Morella	Rogers	Stearns
Myrick	Rohrabacher	Stenholm
Nadler	Ros-Lehtinen	Stokes
Neal	Rothman	Strickland
Nethercutt	Roukema	Stump
Neumann	Roybal-Allard	Sununu
Ney	Royce	Talent
Northup	Rush	Tauscher
Norwood	Ryun	Tauzin
Obey	Salmon	Taylor (NC)
Olver	Sanders	Thomas
Ortiz	Sandlin	Thornberry
Owens	Sanford	Thune
Oxley	Sawyer	Thurman
Packard	Saxton	Tiahrt
Pallone	Schaefer, Dan	Tierney
Pappas	Schumer	Torres
Parker	Scott	Towns
Pastor	Sensenbrenner	Traficant
Paul	Serrano	Turner
Paxon	Shadegg	Upton
Payne	Shaw	Velazquez
Pease	Shays	Vento
Pelosi	Sherman	Walsh
Peterson (PA)	Shimkus	Wamp
Petri	Shuster	Watkins
Pickering	Sisisky	Watt (NC)
Pitts	Skaggs	Watts (OK)
Pombo	Skeen	Waxman
Pomeroy	Skelton	Weldon (FL)
Porter	Slaughter	Weldon (PA)
Portman	Smith (MI)	Wexler
Price (NC)	Smith (NJ)	Weygand
Pryce (OH)	Smith (OR)	White
Quinn	Smith (TX)	Whitfield
Radanovich	Smith, Adam	Wicker
Rahall	Smith, Linda	Wise
Rangel	Snowbarger	Wolf
Regula	Snyder	Woolsey
Reyes	Solomon	Wynn
Riggs	Souder	Yates
Riley	Spence	Young (AK)
Rivers	Spratt	Young (FL)
Rodriguez	Stabenow	
Roemer	Stark	

NOES—43

Abercrombie	Gillmor	Pascrell
Becerra	Gutierrez	Peterson (MN)
Borski	Hastings (FL)	Pickett
Brown (CA)	Hefley	Ramstad
Clay	Hilleary	Rogan
Clyburn	Hilliard	Sabo
Davis (IL)	Hinchey	Schaffer, Bob
DeFazio	Kucinich	Sessions
English	Lewis (GA)	Stupak
Ensign	LoBiondo	Taylor (MS)
Fazio	Manton	Thompson
Filner	Miller (CA)	Visclosky
Fox	Moran (KS)	Waters
Gephardt	Nussle	
Gibbons	Oberstar	

ANSWERED ''PRESENT''—1

Cummings

NOT VOTING—18

Ackerman	Johnson (CT)	Redmond
Davis (FL)	Livingston	Sanchez
Furse	Lofgren	Scarborough
Gonzalez	McHugh	Schiff
Harman	Murtha	Tanner
John	Poshard	Weller

☐ 1121

So the Journal was approved.

The result of the vote was announced as above recorded.

GOVERNMENT PERFORMANCE AND RESULTS ACT TECHNICAL AMENDMENTS OF 1998

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 384 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2883.

1122

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2883) to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports, with Mr. BRADY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. HORN) and the gentleman from Ohio (Mr. KUCINICH) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are going to open on this bill, which has various technical corrections.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. BURTON), distinguished chairman of the Committee on Government Reform and Oversight.

Mr. BURTON of Indiana. Mr. Chairman, the traditional way of doing business in Washington is to create yet another program or spend more money whenever we want to solve a problem. It is just more programs and more money. The President's fiscal year 1999 budget reflects this reliance on expanding government whenever possible.

For example, the President wants to expand the Federal role in local schools. The President wants to expand job training, even though the Federal Government has 163 different job training programs. His budget contains 85 new spending programs, including 39 new entitlements. These entitlements add nearly $53 billion to Federal spending over the next 5 years.

In short, 1 year after declaring that the era of big government is over, President Clinton is busy reinventing the era of big government. We are being asked to spend all of this additional money without ever having decent answers to some very commonsense questions, like, what is the purpose of the new program? Are there similar programs already in existence? Is it appropriate that the Federal Government should even do it? Or should it be done at the State or local level, or even by the private sector?

In 1993, under a Democrat Congress, we passed the Results Act, a law to apply basic business principles to Federal bureaucracies. Last September, every Federal agency was required by this act to submit strategic plans which clearly outlined where the agency is going, how it will get there, and whether it is headed in the right direction.

But when congressional teams of Republican, General Accounting Office, and in many cases Democrat staff reviewed these plans, the majority of Federal agencies failed to make the grade. The average score was 46.6 percent, and that fails in any school.

Take a look at these statistics right here. Only two agencies of the Federal Government got above 70 percent. The reasons for low scores are obvious. The General Accounting Office best summed it up in testimony on February 12, and it is on this other poster.

They said, ''The strategic plans often lacked clear articulations of agencies' strategic directions; in short, a sense of what the agencies were trying to achieve and how they proposed to do it. Many agency goals were not results-oriented. The plans often did not show clear linkages among planning elements, such as goals and strategies. And furthermore, the plans frequently had incomplete and underdeveloped strategies.''

If the Results Act is going to work, the strategic plans must give us a solid foundation for an informed policy debate about funding programs based on results. If we do not pass this bill asking for better plans by September 30, 1998, we will have to wait until the year 2000 before we get updated strategic plans. I guarantee that no successful businessman or woman would sit around for 3 years before getting their strategic plan right. If they did, they would be out of business.

Before my committee considered this bill, we offered to OMB and the Democrats to sit down and work out any problems that they had. We offered flexibility on the September due date. We offered to narrow the bill's coverage to only the agencies with the worst scores. We asked if there was anything we could do to bring them to the table, and they rejected everything we offered outright. Their reaction seems to oppose the Results Act goal of changing the old ways of doing business here in Washington.

I believe opposition to this bill comes from its threat to the status quo, a threat to the belief that Federal government programs are the answer to all of our problems. There seems to be a lot of talk by this administration about wanting to change the way government works for people. But as we try to change how government is run, true colors begin to show.

Let me be clear. If Members vote against this bill and they vote to let agencies off the hook, they vote to continue to accept low quality as a government standard. Vote in favor of this bill, and we vote for accountability in the Federal Government, and vote against failure, inefficiency, ineffectiveness, waste, and mismanagement.

Mr. Chairman, this effort started out as a bipartisan effort 5 years ago. It should remain a bipartisan effort.

☐ 1130

I urge all of my colleagues to vote yes on H.R. 2883.

Mr. KUCINICH. Mr. Chairman, I yield 10 minutes to the gentleman from California (Mr. WAXMAN), distinguished former chairman of the Committee on Government Reform and Oversight.

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

I want to speak on this bill. In 1993, we adopted this law. It is called the Government Performance and Results Act. It was proposed by the administration, the Clinton administration, under the guidance of the Vice President, who was trying to figure out how to reform government, make it work more efficiently. It received bipartisan support in the Congress.

The law asked each agency to set up a plan, and that is what each agency has done. The General Accounting Office reviewed the plans, and they said they are workable, they are adequate, they are sufficient for the purposes intended.

The Office of Management and Budget reviewed the plans. They said that some plans in some agencies are better than others, but by and large, they are doing a pretty good job. So what do we have today? A bill to throw out all the plans that were done and require that they all be redone by October.

Now, the best thing it seems to me, if we want plans to be workable, is to work with the agencies to be sure their plans make sense, to work in partnership. Instead, what we have is a bill that is a partisan bill. It is going to be supported by Republicans and opposed by Democrats and opposed by this administration because the only reason this bill is on the floor is to try to say that every agency in the Clinton administration has failed.

Well, who fails them? The staff, the Republican staff of the Republican majority of the Committee on Government Reform and Oversight.

If we want to deal with the problem of government inefficiency, we ought to adopt the amendment that is going to be offered by my good friend and colleague, the gentleman from Ohio (Mr. KUCINICH). He is suggesting that we apply the same rules to the Congress that we apply to the executive branch agencies. That will be challenged, as we heard in the discussion on the rule, as something that is not germane or appropriate to this bill because it deals with the legislative branch.

Our committee has dealt with executive and legislative branch at the same time. There is no reason it could not consider the same rules to apply to the Congress in this kind of setting.

What we have is opposition from the Republicans who control the Congress. Nothing could be more hypocritical than our committee, the Committee on Government Reform and Oversight, coming to the floor and accusing other government offices of wasting money.

The House Committee on Government Reform and Oversight is the poster child for government waste. We burn money on that committee. And we ought to have the rules that apply to the executive branch apply to Congress because of the waste of this committee.

No private business would run its organization and spend money the way the Committee on Government Reform and Oversight has handled it. For the past year, the House and the Senate conducted identical and redundant campaign finance investigations. Democrats asked the Republicans to coordinate these efforts. They refused, so we had the Senate hiring staff, the House hiring staff. They have an army of staff on our committee.

We went out and our committee issued subpoenas. We issued subpoenas to the same people that had already been subpoenaed by the Senate committee. We deposed witnesses and we deposed the same witnesses that had already been deposed. We did it without any coordination. In just the House itself, we have two or three committees also doing the campaign finance investigation. So we are not only duplicating the efforts of what the Senate has done, but our committee is duplicating the work of other committees. These committees have hired staff. They have deposed the same people.

When I say ''people,'' who are they deposing? They are often deposing government agencies. For example, the White House counsel's office is now under attack in a subcommittee somewhere, maybe it is an Appropriations subcommittee, because they are accused of hiring too many lawyers. This is an accusation from one of many House committees that is investigating them.

And they keep on sending subpoenas over to them, requests for information from them. They have to hire more people just to respond to the duplicative efforts of both the House and the Senate and all the subcommittees in the House. The money is taxpayers' money. It is paying for the Government Reform and Oversight staff; it is paying for the Senate Government Reform staff. It is paying for the Committee on Economic and Educational Opportunities staff that is doing investigations.

All these committees are having the taxpayers pay for staffs, and then we have to use taxpayer money for the White House counsel's office, the Department of Commerce, every government agency that has to respond to the out-of-control campaign finance investigation where there is no duplication or focus.

The Committee on Government Reform and Oversight alone is going to spend $10 million on this investigation, and we are wasting a scandalous amount of that money. We sent people on foreign trips that produced, despite their expense, very little. We are wasting it on a gold-plated investigation where, as my colleague, the gentleman from California (Mr. CONDIT), who is well known as a watchdog of government spending, said, we have a staff of 79 lawyers, investigators, support staff working on this investigation.

We have spent over $5 million to date. We are going to end up spending $10 million. And what have we produced? Only four campaign finance hearings over nine days. Let us compare that to the Senate. They held 32 days of hearings, and they have already filed an 1,100 page report with a budget of only $3 million. So we are very, very wasteful in spending taxpayers' dollars.

I think we ought to stop pointing fingers at the executive branch. Oh, the executive branch. They ought to redo all of their plans. We ought to throw them out and make them spend more taxpayers' money, redoing those plans, while at the same time the Republicans are going to urge that we now not allow the same rules to be applied to the Congress. It makes no sense. It is a blueprint for wastefulness, duplication and it is taxpayers' dollars that are being used.

I am going to urge that, when we get to it, that the Members support the Kucinich amendment. I hope that that amendment is not ruled out on a technicality. Members want to invoke these technicalities so they do not face the substance of what is involved. The substance is that the rules that apply to the executive branch apply to Congress.

We ought to coordinate our activities. We ought to develop a plan. And for the chairman of the committee earlier to have said to us that they have a plan makes no sense, if they do have one, when we see the amount of waste that has gone on in our committee.

It is scandalous. It should not be one that should be sanctioned. We have so much money that could be saved. If we want to use money that could be saved for tax cuts or for other needed efforts, that is where we ought to put that money, not on wasteful, redundant efforts by the Congress of the United States.

I urge a vote for the Kucinich amendment, if we can get a chance to vote on it, and to vote against this bill because the bill is only a partisan one. It is not worthy of the House to consider it, because we are not really trying to make the government more efficient. We are only trying to make political statements by the Republican majority.

Mr. HORN. Mr. Chairman, I yield myself such time as I may consume.

The bill before us today H.R. 2883, Government Performance and Results Act Technical Amendments of 1997 is critical to the successful implementation of the ''results'' act passed in 1993. As I said earlier, we want the executive agencies to get it right. Many of those agencies did not even relate their goals to the statutory authorization. We need to develop the performance indicators. Only then, will the executive branch have a way to choose between programmatic options on the various programs that exist in the executive branch. Regardless of who is in control in the executive branch, Congress needs to give scrutiny to those data. The agencies need to give us programs that make some sense fiscally and that are achieving the goals that have often been approved in this Chamber on a bipartisan basis.

This bill essentially does three things. First, it asks the Federal agencies to add details to their strategic

plan about overlapping programs and management problems. The agencies would submit the revised plans by the end of Fiscal Year 1998 [September 30, 1998]. If we do not do that, you are going to have three years where the executive branch does absolutely nothing, and that is the problem.

Second, it requires inspectors general to audit agency performance measures. The inspectors general are now celebrating their 20th year. That has been a bipartisan effort of this committee in the past. It is a worthy effort. But we need to tie down who does the audit of performance measures.

It certainly is appropriate within the executive branch to have an inspector general that reports directly to Congress and the President and to the Cabinet officer but is not under the control of the Cabinet officer in charge.

Third, it requires the Office of Management and Budget to submit government-wide performance reports on the same schedule as annual agency performance reports.

Amendments were added during the subcommittee-full committee markup to require that the Council on Environmental Quality be subject to the Results Act and to require that agencies provide a determination of full cost of each program activity for the performance indicators in the performance plans. That way, everybody will know what the ground rules are.

The core requirement of this bill to have agencies resubmit their strategic plans is essential because as I have noted twice already, the plans as they now stand are severely deficient. It does not mean every agency failed. It does not mean that they did not get some things right. They just did not get the things right that are required under the basic act that was adopted in the 103rd Congress.

Congressional teams graded the plans with the General Accounting Office staff, and in many cases Democratic staff were at the table as well. Democrats were invited to participate in every single team that went over these strategic plans. As was noted by the chairman (Mr. BURTON of Indiana), the average score of those plans is now 46.6 on an absolute scale, up from 29.9. That is progress.

We want more progress. We want them to answer about overlapping programs. We need their advice. They are the people who administer these programs. The President needs their advice. If there is something where there is a big gap and they do not seem to have statutory authority and they are doing it, we need to know that.

If they tell us the interrelations with comparable agencies where you find various job programs which are spread all over the Federal Government, we will perhaps change the law in the belief that maybe there ought to be a little more focus. Most of the plans scored low for failing to identify the results of their programs, failing to identify and address these overlapping and duplicative programs and failing to address the reliability of their data systems.

If the Results Act is going to work, the strategic plans must be able to lay a foundation for an informed policy debate in Congress about funding decisions based on results. Right now agency strategic plans are too deficient to serve as a sound foundation for agency or congressional decisionmaking. Without this legislation, we will have to sit around with poor strategic plans for three more years because the current law, which did not anticipate such low quality, does not call for updated plans until the end of the year 2000.

That is the basis for this legislation. Anyone that votes against this legislation, frankly, is showing that they do not care about the output and results of the executive branch of the government.

If they do not care, they ought to go to New Zealand or Australia, the two most reform-oriented governments in the world. They are making the system work, and certainly the United States of America can make the system work. That is the basis for the legislation. We need to require that the agencies get the fundamentals right so they can submit better quality strategic plans by September 30, 1998.

Again, it is time for us, Mr. Chairman, to do the right thing. We need to pass this important legislation without delay. It has been considered with great care. We have had excellent help at the staff level and some Members of the subcommittee on proposing worthwhile amendments. We have tried to accept those. It is exactly the kind of reform the taxpayers of this Nation expect and that they deserve from their representatives in Congress.

□ 1145

I urge all of my colleagues to support H.R. 2883.

Mr. Chairman, I reserve the balance of my time.

Mr. KUCINICH. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Chairman, I rise today to respond to some of the impassioned arguments on the other side. Listening to the other side, one would think that they have just discovered performance and results. The fact of the matter is, this administration came into office in 1993 and made a commitment to the American people to reform government and to correct government as best it could. The President assigned the Vice President, AL GORE, to head up that effort.

And what is the success of that effort? It is the most efficient Federal Government that we have had in place in more than 30 years. The accomplishments of this administration are evident across the board; 340,000 fewer Federal employees, a government that is more active and more responsive, with fewer people and less cost than any government we have known in the last 30 years.

The other side has wailed about the success of the Results Act. Let us be quite certain that the performance in the Results Act was the process required and requested by this administration and carried out by this administration. The other side has even recognized a 60 percent improvement in the reform of the Federal Government on their own scores.

What are they asking for now? They are only asking for political performance. They are asking for issues which may mislead the people and have them believe the scores are not high enough. But the American people are not stupid.

As my good friend, the gentleman from California (Mr. WAXMAN) indicated, the other side has had the chance to respond in every respect. Whether it was the 1993 Budget Act or the 1993 Results Act, the cries were, it will not work, it will not work, we will not attain it. If I remember the Budget Act of 1993, the sky was going to fall, depression was going to occur.

Why will our friends on the other side not admit that for the first time in 30 years this administration has balanced the budget in America? This administration presides over the strongest economy in the history of the United States. This administration has the lowest unemployment rate in the recent history of the United States. This administration has the lowest interest rates in the recent history of the United States.

And lo and behold, this Congress is probably spending more money than ever spent before to tie up the administration in court processes, and to investigate every department, agency and bureau of the government. For what purpose? For political advantage.

I suggest to my colleagues today that if we are really serious about the Performance and Results Act and finding out how government works, we should continue to support what the administration put in place in 1993; support the strategic plans of all these bureaus, departments and agencies and do not require them to go back and waste all that money and time rewriting these plans for political purposes. This is just another attempt to block the progress of a very useful, efficient and effective administration of government.

I urge my colleagues, if they support good performance in government, to vote ''no'' on H.R. 2883.

Mr. HORN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), our distinguished majority whip.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me this time. Before I start my prepared remarks, I just have to answer my good friend who just spoke, Mr. Chairman.

The President balanced the budget? The President lowered interest rates? The President has the lowest unemployment figures in history?

The President did nothing to accomplish any of those things. This Congress balanced the budget. I can remember the President fighting against the balanced budget amendment to the Constitution. I can remember the President laughing and vetoing our balanced budget the first time we took over in 1995. This President is taking a lot of credit for things he did not do, and the American people understand that.

But I will tell my colleagues what this President is doing. He has his agencies out there legislating like there is no tomorrow and promulgating all kinds of new rules and new regulations. Because he knows he cannot get legislation out of this Republican Congress, he is legislating by using his agencies and his executive orders to do things that the American people would reject if they were legislation on this floor.

So I rise in support of this very important piece of legislation and I urge my colleagues to vote for it.

The key question here today is very, very simple. Should the Federal bureaucracy become more accountable? It has nothing to do with the President balancing the budget, but should the Federal bureaucracy become more accountable?

Now, we believe that the administration should become more accountable to the taxpayers. We believe that the taxpayers deserve to know how their hard-earned money is being spent. It is not our money, it is their money.

We believe that the Federal agencies should develop very common sense plans, just little common sense plans to outline clear objectives so that we can track their performance goals. That just makes sense.

We believe that our Federal bureaucracy is too big and it spends too much. We believe that effective reforms can save taxpayers billions of dollars in wasted Washington spending.

Now, the opponents to this legislation, which I can not believe anyone would oppose this great piece of legislation, these opponents will come with all kinds of excuses why the government should be more careful with the taxpayers' dollars. But these excuses just cannot measure up to one simple fact: This legislation, in the end, will lead to a smaller and a smarter government. That is why my colleagues should support it.

Mr. KUCINICH. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman from Ohio (Mr. KUCINICH) for yielding me this time. And I would likewise like to thank my colleague from the other side of the aisle, the gentleman from California (Mr. HORN), for working in a truly bipartisan fashion throughout this year on so many concerns, and for adopting and accepting several amendments put forward by the minority both in amendment form and in the underlying language of the bill, specifically changes in the roles of the IG, and broadening the bill's language to include legal authorities other than just statutory authorities.

It is, therefore, very unpleasant that I must oppose this bill, given the long history that we have had in this subcommittee of bipartisan cooperation and truly the long history that we have had of bipartisan support for the Government Performance and Results Act.

It began truly under the Bush Administration. The Office of Management and Budget began working on it. Vice President Gore's Task Force on Reinventing Government contributed substantially to the formation of this language, and it ended up being the Democratic Congress' and President Clinton's first major step to reinvent government when it was passed in 1993. And it truly was the first bill that I managed on the floor of the House of Representatives, being elected in that year.

GPRA was intended to improve government management by requiring the executive agencies to set measurable goals for themselves and then report annually on whether or not those goals were met. Federal managers are just beginning to set the program goals and performance measurements which GPRA requires. GPRA will provide new ways of getting things done. Implementing it will be difficult, but its benefits will be great.

Despite the difficulties of implementing GPRA, OMB reports that about 95 percent of covered agencies submitted timely and compliant strategic plans by September 30, as required by the act. This should be an ''A'' in anyone's book, not the ''F'' that my colleague and chairman of the committee, the gentleman from Indiana (Mr. BURTON), spoke about on the floor.

Both OMB and the General Accounting Office are on record as opposing statutory changes to the bill at this time. The General Accounting Office has further noted that the strategic plan provides, and I quote, a workable framework for the next step of GPRA. So the basic premise of the bill that is before us today, that the strategic plans were so universally poor in quality that they must be done all over, has yet to be demonstrated.

I would like to put into the RECORD a letter from the General Accounting Office really stating that; that it is working fine now, should not be redone, and has a workable framework. More in the ''A'' category than the ''F'' that the gentleman from Indiana mentioned. And also a letter from OMB really disputing the grading mechanism or so-called scores put forth by the Republican majority.

If the basic premise and approach of this legislation is doubtful, when one turns to the specifics of the legislation, even more questions arise. This bill requires the resubmission of strategic plans by September 30th of '98. Even if the Senate were to act with record speed, that would give the agencies only 4 to 5 months to redo plans that they have already done.

The bill provides no additional funding for this time-consuming and burdensome process which will take agencies away from other really needed work that they need to do. The resubmission of plans 6 months after they were originally done is not consistent with the goals of reducing duplication and waste.

Mr. Chairman, I would really urge my colleagues to vote against this bill. And I would like to say that I will be supporting the amendment of the gentleman from Ohio (Mr. KUCINICH) to apply GPRA to Congress. We can learn by doing, not just by reviewing others. And this committee's campaign finance investigation is a prime example of the waste and duplication in Congress that could be eliminated by the Results Act, which the gentleman from California (Mr. WAXMAN) spoke about.

So I hope my colleagues will support the Kucinich amendment, having GPRA apply likewise to Congress.

Mr. Chairman, I include the letters referred to for the RECORD:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, March 4, 1998.

Hon. HENRY A. WAXMAN,
Ranking Member, Committee on Government Reform, House of Representatives, Washington, DC.

DEAR RANKING MEMBER WAXMAN: I am writing to clarify what I understand may have been an inaccurate characterization of our position with respect to ''scores'' associated with agency strategic plans that are required under the Government Performance and Results Act (GPRA).

To be clear, the Office of Management and Budget believes strategic and annual plans need to be evaluated but we have never developed or endorsed a scorecard approach to that evaluation. In particular we have never endorsed specific scores, specific scoring techniques, or the weight given to different factors contained in the scorecard used by the House Majority leadership.

While I do believe the dialogue between agencies and Congress and other stakeholders is useful and will result in better, more usable plans, I do not believe the utility of a plan can be fairly captured using a scoring process similar to that used by the Majority leadership to grade the strategic plans.

I hope this clarification is helpful to you. Please let me know if you have further questions or concerns.

Sincerely,

G. EDWARD DESEVE,
Acting Deputy Director for Management.

U.S. GENERAL ACCOUNTING OFFICE,
GENERAL GOVERNMENT DIVISION,
Washington, DC, March 11, 1998.

Hon. DAN BURTON,
Chairman, Committee on Government Reform and Oversight, House of Representatives.

DEAR MR. CHAIRMAN: This letter responds to your request for our perspective on the primary provisions of H.R. 2883, the Government Performance and Results Act Technical Amendments of 1998. Among other things, the bill would require that executive

agencies revise and resubmit strategic plans not later than September 30, 1998, to the Director, Office of Management and Budget, and Congress; that new elements be included in those and subsequent strategic plans; and that each agency develop separate strategic plans for each major mission-related component as well as for the agency as a whole.

Under the Government Performance and Results Act (Results Act), the strategic and annual plans and performance reports that agencies produce are intended to serve a wide range of stakeholders within the executive branch, Congress, and the public. In our assessment of major agencies' September 30, 1997, strategic plans—produced at the request of you, the Majority Leader, and other key Committee Chairmen in the House—we noted that each of the plans we reviewed contained at least some discussion of each strategic planning element required by the Results Act and that, on the whole, the plans appeared to provide a workable foundation for Congress to use.[1]

However, we also noted that agencies' strategic planning efforts were still very much a work in progress, and we identified critical challenges that had limited the success of agencies' planning efforts. In crafting the Results Act, Congress recognized that it may take several planning cycles to perfect the process and that strategic plans would be continually refined as various planning cycles occurred. We have urged agencies to recognize that strategic planning does not end with the submission of a plan to Congress and that a constant dialogue with Congress is part of a purposeful and well-defined strategic planning process.[2]

We have found that leading results-oriented organizations believe that strategic planning is a dynamic and inclusive process rather than a static or occasional event.[3] If done well, strategic planning is continuous and provides the basis for everything the organization does. Leaders in successful organizations seek to be continuously alert to the need to adjust their organizations' strategic directions to better reflect changes in the internal and external circumstances and the views and expectations of key stakeholders.

In that regard, we understand that a number of agencies have identified opportunities to improve their strategic plans based on input from congressional and other stakeholders or as a result of developing their first set of annual performance plans. Our reviews of agencies' plans, as well as the experiences of leading organizations, suggest that the opportunities to improve the plans that have been identified were to be expected.

The strategic plans developed under the Results Act are intended to be helpful to Congress in making policy, funding, and oversight decisions, and Congress needs plans of sufficient quality, detail, and scope to meet its decisionmaking responsibilities. Congress is in the best position to determine whether statutory change is necessary to achieve this objective.

We are sending a copy of this letter to the Ranking Minority Member, House Committee on Government Reform and Oversight. Please do not hesitate to contact me on (202) 512–8676 if you have any questions.

Sincerely yours,

J. CHRISTOPHER MIHM,
Associate Director, Federal Management and Workforce Issues.

FOOTNOTES

[1] *Managing for Results: Agencies Annual Performance Plans Can Help Address Strategic Planning Challenges* (GAO/GGD–98–44, Jan. 30, 1998).

[2] *Managing for Results: Critical Issues for Improving Federal Agencies' Strategic Plans* (GAO/GGD–97–180, Sept. 16, 1997).

[3] *Executive Guide: Effectively Implementing the Government Performance and Results Act* (GAO/GGD–96–118, June 1996).

Mr. HORN. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Mr. Chairman, I have long been a supporter of the Government Performance and Results Act and I am pleased that Congress is strengthening the law today through H.R. 2883. In a nutshell, the Results Act holds Federal programs accountable for producing clear, tangible results in exchange for the money that they spend.

I can think of no better place to apply the common sense principles of the Results Act than in the environmental protection area. I, like most Americans, am unequivocally committed to achieving the highest standards of environmental protection in America. My experience in my district has taught they we cannot have a strong, prosperous America if we do not preserve our natural resources.

I have also learned that prosperity and a clean environment is not an either/or proposition but a both/and proposition. It is a balance the Federal Government must create in its own policies if we are to have the highest level of environmental protection. But we can only be prosperous and have a clean environment if we are true to a few simple principles Americans hold accountable; that is accountability for results, personal and community responsibility, and effective use of our entrepreneurial genius through sound science and technological advances.

The Results Act offers a chance to examine whether government programs are consistent with these values, especially whether they are focused on producing tangible environmental results through the most effective and efficient means possible.

Unfortunately, the Clinton Administration does not see things the same way I or most Americans do on this issue. Last year I was deeply troubled when the administration issued a waiver exempting the Council on Environmental Quality from the common sense requirements of the Results Act. Because this council is supposed to play a key role in setting policy and reviewing approaches and performances of all Federal environmental programs, the administration was, in essence, signaling that results do not matter.

This action occurs at the very same time when the council, along with a host of other Federal environmental programs, are coming under fire from reputable institutions such as the National Academy of Public Administration for lacking a clear picture of what environmental outcomes are sought and achieved by our government.

□ 1200

The Results Act provided the administration the perfect opportunity to address this imbalance and focus itself on producing the best environmental outcomes possible. Unfortunately, by exempting the Council on Environmental Quality, the administration has left Congress and the American people with no accounting of whether the Council is achieving its objectives through what means, at what cost, and at what time schedule, and so on.

It is time to get back to basics and focus on environmental programs, on producing tangible results rather than safeguarding their outdated command and control regulation-driven methods. H.R. 2883 gets us back on track by requiring the Council on Environmental Quality to comply with the Results Act, as well as outlining stronger provisions for the rest of our environmental programs to follow, as well.

I urge my colleagues to join me in supporting H.R. 2883 so that we can hold the Council on Environmental Quality and all Federal programs to these common-sense principles of accountability that the American people expect from their Government.

Mr. KUCINICH. Madam Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I thank the gentleman from Ohio for yielding.

Madam Chairman, today I rise in opposition to this bill. The Government Performance and Results Act of 1993 sought to streamline Government and make it more efficient and effective in its delivery of services to the people. The Government Performance and Results Act, GPRA's, objectives are laudable goals on which all of us can agree.

However, these amendments at this time would undermine the original goals of the bill, which are to reduce waste and inefficiency in Government. In fact, this bill would require all 100 Federal agencies to resubmit their strategic plans less than 6 months after their original submission. To require agencies to redo their plans in just 6 months is untenable, unreasonable, costly to the taxpayers, and would be an administrative nightmare.

Moreover, at the subcommittee's recent hearing on this legislation, not a single witness testified in support of this universal resubmission requirement. The Government Accounting Office and the Office of Management and Budget both agree that the plan submitted by the agencies provide a workable foundation for Congress to use in helping to fulfill its appropriations, budget, authorization, oversight responsibilities, and for the continuing implementation of GPRA. Therefore, these amendments are premature, unwarranted; and I certainly would urge my colleagues to oppose the bill.

In addition, if we are serious, then we will support the Kucinich amendment, which suggests that Congress itself comply with the requirements of GPRA. I have always been told that ''you cannot lead where you are unwilling to go.'' And if we are serious, then we would comply so that we do not

continue to have unwarranted, unnecessary investigations where individuals come and testify and give the same information that they have already given. And we know that that is precisely what is going to happen. No, if we are serious, we will vote in favor of the Kucinich amendment and vote down this bill.

Mr. HORN. Madam Chairman, I yield myself such time as I may consume. I just want to set the record straight. Here is a letter to Chairman BURTON from the Acting Comptroller General of the United States, James F. Hinchman.

''Dear Mr. Chairman, I am writing to correct the misleading impression in the March 11, 1998, Statement of Administration Policy on H.R. 2883, the Government Performance and Results Act Technical Amendments of 1998, that we oppose the bill. This is not our position.'' I repeat to my friends across the aisle, the Acting Comptroller General, speaking for the General Accounting Office says that they do not oppose this bill.

''This is not our position,'' writes Mr. Hinchman, who adds: ''As we noted in our letter March 11, 1998, sent to you, the strategic plans developed under the Results Act are intended to be helpful to Congress in making policy, funding, and oversight decisions, and Congress needs plans of sufficient quality, detail, and scope to meet its decision-making responsibilities. We therefore believe that Congress is in the best position to determine whether statutory change is necessary to achieve this objective and accordingly do not have a position on H.R. 2883.'' He closes with ''I am sending a copy of this letter to the Ranking Minority Member, House Committee on Government Reform and Oversight.'' That is the gentleman from California (Mr. WAXMAN).

Madam Chairman, I yield 4 minutes to the gentleman from Texas (Mr. SESSIONS), who has had a leading role in this. He is the founder and chairman of the Results Caucus. He has done an outstanding job as a new Member to this House. He takes his assignments seriously, and we can always depend upon him to show up and to have constructive suggestions.

Mr. SESSIONS. Madam Chairman, the discussion that we are having today is about whether we will go back and look at those strategic plans that have been presented by agencies and whether they not only fit the criteria that they were supposed to and, also, whether we will go back now and ask them to revisit what they have done.

What I would like to point out to my friends on the other side of the aisle is that we have repeatedly attempted to work with agencies. This law was passed in 1993. When I came to Congress, I was very careful to work with not only Inspector Generals, but also each agency head, to let them know that we were serious about getting their strategic plans so that we could make determinations, including those that would be appropriations-related, about the business that they were doing.

As my colleagues can see from this chart, every single time we attempt to work with the administration, their plans get better. The fact of the matter is that some 19 out of 24 are still in an F-grade status. We are attempting to be honest and to accept the responsibility that is given to us through the American people when we ask the administration to please justify the work that they are doing to where we can make the appropriate decisions about money.

When I spent 16 years in the private sector, I had to fill out a strategic plan. Of course, I did not like it. But it was given to the people who appropriated money to me in my business and that they would know what I was doing; and what I expected to be done was on that sheet of paper.

I will politely tell my friends and remind them again that the plans that have been presented by these agencies will make it very difficult for us to appropriate money for all the things that need to be done. I am disappointed with what they are doing, and I am going to support this to ask that we get clear and better towards the people's business.

Mr. KUCINICH. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the Government Performance and Results Act was strongly supported by Democrats when it became law in 1993. It was fully consistent with efforts by the administration to reinvent government.

Let us be fair about this. Spearheaded by Vice President GORE's National Performance Review, the administration has made great strides in bringing greater accountability, efficiency, and economy to the Federal Government. It is actually the longest running reform effort in U.S. history.

The policies have already saved American taxpayers over $130 billion. Now that is economy. The size of the Federal work force has been reduced through attritions and buyouts by over 300,000 employees. That is efficiency. We now have the smallest Federal work force since John F. Kennedy was President. That is economy and efficiency.

Federal agencies have eliminated more than 16,000 pages of regulations. That is efficiency. Agencies have been cutting red tape, empowering Federal employees, and putting the public first.

Government works. The American people know that government works. People know government can do better. They also know that government is doing its job. This is our government. We have a responsibility to make it work for us.

That is what the Government Performance and Results Act is intended to do, to make government work, to make it work better, to make it work more efficiently, working for the people.

We, the people of the United States, this is our government. Our government was required to do strategic plans by October 1, 1997. And each agency, Madam Chairman, has done the plans that they were required to do.

When we tell each agency that after they have already submitted plans, in this case 100 agencies each submitting a plan that they have spent a year working on, when we tell those agencies that they should throw all those plans out and start all over again, we need to look at that process.

I ask the Members of this House, is it possible that all the agencies submitted plans which should be failed? Let us say it is possible that one could have. One agency possibly may not have done the plans right. Do the plan again.

But I ask, is it possible that every single agency in the Federal Government, Labor, HHS, Treasury, the FTC, the SEC, and all of those other agencies which the American people are familiar with, is it possible that none of these agencies know what they are doing? That they all have to be failed? Is that possible?

Madam Chairman, I was a college associate professor for a while. I have had the opportunity to have classrooms full of students. I was in a role of a teacher. I had my objectives.

At the end of the period, at the end of the course, I gave a test. What would it say about me if everyone in the class failed? The administration of the college would come back to me, and they would not say, what is wrong with your class? They would say, what is wrong with you?

Think about that, all the people who have kids in school. If you had someone who failed every one of the kids in the class, would you say the kids were wrong, or would you say there is something wrong with the teacher?

Let us look at this legislation. This legislation says everybody in the Federal Government failed. That is not credible. That is not even possible. Telling the American people that the entire Federal Government is in a shambles at a time when there is a balanced budget, at a time when we are making government work, at a time when we have lowered interest rates, and I say ''we'' because it has been the Congress and the administration, at a time that unemployment is down, at a time that we are making government work, at a time that we are making government accountable, this legislation stands all that on its head.

If anyone believed that the entire government is a mess, then this Congress itself cannot escape the consequences of such logic. We smear ourselves by advancing such a proposition, ladies and gentlemen.

It has been my experience in my first year in Congress that there is a lot of good men and women on both sides of the aisle. I want the American people to know that this is a Congress that can work for the people; that there are

good people on both sides of the aisle. Sure we could do better. We can make the government work better.

The executive branch has done a lot of good. Men and women who are in that branch ought not to be told that their work is worthless. They ought not to be told that they failed.

If all of the agencies failed, then perhaps it is not the agencies that have failed, but the law which holds them to criteria and performance standards which are unobtainable because they are unreasonable.

We all want government to work. We all want a results-oriented government. I believe that we can work with the administration to get them to do a better job. But let us not tell all these agencies their work is meaningless, because if that is what someone really believes, then what you are saying is you just do not believe in government. You do not like government.

We are the government. That is my point. We should not promote this hatred of government. Because in doing so, we inspire bad feelings about the Congress itself. As I said, there are a lot of good men and women in this House.

So do not tie up our government by telling 100 agencies they should do their work all over again. Do not create a paperwork mess by asking for another hundred plans. Do not tell the American taxpayers they should pay money and have those agencies do something again that they have already done once. Let the agencies do their jobs for the American people.

Mr. SESSIONS. Mr. Chairman, will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I have some questions. How many of these plans did the gentleman from Ohio look at?

Mr. KUCINICH. I would say I looked at a few of them. I think all the plans could be done better. But should they all be done over again? No.

Mr. SESSIONS. What we are trying to say is that we have looked at them. We have reviewed them. We have been in constant contact with agencies. We have given them specific feedback about the things that are lacking. It was not like an F grade with no comments.

□ 1215

They are specific comments directly to the agencies about how they can make that better to where we can have the language between that and appropriations.

Mr. KUCINICH. I would like to ask the gentleman who did the grading.

Mr. SESSIONS. The grading was done by the people who had been working directly with the agencies. That was done with consent of the staffs. The minority staff was there the entire time that this was done and given every opportunity to participate.

Mr. KUCINICH. I would like it stated for the record that we took issue with this whole process because it established criteria which were absolutely impossible. The fact of the matter is, it defies logic, it absolutely defies logic, that every agency in the Federal Government does not know what it is doing. I would be afraid to get on an airplane if that were the case.

I think that we need to understand that government can do better. I agree with the distinguished gentleman. We can do better. But to pass a law and as a consequence tell all 100 of those agencies that they do not know what they are doing and at the same time tell them that they failed.

Mr. SESSIONS. The assumption is that we were not forthright in what we did by asking them directly. If what they would do is to listen to what we were saying about these agencies, we had professionals who were involved. The bottom line is that the business we are involved in is serious and we are trying to get the agencies to come and be responsible.

Mr. KUCINICH. Reclaiming my time, I would respectfully suggest to the gentleman that we have professionals who are also running this government. This is not amateur night in the government. If we pass this bill, it implies that we have a bunch of amateurs running the government and that is not true.

People across this country are seeing ways in which government works. People across this country are finding that government can do things for them when they need the help of the government.

I know I am not here as an apologist for government. I know better. I know that government can do better. But I also know that it is wrong for us to start condemning the very institutions which we are here to represent and to try to make work by asking people to vote for legislation that would in effect say that nothing is working.

Mr. SESSIONS. There was a report that was issued in the 104th Congress that talked about $650 billion worth of waste, fraud and error in the Government of the United States. We are attempting to make sure that we spend every penny that we should but not a dollar more. What we are trying to do is to be responsible and do the responsible thing, and we are asking to be met halfway.

We have given a great deal of information back to every agency, we have been very specific in what we have talked about, and we think it is not only fair and right, but it is the proper thing to do for accountability.

Mr. KUCINICH. Madam Chairman, I would suggest that under existing law we already have laws to make the agencies do a better job, we do not need to pass another law that tells all 100 agencies to do their plans all over again. That is the point of my presentation here, that what we are asking the agencies to do is unfair. We are smearing the entire government by proposing this legislation be passed, and we are doing it in the name of efficiency.

Where is the efficiency in asking 100 agencies to do their plans all over again, plans that they just completed about 6 months ago? It just defies logic.

I would like to say that this is not a mystery process here in the House of Representatives. We just have to ask, does it make sense? That is what I ask. Does it make sense that 100 agencies all failed in providing their strategic plans? Does it make sense that we ask 100 agencies to do plans all over again?

Mr. SESSIONS. My point would be this. It should be done until it is done correctly. There are small businesses, large businesses that all operate off a strategic plan. If they do their strategic plans such that they are able to survive, then that will be the determination.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from Ohio (Mr. KUCINICH) has expired.

Mr. HORN. Madam Chairman, I yield myself such time as I may consume. It has been implied that nobody on the other side of the aisle was ever involved. All Democratic staff that were relevant were invited. I know that the following participated. It does not mean they were in every meeting, because staff members have a lot of things to do on the subcommittee staff.

I thank the Democratic minority staff: Mark Stephenson, a very valuable staff member that we all rely on is a staff member of the gentleman from California (Mr. WAXMAN), the Ranking Minority Member on the full committee was a participant. So was Howard Bauleke, Minority Counsel, Committee on Commerce, reporting to the gentleman from Michigan (Mr. DINGELL) who is the Ranking Minority Member. Also participating was Elana Broitman, professional staff member Committee on International Relations, reporting to the gentleman from Indiana (Mr. HAMILTON), the Ranking Minority Member. Mary Ellen McCarthy, Minority Counsel-Benefits, Committee on Veterans' Affairs, participated. She reports to the gentleman from Illinois (Mr. EVANS).

I simply want to clear the air since there have been a few false impressions left here. The Democratic staff was involved. They could have been involved in every meeting. That is their choice. They were notified by the majority staff. I cannot help it if they have a lot of other things to do. I hope that their Ranking Minority Members then do not come to the floor and say, ''Gee, nobody ever consulted us.'' Baloney.

We have had the rule in my subcommittee that the staff director, Russell George, notifies the gentlewoman from New York (Mrs. MALONEY), who was the ranking member during most of this period, on everything that we are doing. That is why we have had very good cooperation on both sides of the aisle in that subcommittee.

Madam Chairman, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding me this time. Madam Chairman, I have been listening to this debate. It has been a good debate.

I want all Members to be reminded of something the gentleman from Ohio just said. He said that we are here to represent these agencies. I think that that is true, that that side is here to represent those agencies, the Washington bureaucracies. I think it is very important because it not only defines this debate, but a central difference between the Republicans and the Democrats. Because we are here to represent the taxpayers, the American people, we see this as a bureaucrat reality check. ''Bureaucracies, you have a budget of $1.7 trillion. We want to know where you are going with the money, how you are getting there, is it being done properly or not?''

I was here when we started the Reinvent Government and served on a bipartisan panel. I found out that reinventing the government is more than a photo op or a PR tour. You cannot just talk the talk; you have to walk the walk. There comes times, yes, for some heavy lifting. What we are saying is, ''Do what the private sector does.''

''Isn't that horrible? The government bureaucracies whom we love on this side must do what the private sector has to do. This is horrible.''

Can my colleagues imagine Coca-Cola working or operating without a mission statement? Can my colleagues imagine Mr. Ivester, the chairman of Coca-Cola, saying, ''What we need to do is follow the Post Office example.'' Or could my colleagues imagine Gates at Microsoft saying, ''I know. Let's follow the IRS when it comes to computer technology.'' The private sector is not going to do that.

All we are saying to government agencies is, do what the private sector does.

Let us put it in terms for the defenders of the status quo; let us put it in terms of the middle class. You are sitting around the kitchen table, you have finally paid off your credit card for one month, but you still have a debt, in this case it is $4.5 trillion. So you have to ask yourself, is it cheaper to buy eggs by the dozen or should we buy them individually? Should I wear the clothes and wash them or should I just discard them once they are dirty? When my car needs a tuneup, should I trade it in or should I tune it up and keep going with it?

This is what middle-class America has to do every single day, every single paycheck, every single month. They simply have to ask themselves the questions which we are saying to these high, exalted Washington bureaucrats: ''Look, you've got to go through things because we're still $4.5 trillion in debt.''

We are delighted that the United States Congress has played a role in balancing the budget, but it is not good enough. We still pay about $240 billion a year, almost more than we spend on the military, just in interest on the national debt. I think we owe it to the people.

I am on the Appropriations Committee. When a government bureaucracy comes to ask for their share of the $1.7 trillion, I want to know, are you doing it well? Are you doing it efficiently? Can you do it better? Can it be farmed out to a nonprofit organization or to a for-profit organization? Could it be done locally, could it be done on the State level? These are important questions. That is why we are here to represent the taxpayers, not the bureaucracies.

Mr. HORN. Madam Chairman, I am delighted to have the following speaker follow the gentleman from Georgia (Mr. KINGSTON) because if W.C. Fields were alive he would say, ''Never follow Jack Kingston,'' but we have the talented majority leader, and I am delighted to yield such time as he may consume to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. I thank the gentleman for yielding me this time.

Madam Chairman, I want to begin by commending the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. HORN) and the gentleman from Texas (Mr. SESSIONS) for bringing this bill to the floor. I want also to express my appreciation to the minority side of the committee.

GPRA, the Government Performance and Results Act, or as we know it, the Results Act, was passed into law in 1993. It was passed by a Democrat majority in Congress and signed by President Clinton.

The object of the legislation at the time was to acknowledge the fact that every agency of this government is a creature of the Congress of the United States working in conjunction with the executive branch of the United States, that every agency of this government is created, and has been in the past created, to serve a purpose on behalf of the American people; and that it is an ongoing responsibility of the Congress and the executive branch, and should be a responsibility fulfilled on both a bicameral and a bipartisan basis to provide oversight and encouragement to each of these agencies, to have a clearly defined set of objectives consistent with the law of the land from which they were created, and to have clearly and closely monitored courses of action for their performance with respect to the fulfillment of those objectives.

It is called oversight. It is not optional. It is a responsibility and a duty of the Congress to provide that.

That was recognized, on this floor, in those debates, by the majority as we passed this bill in 1993. It was recognized by the White House and the President as they signed the legislation in 1993, and it has been recognized by this Congress.

Now, I must say, to a large extent what we have been doing for the last couple of years under the Government Performance and Results Act is going to each and every agency of the United States Government and saying, you ought to be doing a service for the American people. You ought to be giving the American people some value for their tax dollar by doing something that is in fact meaningful in their lives and doing that on the most cost-effective basis possible. We ask you to plan, to create a plan, and to rigorously execute a plan that is consistent with those goals and objectives that you yourself define.

In a sense, we have been asking each and every agency of the government to learn a new rigor in how they conduct the people's business.

Know a lot of my colleagues will not believe this, but I am 58 years old. I can tell Members it is not always easy to learn new ways of doing things, especially if you happen to be an agency that is 58 years old or a 58-year-old person in that agency. But sometimes I think it becomes in fact just plain necessary.

The American people are not happy. The American people do not believe they are getting good value for their dollar. The American people do not believe that every agency knows what its mission is or has any idea whether or not they are accomplishing their mission.

I have to tell Members, I am proud of the way the responsibilities of GPRA have been picked up by both the Republicans and the Democrats in the House and the Senate, by the White House, as we worked with the office of OMB, and by the agencies themselves as they have struggled to get it right. It has taken time. It has been difficult. It certainly has not been a very happy experience, I am sure, in the lives of many, many people. But we have made great progress.

We have had a better understanding in Congress of what our responsibilities are, and we now see GPRA provisions being written into the law as we go into the process, and we have seen the agencies work and respond. And some have responded more effectively than others, but they have all made the effort.

What this bill says today is, ''Let's update the 1993 act. Let's give ourselves the opportunity to take the time to really truly do it right. Get it done correctly.''

□ 1230

We will discuss in this body among ourselves, and have done so, whether or not there ought to be this objective of Federal public policy, or that objective; should there be this kind of an agency, or that. But once that is settled and the agency is in place and money is appropriated for its operation, and people are employed to carry out the purposes of the agency on behalf of the American people, can

they, in fact, do so as any other enterprise, whether it be a family or a business, after review, reconsideration of objectives, reaffirmation of purpose, and reconstruction of methodology, do that thing which they have set out to do in a more effective and complete way at less cost to the taxpayers.

We do these things as we conduct ourselves in the ordinary business of life in the private sector. The Federal Government should do that with the tax dollars it takes from people in the ordinary business of life from the private sector. And in the end, if we do it well, we will have a government that is, in its ordinary business of life, day in and day out, a service in the lives of our constituents.

Each and every one of us as a Member of Congress has two jobs. I have a job in Washington where I am involved in making the laws and creating the agencies and creating the programs, and I have a job in my district, working hand-in-hand with real people in their real lives as they struggle to live with those agencies and those programs. We call that back home in our district constituency service.

Is there any Member of Congress whose heart does not break every year when they look at the number of times constituents from their districts have come to them, troubled because the red tape, the procedures, the process by which an agency has related to their lives with respect to something that is important in their lives have been so cumbersome, so bothersome, so ineffective that they just feel a desperate frustration and come to you and say, ''Now, beyond my case, can you not make it work?'' That is really what we are about here.

The committee has done a great job of reviewing this act and reviewing the efforts that have been made, efforts that are commendable, and seeing where we might reconstruct the law and just that little bit of fine-tuning that allows our ability to achieve these real results, to proceed with even better results.

So again, let me encourage all Members of this body on both sides of the aisle, if in fact we want a government that is a real service in the lives of our constituents, and a government that does not result in us having beleaguered constituents flocking to our offices back in our districts saying, ''Please help me with this frustrating experience of trying to work with this agency,'' and if we want to give the agency a word of encouragement and support for their magnificent efforts to in fact get it right.

The agencies are not complaining about this effort. The agencies are saying, we understand the need to perform better and we want to do so. We just need more time to learn some new tricks, and I can tell my colleagues, I understand that. This old dog always needs more time to learn new tricks, but I hope I learn, and I know the agencies will learn, and I know that Congress wants to give them that kind of encouragement.

Mr. BROWN of California. Mr. Chairman, the bill before us today is characterized as merely offering technical amendments to the Government Performance and Results Act of 1993. If that were true, I could support the bill. However, the bill moves beyond technical amendments to include a requirement that every agency produce a new Strategic Plan to be submitted by September 30, 1998. This is probably the most anti-strategic planning requirement we could possibly conceive of.

The idea of entering into a strategic planning process is that Agencies will begin to clarify their priorities, develop solid measures of performance and begin to tie their priorities, performance and budgeting together in a thoughtful and coherent fashion.

While most agencies, at some level, have always engaged in planning and priority setting in budgeting; what is new about GPRA is the requirement that this be done agencywide, by every agency and that these agencies develop credible measures of performance.

The process envisioned in the original act called upon agencies to produce a five year strategic plan that would lay out general goals. Then each year's budget submission would elaborate how the dollars being spent would be used to further the goals of those plans and propose measures for performance in achieving the goals.

After each fiscal year, each agency would be responsible for reporting back to Congress on how it performed as measured against its own goals. We haven't even been through one cycle of this process and already we are seeing technical amendments. Further, rather than let agencies see how the process works, look for ways to improve their processes and learn by doing, we are imposing on all of them that they go back to the drawing board and redo another round of strategic plans.

And how are they going to do that when we can't even predict when or if this bill will ever pass into law? By requiring that agencies redo their strategic plans you interfere in their ability to carry out their efforts to develop measures, tie budgets to priorities and learn how to do all of that better. Worse, we cannot tell agencies when this burden will be imposed on them or even if it will because there is no one in this body who can predict when or if this bill will become law. In short, this is an irresponsible provision.

The only folks who are going to benefit from the requirement are the beltway bandits who have been making millions of dollars advising agencies on how to be GPRA-compliant. This is a giveaway to contractors, nothing more nor less.

While I could support some of the technical amendments in this bill, I find the requirement that agencies redo their plans so pernicious and contrary to any honest spirit of improving the planning efforts of Federal agencies that I must oppose this leglislation.

The CHAIRMAN pro tempore (Mrs. EMERSON). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment, and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2883

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Government Performance and Results Act Technical Amendments of 1998''.

SEC. 2. AMENDMENTS RELATING TO STRATEGIC PLANS.

(a) CONTENT OF STRATEGIC PLANS.—Section 306(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting before the semicolon '', that is explicitly linked to the statutory or other legal authorities of the agency'';

(2) in paragraph (2), by inserting before the semicolon '', that are explicitly linked to the statutory or other legal authorities of the agency''; and

(3) by striking ''and'' at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting a semicolon, and by adding at the end the following new paragraphs:

''(7) a specific identification of any agency functions and programs that are similar to those of more than one component of the agency or those of other agencies, and an explanation of coordination and other efforts the agency has undertaken within the agency or with other agencies to ensure that such similar functions and programs are subject to complementary goals, strategies, and performance measures;

''(8) a description of any major management problems (including but not limited to programs and activities at high risk for waste, abuse, or mismanagement) affecting the agency that have been documented by the inspector general of the agency (or a comparable official, if the agency has no inspector general), the General Accounting Office, and others, and specific goals, strategies, and performance measures to resolve those problems; and

''(9) an assessment by the head of the agency of the adequacy and reliability of the data sources and information and accounting systems of the agency to support its strategic plans under this section and performance plans and reports under sections 1115 and 1116 (respectively) of title 31, and, to the extent that material data or system inadequacies exist, an explanation by the head of the agency of how the agency will resolve them.''.

(b) RESUBMISSION OF AGENCY STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended—

(1) in subsection (b), by striking ''submitted,'' and all that follows through the end of the subsection and inserting the following: ''submitted. The strategic plan shall be updated, revised, and resubmitted to the Director of the Office of Management and Budget and the Congress by not later than September 30 of 1998 and of every third year thereafter.''; and

(2) in subsection (d), by inserting ''and updating'' after ''developing'', and by adding at the end thereof: ''The agency head shall provide promptly to any committee or subcommittee of the Congress any draft versions of a plan or other information pertinent to a plan that the committee or subcommittee requests.''.

(c) FORMAT FOR STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended by redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following new subsection:

''(f)(1) The strategic plan shall be a single document that covers the agency as a whole and addresses each of the elements required by this section on an agencywide basis. The head of an agency shall format the strategic plans of the agency in a manner that clearly demonstrates the linkages among the elements of the plan.

''(2)(A) The head of each executive department shall submit with the departmentwide strategic plan a separate component strategic plan

for each of the major mission-related components of the department. Such a component strategic plan shall address each of the elements required by this section.

''(B) The head of an agency that is not an executive department shall submit separate component plans in accordance with subparagraph (A) to the extent that doing so would, in the judgment of the head of the agency, materially enhance the usefulness of the strategic plan of the agency.''.

SEC. 3. AMENDMENTS RELATING TO PERFORMANCE PLANS AND PERFORMANCE REPORTS.

(a) GOVERNMENTWIDE PROGRAM PERFORMANCE REPORTS.—Section 1116 of title 31, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f)(1) No later than March 31, 2000, and no later than March 31 of each year thereafter, the Director of the Office of Management and Budget shall prepare and submit to the Congress an integrated Federal Government performance report for the previous fiscal year.

''(2) In addition to such other content as the Director determines to be appropriate, each report shall include actual results and accomplishments under the Federal Government performance plan required by section 1105(a)(29) of this title for the fiscal year covered by the report.''.

(b) INSPECTOR GENERAL REVIEW OF AGENCY PERFORMANCE PLANS AND PERFORMANCE REPORTS.—

(1) IN GENERAL.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

''§ 1120. Inspector general review of agency performance plans and performance reports

''(a) The inspector general of each agency (or a comparable official designated by the head of the agency, if the agency has no inspector general) shall develop and implement a plan to review the implementation by the agency of the requirements of sections 1115 and 1116 of this title and section 306 of title 5. The plan shall include examination of the following:

''(1) Agency efforts to develop and use performance measures for determining progress toward achieving agency performance goals and program outcomes described in performance plans prepared under section 1115 of this title and performance reports submitted pursuant to section 1116 of this title.

''(2) Verification and validation of selected data sources and information collection and accounting systems that support agency performance plans and performance reports and agency strategic plans pursuant to section 306 of title 5.

''(b)(1) In developing the review plan and selecting specific performance indicators, supporting data sources, and information collection and accounting systems to be examined under subsection (a), each inspector general (or designated comparable official, as applicable) shall consult with appropriate congressional committees and the head of the agency, including in determining the scope and course of review pursuant to paragraph (2).

''(2) In determining the scope and course of review, consistent with available resources, each inspector general (or designated comparable official, as applicable) shall emphasize those performance measures associated with programs or activities for which—

''(A) there is reason to believe there exists a high risk of waste, fraud, or mismanagement; and

''(B) based on the assessment of the inspector general, review of the controls applied in developing the performance data is needed to ensure the accuracy of those data.

''(c) Each agency inspector general (or designated comparable official, as applicable) shall submit the review plan to the Congress and the agency head at least annually, beginning no later than October 31, 1998.

''(d) Each agency inspector general (or designated comparable official, as applicable) shall conduct reviews under the plan submitted under subsection (c), and submit findings, results, and recommendations based on those reviews to the head of the agency and the Congress, by not later than April 30 and October 31 of each year. In the case of reviews by an agency inspector general, such submission shall be made as part of the semiannual reports required under section 5 of the Inspector General Act of 1978.''.

(2) CONFORMING AMENDMENT.—Section 1115(f) of title 31, United States Code, is amended in the matter preceding paragraph (1) by striking ''1119'' and inserting ''1120''.

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

''1120. Inspector general review of agency performance plans and performance reports.''.

(c) REQUIREMENT TO USE FULL COSTS AS PERFORMANCE INDICATOR.—Section 1115(a)(4) of title 31, United States Code, is amended by inserting before the semicolon at the end the following: '', which shall include determination of the full costs (as that term is used in the most recent Managerial Cost Accounting Standards of the Federal Financial Accounting Standards) of each program activity''.

SEC. 4. LIMITATION ON AUTHORITY TO EXEMPT THE COUNCIL ON ENVIRONMENTAL QUALITY.

Section 1117 of title 31, United States Code, is amended by inserting before the period the following: '', except that the Director may not exempt the Council on Environmental Quality''.

SEC. 5. SUBMISSION OF AGENCY FINANCIAL STATEMENTS.

Section 3515(a) of title 31, United States Code, is amended—

(1) by striking ''1997'' and inserting ''1999''; and

(2) by inserting ''the Congress and'' after ''and submit to''.

The CHAIRMAN pro tempore. During consideration of the bill for amendment, the Chairman may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 5, after line 8, insert the following:

(d) APPLICATION OF REQUIREMENTS TO CONGRESSIONAL COMMITTEES.—Section 306(g) of title 5, United States Code, as redesignated by subsection (c) of this section, is further amended by inserting after ''section 105,'' the following: ''and any committee of the House of Representatives or the Senate,''.

POINT OF ORDER

Mr. SESSIONS. Madam Chairman, I have a point of order.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. SESSIONS. Madam Chairman, the amendment offered by the gentleman from Ohio (Mr. KUCINICH) violates clause 7, House Rule 16, which states, in pertinent part, that no motion or proposition on a subject different from that under consideration shall be deemed admitted under the color of amendment.

The amendment before the committee is not germane to the subject matter under consideration. The amendment would apply the Government Performance and Results Act to the legislative branch. GPRA, the Results Act, is a provision of law that only applies to the executive branch. Neither the bill before us nor the public law which it seeks to amend applies to the legislative branch.

The Precedents of the House suggest that amendments which bring the legislative branch within the ambient of bills with general accountability to the executive branch are not germane. Therefore, Madam Chairman, the amendment is not germane, and I insist on my point of order.

The CHAIRMAN pro tempore. Does the gentleman from Ohio wish to be heard on the point of order of the gentleman from Texas?

Mr. KUCINICH. Madam Chairman, yes, I do.

We had presented this amendment in hopes that a point of order would not be insisted on because we simply believe that Congress ought to be required to abide by the same laws which we would insist that the executive branch be required to abide by.

I thank the Chair.

The CHAIRMAN pro tempore. The Chair is prepared to rule.

The gentleman from Texas makes a point of order that the amendment offered by the gentleman from Ohio (Mr. KUCINICH) is not germane. The bill is considered as read and open to amendment at any point, so the test of germaneness is the relationship of the amendment to the bill as a whole.

The bill, H.R. 2883, seeks to alter what is required of Federal executive branch agencies in the area of strategic plans and performance reports. Specifically, the bill seeks to change agency responsibilities relating to content, submission and format of the strategic plan under the Government Performance and Results Act of 1993. The bill also prescribes additional responsibilities for the Inspector General of each agency and the Director of the Office of Management and Budget. In addition, the bill seeks to alter the submission requirements for certain agency financial statements.

The amendment offered by the gentleman from Ohio seeks to apply the requirements of the Government Performance and Results Act to entities in the legislative branch, specifically, the committees of the House and Senate.

Clause 7 of rule XVI of the rules of the House requires that an amendment

be germane to the proposition to which offered. As recorded on page 611 of the House Rules and Manual, a general principle of the germaneness rule is that an amendment must relate to the subject matter under consideration. The Chair will note a relevant precedent. In the 100th Congress, the Committee of the Whole was considering legislation requiring a study of pay practices of the executive branch. The Chair ruled that an amendment which would have extended the study to the legislative branch was not germane. This precedent is cited on page 620 of the House Rules and Manual and codified in Deschler-Brown Precedents, Volume 10, Chapter 28, section 13.8.

Corollary principle of the germaneness rule is that an amendment should be within the jurisdiction of the committee reporting the bill. The present bill was reported by and is confined to the jurisdiction of the Committee on Government Reform and Oversight. The amendment offered by the gentleman from Ohio addresses the applicability of the Government Performance and Results Act to entities of the legislative branch. The internal operation of the Congress falls within the jurisdiction of other committees of the House.

Accordingly, the amendment is not germane and the point of order is sustained.

The CHAIRMAN pro tempore. Are there other amendments?

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY of New York:

Page 5, after line 8, insert the following:

(d) LIMITED APPLICABILITY TO FEDERAL RESERVE BOARD AND BANKS.—(1) Section 306(g) of title 5, United States Code (as redesignated by subsection (c)), is amended by inserting ''(including the Board of Governors of the Federal Reserve System and the Federal Reserve banks, but only with respect to operations and functions that are not directly related to the establishment and conduct of the monetary policy of the United States)'' after ''105''.

(2) Such section is further amended by adding at the end the following new subsection:

''(h) Notwithstanding subsections (a) and (b), the Board of Governors of the Federal Reserve System and the Federal Reserve banks shall not be required to submit a strategic plan under this section to the Director of the Office of Management and Budget.''.

Page 9, after line 2, insert the following:

(d) LIMITED APPLICABILITY TO FEDERAL RESERVE BOARD AND BANKS.—(1) Section 1115 of title 31, United States Code, is amended by adding at the end the following:

''(g) The Board of Governors of the Federal Reserve System and the Federal Reserve banks—

''(1) shall not be required to submit a performance plan to the Director of the Office of Management and the Budget under this section; and

''(2) shall submit to Congress, not later than March 1 of each year, a performance plan containing the information described in subsection (a), but only with respect to operations and functions that are not directly related to the establishment and conduct of the monetary policy of the United States.''.

(2) Section 1116 of such title is amended by adding at the end the following new subsection:

''(h) Notwithstanding subsection (a), the Federal Reserve Board and the Federal Reserve banks shall not be required to submit a report on program performance to the President under this section.''.

Mrs. MALONEY of New York (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Chairman, our bipartisan amendment clarifies the intent of Congress that the Government Performance and Results Act should apply to the Federal Reserve System. The Federal Reserve has disputed this legal interpretation, but has so far agreed to voluntarily comply with all requirements of the Results Act. This amendment would simply make the congressional intent on coverage clearer.

This Congress, when they enacted this, intended it to cover all agencies. The Federal Reserve has claimed that they are unique because they are off-budget and so-called independent, yet all other independent agencies are covered, such as, to give two examples, FDIC and Social Security. The statutory language and history surrounding the Federal Reserve Act of 1913 makes it clear that the Federal Reserve is a creature of Congress and a Federal agency for all intents and purposes.

I believe, as well as the Office of Management and Budget and the General Accounting Office, that the Results Act does cover the Fed and, if fully implemented, would help improve Fed operations.

We have drafted our amendment to very carefully exclude monetary policy, yet a GAO report in 1996 said that approximately 90 percent of the Fed's activities and functions are not directly related to monetary policy. In fact, according to this report, 93 percent of the operating budget accounts for salaries and costs associated with supervision and regulation of banks and provision of payment services in the banking industry. That amounts to approximately $2 billion to $2.5 billion annually.

Earlier, the gentleman from Texas (Mr. SESSIONS) argued very eloquently that the Results Act should apply to all agencies, even if they were smaller than the threshold. I support him in that interpretation, and I appreciate his support in expanding this amendment to cover the Fed.

I would like to enter into the record this statement that clarifies our intent with the advice and consent of the chairman of the Committee on Banking and Financial Services, the gentleman from Iowa (Mr. LEACH); the gentleman from Texas (Mr. SESSIONS); the gentleman from Texas (Mr. BENTSEN); myself; and the gentleman from Ohio (Mr. NEY).

I want to make the intent of Congress completely clear. In no way should these reporting requirements be used to influence in any way monetary policy, and it expressly exempts monetary policy. OMB, with the language of this amendment, shall not dictate the way in which the Federal Reserve makes its report to Congress. And, thirdly, by this amendment we do not mean that each Federal Reserve Bank submit a separate report to Congress, but that the organizations submit unified reports, organization-wide reports.

Madam Chairman, I thank the chairman of the subcommittee, the gentleman from California (Mr. HORN) for his support, and the gentleman from Texas (Mr. SESSIONS) for his leadership and support, and the gentleman from Ohio (Mr. NEY) for cosponsoring this amendment with me.

Mr. KUCINICH. Madam Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Ohio.

Mr. KUCINICH. Madam Chairman, I rise in strong support of the Maloney amendment and I commend the gentlewoman from New York for crafting a thoughtful and carefully considered change to this bill. This amendment clarifies that the Results Act applies to the Federal Reserve System, while preserving the traditional independence of the Fed from the executive branch.

When the Results Act first passed, the administration concluded that the Fed was a covered agency, and this was presumably the intent of Congress as well. The Fed has disputed this legal interpretation, but has agreed to voluntarily comply with the Act. The Maloney amendment would simply make this coverage clear, and I urge support.

Mr. NEY. Madam Chairman, I move to strike the last word.

Very briefly, Madam Chairman, I rise today in support of the amendment. The Government Performance and Results Act encourages greater efficiency and effectiveness. A lot of the points have been stressed. This is an amendment that accepts the Fed operations in regards to monetary policy. I just want to commend my colleague. This is a very good accountability amendment for the House. I want to praise her for her work on it and urge everyone to support it.

□ 1245

Mr. HORN. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I also commend the former ranking member (Mrs. MALONEY of New York) of the subcommittee. I think she, the gentleman from Ohio (Mr. NEY), the gentleman from Texas (Mr. SESSIONS), and all

those who have been involved in this, including the chairman of the Committee on Banking and Financial Services (Mr. LEACH) have done commendable work here. This is long overdue.

As I told the gentlewoman from New York (Mrs. MALONEY) several days ago, I strongly support her effort. The majority is delighted to accept it and put it in the bill.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Beginning on page 3, strike line 21 and all that follows through page 4, line 11.

Page 4, line 12, strike ''(c)'' and insert ''(b)''.

Mr. KUCINICH (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KUCINICH. Madam Chairman, the distinguished majority leader, the gentleman from Texas (Mr. ARMEY), in his eloquent presentation earlier, summed up his remarks by saying that you can teach an old dog new tricks. My response is, simply, do not beat that dog. Because what we are doing here is beating up on agencies which serve the people of this country, and when we ask them to do their plans all over again, we are wasting taxpayers' money.

This amendment, Madam Chairman, is simple and straightforward. It eliminates the bill's requirement that all Federal agencies' strategic plans should be resubmitted on September 30, 1998. The annual performance plans required by GPRA have only just begun arriving in Congress. Some will make changes to agencies' strategic plans.

It would be much better to absorb these annual plans fully before requiring the rewrite of all the strategic plans by this September. As a purely practical matter, it is now mid March. The best we can possibly expect from the Senate would be action toward the end of April. That would leave the agencies about 5 months to draft new plans, consult with Congress, and submit final strategic plans. That is simply not long enough.

Also, the submission of these plans this October, less than 6 weeks from election day, opens the door to a politicization of GPRA, which we have tried to avoid. At the Subcommittee on Government Management and Information Technology, on this legislation, not one of the witnesses testified in support of this universal resubmission requirement. It is my understanding, Madam Chairman, that in open committee we did not even take the opportunity to talk to each agency about their plans.

My amendment would save thousands of work hours and millions of dollars, millions of the taxpayers' dollars, in respect to the Federal agencies, time and money which would be better spent on productive activities, rather than repeating an exercise completed 6 months ago.

A more targeted approach would be much wiser. If some of the strategic plans were inadequate, then the appropriators and authorizers with direct jurisdiction can and they should request resubmission of those plans. That can happen under existing law. OMB testified that they would support such efforts.

Indeed, the existing OMB circular on GRPA states, ''Significant changes to a strategic plan should be made through a revision of the strategic plan, even if this accelerates,'' even if this accelerates, ''the required 3-year revision cycle. Minor adjustments to a strategic plan can be made in advance of a 3-year revision cycle by including these interim revisions in the annual performance plan.''

Madam Chairman, this guidance is fully consistent with the Government Performance and Reform Act. This process is proceeding. The Labor Department is proceeding with a complete revision of their strategic plan, and at least four other agencies, Interior, HHS, NASA, and Education, have made minor revisions through their annual performance plans.

So if Congress wants revisions of specific plans, it can certainly get them. If the authorizing or appropriating committees of jurisdiction made a request to an agency for a revision of their strategic plan, ample authority already exists for that to happen. Given the power of the purse exercised by Congress, it certainly would happen.

I would like to comment briefly on the concurrence of the administration with the scorecard that has been displayed, which has been implied by some. In the letter to the gentleman from California (Mr. WAXMAN), OMB makes clear this is not the case.

''The Office of Management and Budget has never developed or endorsed a scorecard approach. In particular, we have never endorsed specific scores, specific scoring techniques, or the weight given to different factors contained in a scorecard used by the House majority leadership.''

Even if we were to accept the scoring of these plans, which I certainly do not, it is important to note that they only examine 24 agencies out of the entire number. Yet under this bill, 76 agencies whose plans were not even looked at would have to completely redo them.

That is ridiculous. Again, it defies the test of logic. How can we reject something, sight unseen, unless we simply want to attack the entire Federal Government, without regard as to the proof which we would criticize, even not having seen it? In effect, this bill says to Federal agencies, we do not care how hard you may or may not have worked to develop sound strategic plans; everyone has to do them anyway. We penalize indiscriminately.

I would like to take this moment to thank the men and women of all the government agencies who are trying to do a job despite this kind of pressure, and ask them to continue to try to do better, and let them know that the American people do appreciate the service which they are rendering, and they do not deserve this kind of an attack with this legislation.

Mr. HORN. Madam Chairman, I move to strike the last word.

Madam Chairman, if adopted, this amendment essentially guts the bill. I ask every Member to disagree with this proposal. It makes absolutely no sense.

We are not saying every agency was wrong, but when we first reviewed the plans of 24 major agencies, there were very few that were above 50 out of a scale of 105. I am looking at the Social Security Administration. It moved from 62 to 68. That was a well-run organization 35 years ago when I was on the Senate staff. It still is.

Education moved from 60 to 73. In other words, they improved their plans. Some, however, will need to go over and look at practically every section. They have not answered basic questions that we asked or that are required under the 1993 law. We are trying to get them to face up to that.

Regrettably, when we tried to have a more targeted approach, we were told by a high official in the Office of Management and Budget that, ''We are not interested in that.'' Are they reflecting the President's views? I doubt it. Or is it just the fact that maybe some in OMB are a little stressed down there?

As the gentleman from Texas (Mr. SESSIONS) eloquently noted, private sector companies constantly revamp their strategic mission, goals, and tactics. The gentleman from Georgia (Mr. KINGSTON) brought that up about Coca-Cola. The Federal Government is not Coca-Cola. On the other hand, the Federal Government is a large organization and it is only as effective as its component parts. That is what we are talking about here.

No organization that wants to be successful and that is successful would pass up three years and do nothing on their basic strategic plan when they did not get it right in the first place. We simply want the agencies to get it right. We want them to get it right by September so the President can use those goals in submitting the next budget. If we wait three years, everybody will have an excuse why they cannot give us the data. We want to require that they give us and the President those data that we need.

I, frankly, find it just very difficult to believe that the Office of Management and Budget would oppose this bill. With Vice President GORE's efforts to reinvent government and make

agencies more businesslike, we wonder what he is doing about this. If I were he I would be begging to do this. I cannot imagine a high official in any administration letting a staff get away with not doing what the law requires—a law which was enacted on a bipartisan basis.

That is where we are. I ask that this amendment be defeated.

Mrs. MALONEY of New York. Madam Chairman, I move to strike the last word.

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Chairman, I rise in support of the Kucinich amendment resubmission requirement. The underlying bill, unfortunately, is the antithesis of the Results Act. Rather than streamlining government, it will require agencies to repeat the work they have just completed.

This bill will create the very waste and duplication in our government that the bill purports to eliminate.

In 1993, a Democratic Congress and a Democratic administration began an effort to reinvent our government—to make it more efficient and responsive to the American people. As a part of that effort, we passed the Government Performance and Results Act, or ''GPRA.'' This legislation had overwhelming bipartisan support. We asked agencies to undertake strategic planning and timely performance evaluations so that we could streamline government and make it more efficient.

This bill, unfortunately, is the antithesis of GPRA. Rather than streamlining government, it will require agencies to repeat the work they've just completed.

Those agencies covered by GPRA—over 100 of them—have submitted their strategic plans to Congress and the Administration. According to the General Accounting Office, a non-partisan Congressional office, ''On the whole, agencies' plans appear to provide a workable foundation for Congress to use in helping to fulfill its appropriations, budget, authorization, and oversight responsibilities and . . . for the continuing implementation of the [GPRA].'' And the Office of Management and Budget testified before the Government Management, Information, and Technology subcommittee that they agreed with the GAO's assessment.

If the GAO and OMB believe that these are workable strategic plans, why are we considering a bill that would require these agencies to submit new plans just a few months after the original plans were submitted.

The Republicans claim that the agencies' plans are not sufficient. I have no doubt that some of the agency plans can be improved, but scrapping all of the plans is a blunderbuss that would waste taxpayer dollars. We should not ''fail'' these agencies just because we don't like what they have to say. If we have problems with these plans, then we should work with these agencies to bring their plans up to speed. We should not just tell them we don't like it and tell them to do it over. That will accomplish nothing: the majority is liable to not like the new plans, either. What are they going to do then?

This amendment addresses these problems. It strikes the bill's requirement that all federal agencies revise and resubmit their strategic plans to Congress by the end of FY 1998, thereby giving Congress and the agencies sufficient time to work on improvements before the next plan must be submitted in two more years.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was rejected.

The CHAIRMAN pro tempore. Are there other amendments to the bill?

AMENDMENT OFFERED BY MR. HORN

Mr. HORN. Madam Chairman, I offer an amendment, which is a technical amendment.

The Clerk read as follows:

Amendment Offered by Mr. HORN:

Page 7, line 24, strike ''to the Congress and''.

Page 7, line 25, after the period insert the following new sentence:

In the case of reviews by an agency inspector general, such submission shall be made as part of the semiannual reports required under section 5 of the Inspector General Act of 1978. Not later than 30 days after the date of the submission of the review plan to the agency head under this subsection, the agency head shall submit the review plan to Congress.

Page 8, line 5, strike ''and the Congress''.

Page 8, line 10, after the period insert the following new sentence:

Not later than 30 days after the date of the submission of the findings, results, and recommendations to the head of the agency under this subsection, the agency head shall submit the findings, results, and recommendations to Congress.

Mr. HORN (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HORN. Madam Chairman, this is, I believe, unanimously supported by both majority and minority. It was brought to the attention of the Committee on Government Reform and Oversight after the legislation was reported to the House that the submission dates drafted in the section of the bill dealing with the role of the Inspectors General were incorrect and needed to be brought into conformance with the existing law.

When the Inspectors General discovered that, they contacted our staff, and this is the technical amendment. It is not a substantive change. I understand it has the support of leadership on the other side of the aisle. I ask that this be adopted without further debate.

Mr. KUCINICH. Madam Chairman, will the gentleman yield?

Mr. HORN. I yield to the gentleman from Ohio.

Mr. KUCINICH. Madam Chairman, I simply want to say that I want to thank the chairman. This is, indeed, a technical amendment made at the request of the Inspectors General.

I have had the opportunity to review it, and we have no objection to its adoption.

Mr. HORN. Madam Chairman, I thank the gentleman for that.

Before asking that we have a rollcall on the final vote, I will include in the RECORD our thanks to both majority staff and minority staff members who have worked on this legislation. I am sure my colleague will want to read the minority staff that were involved.

The majority staff who helped with the bill were, from the full committee on Government Reform and Oversight: Daniel Moll, the Deputy Staff Director; Jane Cobb, Professional Staff Member; William Moschella, the Deputy Counsel and Parliamentarian.

From the Office of the Majority Leader, the gentleman from Texas (Mr. ARMEY), we had Ginni Thomas and Jaylene Hobrecht.

From the Subcommittee on Government Management, Information and Technology which I chair: Staff Director and Chief Counsel J. Russell George; Dianne Guensberg, Professional Staff Member, on loan from the General Accounting Office; Robert Alloway, Professional Staff Member; Matthew Ebert, Clerk; and David Coher, a U.S.C. student working in Washington, D.C., for a semester, and doing very fine work with us.

From the Office of the Representative PETE SESSIONS, chairman of the Results caucus: Robert Shea, Legislative Director.

Madam Chairman, I yield to the gentleman from Ohio (Mr. KUCINICH), the ranking member of the subcommittee, for the listing of their staff.

Mr. KUCINICH. Madam Chairman, I appreciate the gentleman yielding, and his work on this, and I look forward to continuing work with him. We may have differences of opinion, but I have a great deal of respect for his approach to things. I am grateful to the ranking member of the committee on which he is the chair.

Madam Chairman, I would like to thank our Democratic staff, Phil Schiliro, Phil Barnett, Mark Stephenson, David Sadkin of the committee, and Julie Moses of my personal staff. As Members of Congress will understand, we are able to be present here engaged in this debate because of the remarkable work of individuals who pour their hearts and souls into providing us with this information, much the same way as the Federal employees in the agencies do.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. HORN).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there other amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

□ 1300

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PETRI)

having assumed the chair, Mrs. EMERSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2883) to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports, pursuant to House Resolution 384, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KUCINICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 242, nays 168, not voting 20, as follows:

[Roll No. 50]

YEAS—242

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Brady
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Luther
Maloney (CT)
Manzullo
McCarthy (MO)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—168

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gordon
Gutierrez
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lowey
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stark
Stokes
Strickland
Stupak
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—20

Berman
Brown (CA)
Bunning
Cummings
Doyle
Furse
Gephardt
Gonzalez
Goss
Harman
Hinojosa
Hutchinson
John
Lofgren
Nadler
Poshard
Redmond
Sanchez
Schiff
Tanner

☐ 1321

Mr. MOAKLEY and Mr. HEFNER changed their vote from ''yea'' to ''nay.''

Mr. LUTHER and Ms. RIVERS changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CUMMINGS. Mr. Speaker, on rollcall number 50, my vote on the bill, H.R. 2883, the Government Performance Results Act amendments was not recorded, as there was a computer malfunction in the recording device. Today, I was present for all recorded votes in the House.

Had the computer accurately recorded my vote, it would have been a ''no'' vote on final passage.

I ask for unanimous consent that my statement appear in the RECORD immediately following that rollcall vote.

GENERAL LEAVE

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2883, the bill just passed.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

TUCKER ACT SHUFFLE RELIEF ACT OF 1997

The SPEAKER pro tempore (Mr. THOMAS). Pursuant to House Resolution 382 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 992.

☐ 1323

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 992) to end the Tucker Act shuffle, with Mrs. EMERSON (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on