals;

8 “(viii) the process used by the agency to
9 assess progress made toward achieving the
10 goals; and

11 “(ix) such other items and adjustments as
12 may be specified by the Director;

13 “(B) describe the extent to which any trends,
14 developments, or emerging conditions affect the need
15 to change the mission of programs being carried out
16 to achieve the goal;

17 “(C) identify, as part of any performance as-
18 sessment, practices that resulted in positive out-
19 comes, and the key reasons why such practices re-
20 sulted in positive outcomes; and

21 “(D) include recommendations for actions to
22 improve results, including opportunities that might
23 exist for the coordination, consolidation, or integra-
24 tion of programs to improve service or generate cost
25 savings.

1 “(3) The head of each agency shall—

2 “(A) use, as necessary and appropriate, a vari-
3 ety of assessment methods to support performance
4 assessments, including methods contained in reports
5 from evaluation centers, in assessments by States,
6 and in available Federal program assessments;

7 “(B) maintain an archive of information re-
8 quired to be disclosed under this section that is, to
9 the maximum extent practicable, readily available,
10 accessible, and easily found by the public; and

11 “(C) consider the relevant comments submitted
12 under subsection (d)(2).

13 “(f) CLASSIFIED INFORMATION.—(1) With respect to
14 performance assessments conducted during a fiscal year
15 that contain classified information, the President shall
16 submit—

17 “(A) each quarterly performance assessment
18 (including the classified information), to the appro-
19 priate committees of Congress; and

20 “(B) an appendix containing a list of each af-
21 fected goal and the committees to which a copy of
22 the performance assessment was submitted under
23 subparagraph (A), to the congressional committees
24 described in subsection (i).

1 “(2) Upon request from a congressional committee
2 described in subsection (i), the Director of the Office of
3 Management and Budget shall provide to the Committee
4 a copy of—

5 “(A) any performance assessment described in
6 subparagraph (A) of paragraph (1) (including any
7 assessment not listed in any appendix submitted
8 under subparagraph (B) of such paragraph; and

9 “(B) any appendix described in subparagraph
10 (B) of paragraph (1).

11 “(3) In this subsection, the term ‘classified informa-
12 tion’ refers to matters described in section 552(b)(1)(A)
13 of title 5.

14 “(g) INHERENTLY GOVERNMENTAL FUNCTIONS.—
15 The functions and activities authorized or required by this
16 section shall be considered inherently governmental func-
17 tions and shall be performed only by Federal employees.

18 “(h) REPORT STREAMLINING.—To eliminate redun-
19 dancy, the head of an agency may determine each year,
20 subject to the approval of the Director of the Office of
21 Management and Budget and provided that it meets the
22 requirements of this section and sections 1115, 1116,
23 1117, 1121, and the first 9703 of this title, that the per-
24 formance information provided to the public on the Inter-

1 net is sufficient to meet the planning and reporting re-
2 quirements of such sections.

3 “(i) CONGRESSIONAL COMMITTEES.—The congres-
4 sional committees described in this subsection are the fol-
5 lowing:

6 “(1) The Committee on Oversight and Govern-
7 ment Reform of the House of Representatives.

8 “(2) The Committee on Homeland Security and
9 Governmental Affairs of the Senate.

10 “(3) The Committees on Appropriations of the
11 House of Representatives and the Senate.

12 “(4) The Committees on the Budget of the
13 House of Representatives and the Senate.

14 “(j) DEFINITIONS.—In this section:

15 “(1) AGENCY PERFORMANCE IMPROVEMENT
16 OFFICER.—The term ‘agency performance improve-
17 ment officer’ means a senior executive of an agency
18 who is designated by the head of the agency, and re-
19 ports to the head of the agency, the agency Deputy
20 Secretary, or such other agency official designated
21 by the head of the agency, to carry out the require-
22 ments of this section.

23 “(2) PERFORMANCE INFORMATION.—The term
24 ‘performance information’ means the results of as-
25 sessments conducted under this section.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 11 of title 31, United States
3 Code, is amended by adding at the end the following:

“1120. Performance assessments.”.

4 **SEC. 6. STRATEGIC PLANNING AMENDMENTS.**

5 (a) CHANGE IN DEADLINE FOR STRATEGIC PLAN.—
6 Subsection (a) of section 306 of title 5, United States
7 Code, is amended by striking “No later than September
8 30, 1997,” and inserting “Not later than September 30
9 of the second year following a year in which an election
10 for President occurs, beginning with September 30,
11 2010.”.

12 (b) CHANGE IN PERIOD OF COVERAGE OF STRA-
13 TEGIC PLAN.—Subsection (b) of section 306 of title 5,
14 United States Code, is amended to read as follows:

15 “(b) Each strategic plan shall cover the four-year pe-
16 riod beginning on October 1 of the second year following
17 a year in which an election for President occurs.”.

18 **SEC. 7. IMPROVING GOVERNMENT PERFORMANCE.**

19 (a) IMPROVING GOVERNMENT PERFORMANCE.—
20 Chapter 11 of title 31, United States Code, as amended
21 by section 5, is further amended by adding at the end the
22 following new section:

23 **“§ 1121. Improving Government performance**

24 “(a) DUTIES OF AGENCY PERFORMANCE IMPROVE-
25 MENT OFFICERS.—Subject to the direction of the head of

1 the agency, each agency performance improvement officer
2 shall—

3 “(1) advise and assist the head of the executive
4 agency and other agency officials to ensure that the
5 mission of the executive agency is achieved through
6 performance planning, measurement, analysis, and
7 regular assessment of progress, including the re-
8 quirements of this section and sections 1115, 1116,
9 1117, 1120, and the first 9703 of this title and sec-
10 tion 306 of title 5;

11 “(2) advise the head of the agency on the selec-
12 tion of agency goals, including opportunities to col-
13 laborate with other agencies on common goals, and
14 on whether—

15 “(A) the performance targets required
16 under section 1115 of this title and the stra-
17 tegic plans required under section 306 of title
18 5 are—

19 “(i) sufficiently aggressive toward full
20 achievement of the purposes of the agency;
21 and

22 “(ii) realistic in light of authority and
23 resources provided for operations; and

24 “(B) means for measurement of progress
25 toward achievement of the goals are sufficiently

1 rigorous, aligned to outcomes, useful, and accu-
2 rate as appropriate to the intended use of the
3 measures;

4 “(3) support the head of the agency, agency
5 Deputy Secretary, or such other agency senior offi-
6 cial designated by the head of the agency in the con-
7 duct of at least quarterly performance assessments,
8 while strengthening the performance management
9 activities of the entire agency (including subcompo-
10 nents) through at least quarterly performance as-
11 sessments to—

12 “(A) assess progress toward achievement
13 of the goals administered in whole or in part by
14 the agency, as well as any goals common to
15 that agency and other agencies;

16 “(B) identify factors affecting progress
17 and benchmarking comparisons;

18 “(C) consider actions to improve the per-
19 formance and efficiency of programs, projects,
20 and activities; and

21 “(D) hold leaders and managers account-
22 able for effective and efficient implementation
23 and for adjusting agency actions based on
24 evolving evidence;

1 “(4) assist the head of the agency in the devel-
2 opment and use within the agency of performance
3 measures in personnel performance appraisals, and,
4 as appropriate, other agency personnel and planning
5 processes and assessments;

6 “(5) assist the head of the agency in overseeing
7 the implementation required under section 1120 of
8 this title;

9 “(6) ensure that agency progress toward
10 achievement of all goals is communicated to leaders,
11 managers, and employees in the agency and Con-
12 gress, and made public on the Internet; and

13 “(7) provide training for agency managers, pro-
14 gram directors, supervisors, and employees on how
15 to use performance targets, measure key perform-
16 ance indicators, assess programs, and analyze data
17 to improve performance.

18 “(b) ESTABLISHMENT AND OPERATION OF PER-
19 FORMANCE IMPROVEMENT COUNCIL.—

20 “(1) There is established in the executive
21 branch a Performance Improvement Council.

22 “(2) The Performance Improvement Council
23 shall consist exclusively of—

1 “(A) the Deputy Director for Management
2 of the Office of Management and Budget, who
3 shall serve as Chair;

4 “(B) such agency performance improve-
5 ment officers as determined appropriate by the
6 Chair; and

7 “(C) such other permanent employees of
8 an agency as determined appropriate by the
9 Chair in consultation with the agency con-
10 cerned.

11 “(3) The Chair or the Chair’s designee shall
12 convene and preside at the meetings of the Perform-
13 ance Improvement Council, determine its agenda, di-
14 rect its work, and establish and direct subgroups of
15 the Performance Improvement Council, as appro-
16 priate to deal with particular subject matters.

17 “(4) To assist in implementing the require-
18 ments of sections 1105, 1115, 1116, 1117, 1120,
19 and the first 9703 of this title and section 306 of
20 title 5, the Performance Improvement Council
21 shall—

22 “(A) develop and submit to the Director of
23 the Office of Management and Budget, or when
24 appropriate to the President through the Direc-
25 tor of the Office of Management and Budget, at

1 times and in such formats as the Chair may
2 specify, recommendations concerning—

3 “(i) performance management policies
4 and requirements;

5 “(ii) criteria for assessment of pro-
6 gram, project, and activity performance;
7 and

8 “(iii) how the goals required by sec-
9 tion 1120(a) of this title can inform the
10 Federal Government performance plan re-
11 quired by section 1105(a)(28) of this title,
12 and lead to improved results from and
13 interagency coordination of programs that
14 perform similar functions;

15 “(B) facilitate the exchange among agen-
16 cies of information on performance manage-
17 ment, including strategic and annual planning
18 and reporting, to accelerate improvements in
19 performance;

20 “(C) monitor the performance assessment
21 process required under section 1120 of this
22 title;

23 “(D) facilitate keeping members and com-
24 mittees of Congress and the public informed,
25 and with such assistance of heads of agencies

1 and agency performance improvement officers
2 as the Director of the Office of Management
3 and Budget may require, provide members and
4 committees of Congress and the public with in-
5 formation on the Internet on how well each
6 agency performs and that serves as a com-
7 prehensive source of information on—

8 “(i) agency strategic plans;

9 “(ii) annual performance plans and
10 annual performance reports;

11 “(iii) performance information re-
12 quired under section 1120 (d) of this title;

13 “(iv) the status of the implementation
14 of performance assessments required under
15 section 1120 of this title;

16 “(v) relevant impact and process as-
17 sessments; and

18 “(vi) consistent with the direction of
19 the head of the agency concerned after
20 consultation with the Director of the Office
21 of Management and Budget, any publicly
22 available reports by the agency’s Inspector
23 General concerning agency program per-
24 formance;

1 “(E) monitor implementation by agencies
2 of the policy set forth in sections 1115, 1116,
3 1117, 1120, and the first 9703 of this title and
4 section 306 of title 5 and report thereon from
5 time to time as appropriate to the Director of
6 the Office of Management and Budget, or when
7 appropriate to the President through the Direc-
8 tor of the Office of Management and Budget, at
9 such times and in such formats as the Chair
10 may specify, together with any recommenda-
11 tions of the Council for more effective imple-
12 mentation of such policy;

13 “(F) obtain information and advice, as ap-
14 propriate, in a manner that seeks individual ad-
15 vice and does not involve collective judgment or
16 consensus advice or deliberation, from—

17 “(i) State, local, territorial, and tribal
18 officials;

19 “(ii) representatives of entities or
20 other individuals; and

21 “(iii) members and committees of
22 Congress;

23 “(G) coordinate with other interagency
24 management councils; and

1 “(H) make recommendations to Congress
2 on duplicative, unused, or outdated performance
3 policies or reporting requirements.

4 “(5)(A) The Administrator of General Services
5 shall provide administrative and other support for
6 the Council to implement this section.

7 “(B) The heads of agencies shall provide, as ap-
8 propriate and to the extent permitted by law, such
9 information and assistance as the Chair may request
10 to implement this section.”.

11 (b) GUIDANCE.—Not later than 6 months after the
12 date of the enactment of this Act, the Director of the Of-
13 fice of Management and Budget shall prescribe guidance
14 to implement the requirements of section 1120 and 1121
15 of title 31, United States Code, as added by subsection
16 (a).

17 (c) CONFORMING AND CLERICAL AMENDMENTS.—

18 (1) Section 1115(g) of title 31, United States
19 Code, is amended by striking “1119” and inserting
20 “1121”.

21 (2) The table of sections at the beginning of
22 chapter 11 of title 31, United States Code, is
23 amended by adding at the end the following:

 “1121. Improving Government performance.”.

24 **SEC. 8. ASSESSMENTS AND REPORTS.**

25 (a) ASSESSMENTS.—

1 (1) IN GENERAL.—No less frequently than the
2 first, third, and fifth year after the date of the en-
3 actment of this Act, and thereafter every three years
4 and at such other times as may be requested by
5 Congress, the Comptroller General of the United
6 States shall assess the implementation of this Act by
7 the Director of the Office of Management and Budg-
8 et and the agencies described in section 901(b) of
9 title 31, United States Code, with emphasis on the
10 matters specified in paragraph (2).

11 (2) MATTERS TO BE ASSESSED.—The matters
12 to be assessed under paragraph (1) shall include,
13 with respect to the fiscal year covered by the assess-
14 ment:

15 (A) Whether the selection of goals is tied
16 to performance outcomes that can be objectively
17 assessed and measured and have a high direct
18 value to the public.

19 (B) The use of agency performance goals
20 and measures and program assessments to im-
21 prove performance and ensure taxpayer dollars
22 are spent in an efficient and effective manner,
23 including the need to streamline or enhance
24 Federal programs or initiatives to maximize the

1 likelihood of accomplishing such performance
2 goals.

3 (C) The use of agency performance goals
4 and measures to clearly communicate perform-
5 ance priorities and results to the public.

6 (D) How any revision of goals has contrib-
7 uted to the effectiveness of agency performance.

8 (E) The tracking of program performance
9 toward achieving identified goals and the con-
10 tribution of such tracking to agency perform-
11 ance improvement.

12 (F) The use of input from Congress and
13 the public in the assessment of programs and in
14 the identification and assessment of goals.

15 (G) The use of the archive of information
16 referred to in section 1120(e)(3)(B) of title 31,
17 United States Code, to create a coherent, longi-
18 tudinal picture of the performance of agencies
19 over time.

20 (H) Best practices of agencies.

21 (b) REPORTS.—The Comptroller General shall sub-
22 mit to Congress a report on the results of each assessment
23 conducted under subsection (a). The report shall include
24 a list of recommendations on ways to improve the perform-
25 ance assessment and communication process and the oper-

1 ations of agency performance improvement officers and
2 the Performance Improvement Council.

3 (c) EFFECTIVENESS ASSESSMENT.—With respect to
4 the evaluation conducted under subsection (a) in the third
5 year after the date of the enactment of this Act, the Comp-
6 troller General shall include in the report relating to such
7 evaluation submitted to Congress under this section the
8 following:

9 (1) an assessment of the effectiveness of this
10 Act, and the amendments made by this Act;

11 (2) the impact of this Act on sections 1115,
12 1116, 1117, and the first 9703 of title 31, United
13 States Code, and section 306 of title 5, United
14 States Code; and

15 (3) any recommendations for improving the ef-
16 fectiveness of sections 1115, 1116, 1117, and the
17 first 9703 of title 31, United States Code, and sec-
18 tion 306 of title 5, United States Code and reducing
19 duplication.

Amend the title so as to read: “A bill to require
quarterly performance assessments of Government pro-
grams for purposes of assessing agency performance and
improvement, and to establish agency performance im-

provement officers and the Performance Improvement Council.”.

