

105TH CONGRESS
2^D SESSION

H. R. 2883

AN ACT

To amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports.

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To amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Government Perform-
3 ance and Results Act Technical Amendments of 1998”.

4 **SEC. 2. AMENDMENTS RELATING TO STRATEGIC PLANS.**

5 (a) **CONTENT OF STRATEGIC PLANS.**—Section
6 306(a) of title 5, United States Code, is amended—

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

10 (2) in paragraph (2), by inserting before the
11 semicolon “, that are explicitly linked to the statu-
12 tory or other legal authorities of the agency”; and

13 (3) by striking “and” at the end of paragraph
14 (5), by striking the period at the end of paragraph
15 (6) and inserting a semicolon, and by adding at the
16 end the following new paragraphs:

17 “(7) a specific identification of any agency
18 functions and programs that are similar to those of
19 more than one component of the agency or those of
20 other agencies, and an explanation of coordination
21 and other efforts the agency has undertaken within
22 the agency or with other agencies to ensure that
23 such similar functions and programs are subject to
24 complementary goals, strategies, and performance
25 measures;

1 “(8) a description of any major management
2 problems (including but not limited to programs and
3 activities at high risk for waste, abuse, or mis-
4 management) affecting the agency that have been
5 documented by the inspector general of the agency
6 (or a comparable official, if the agency has no in-
7 spector general), the General Accounting Office, and
8 others, and specific goals, strategies, and perform-
9 ance measures to resolve those problems; and

10 “(9) an assessment by the head of the agency
11 of the adequacy and reliability of the data sources
12 and information and accounting systems of the
13 agency to support its strategic plans under this sec-
14 tion and performance plans and reports under sec-
15 tions 1115 and 1116 (respectively) of title 31, and,
16 to the extent that material data or system inadequa-
17 cies exist, an explanation by the head of the agency
18 of how the agency will resolve them.”.

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

21 (1) in subsection (b), by striking “submitted,”
22 and all that follows through the end of the sub-
23 section and inserting the following: “submitted. The
24 strategic plan shall be updated, revised, and resub-
25 mitted to the Director of the Office of Management

1 and Budget and the Congress by not later than Sep-
2 tember 30 of 1998 and of every third year there-
3 after.”; and

4 (2) in subsection (d), by inserting “and updat-
5 ing” after “developing”, and by adding at the end
6 thereof: “The agency head shall provide promptly to
7 any committee or subcommittee of the Congress any
8 draft versions of a plan or other information perti-
9 nent to a plan that the committee or subcommittee
10 requests.”.

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

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

21 “(2)(A) The head of each executive department shall
22 submit with the departmentwide strategic plan a separate
23 component strategic plan for each of the major mission-
24 related components of the department. Such a component

1 strategic plan shall address each of the elements required
2 by this section.

3 “(B) The head of an agency that is not an executive
4 department shall submit separate component plans in ac-
5 cordance with subparagraph (A) to the extent that doing
6 so would, in the judgment of the head of the agency, mate-
7 rially enhance the usefulness of the strategic plan of the
8 agency.”.

9 (d) LIMITED APPLICABILITY TO FEDERAL RESERVE
10 BOARD AND BANKS.—(1) Section 306(g) of title 5, United
11 States Code (as redesignated by subsection (c)), is amend-
12 ed by inserting “(including the Board of Governors of the
13 Federal Reserve System and the Federal Reserve banks,
14 but only with respect to operations and functions that are
15 not directly related to the establishment and conduct of
16 the monetary policy of the United States)” after “105”.

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

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

1 **SEC. 3. AMENDMENTS RELATING TO PERFORMANCE PLANS**
2 **AND PERFORMANCE REPORTS.**

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

6 (1) by redesignating subsection (f) as sub-
7 section (g); and

8 (2) by inserting after subsection (e) the follow-
9 ing new subsection:

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

15 “(2) In addition to such other content as the Director
16 determines to be appropriate, each report shall include ac-
17 tual results and accomplishments under the Federal Gov-
18 ernment performance plan required by section
19 1105(a)(29) of this title for the fiscal year covered by the
20 report.”.

21 (b) INSPECTOR GENERAL REVIEW OF AGENCY PER-
22 FORMANCE PLANS AND PERFORMANCE REPORTS.—

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

1 **“§ 1120. Inspector general review of agency perform-**
2 **ance plans and performance reports**

3 “(a) The inspector general of each agency (or a com-
4 parable official designated by the head of the agency, if
5 the agency has no inspector general) shall develop and im-
6 plement a plan to review the implementation by the agency
7 of the requirements of sections 1115 and 1116 of this title
8 and section 306 of title 5. The plan shall include examina-
9 tion of the following:

10 “(1) Agency efforts to develop and use perform-
11 ance measures for determining progress toward
12 achieving agency performance goals and program
13 outcomes described in performance plans prepared
14 under section 1115 of this title and performance re-
15 ports submitted pursuant to section 1116 of this
16 title.

17 “(2) Verification and validation of selected data
18 sources and information collection and accounting
19 systems that support agency performance plans and
20 performance reports and agency strategic plans pur-
21 suant to section 306 of title 5.

22 “(b)(1) In developing the review plan and selecting
23 specific performance indicators, supporting data sources,
24 and information collection and accounting systems to be
25 examined under subsection (a), each inspector general (or
26 designated comparable official, as applicable) shall consult

1 with appropriate congressional committees and the head
2 of the agency, including in determining the scope and
3 course of review pursuant to paragraph (2).

4 “(2) In determining the scope and course of review,
5 consistent with available resources, each inspector general
6 (or designated comparable official, as applicable) shall em-
7 phasize those performance measures associated with pro-
8 grams or activities for which—

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

11 “(B) based on the assessment of the inspector
12 general, review of the controls applied in developing
13 the performance data is needed to ensure the accu-
14 racy of those data.

15 “(c) Each agency inspector general (or designated
16 comparable official, as applicable) shall submit the review
17 plan to the agency head at least annually, beginning no
18 later than October 31, 1998. In the case of reviews by
19 an agency inspector general, such submission shall be
20 made as part of the semiannual reports required under
21 section 5 of the Inspector General Act of 1978. Not later
22 than 30 days after the date of the submission of the review
23 plan to the agency head under this subsection, the agency
24 head shall submit the review plan to Congress.

1 “(d) Each agency inspector general (or designated
2 comparable official, as applicable) shall conduct reviews
3 under the plan submitted under subsection (c), and submit
4 findings, results, and recommendations based on those re-
5 views to the head of the agency, by not later than April
6 30 and October 31 of each year. In the case of reviews
7 by an agency inspector general, such submission shall be
8 made as part of the semiannual reports required under
9 section 5 of the Inspector General Act of 1978. Not later
10 than 30 days after the date of the submission of the find-
11 ings, results, and recommendations to the head of the
12 agency under this subsection, the agency head shall sub-
13 mit the findings, results, and recommendations to Con-
14 gress.”.

15 (2) CONFORMING AMENDMENT.—Section
16 1115(f) of title 31, United States Code, is amended
17 in the matter preceding paragraph (1) by striking
18 “1119” and inserting “1120”.

19 (3) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of chapter 11 of title 31,
21 United States Code, is amended by adding at the
22 end the following new item:

“1120. Inspector general review of agency performance plans and performance reports.”.

23 (c) REQUIREMENT TO USE FULL COSTS AS PER-
24 FORMANCE INDICATOR.—Section 1115(a)(4) of title 31,

1 United States Code, is amended by inserting before the
2 semicolon at the end the following: “, which shall include
3 determination of the full costs (as that term is used in
4 the most recent Managerial Cost Accounting Standards of
5 the Federal Financial Accounting Standards) of each pro-
6 gram activity”.

7 (d) LIMITED APPLICABILITY TO FEDERAL RESERVE
8 BOARD AND BANKS.—(1) Section 1115 of title 31, United
9 States Code, is amended by adding at the end the follow-
10 ing:

11 “(g) The Board of Governors of the Federal Reserve
12 System and the Federal Reserve banks—

13 “(1) shall not be required to submit a perform-
14 ance plan to the Director of the Office of Manage-
15 ment and the Budget under this section; and

16 “(2) shall submit to Congress, not later than
17 March 1 of each year, a performance plan contain-
18 ing the information described in subsection (a), but
19 only with respect to operations and functions that
20 are not directly related to the establishment and
21 conduct of the monetary policy of the United
22 States.”.

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

1 “(h) Notwithstanding subsection (a), the Federal Re-
2 serve Board and the Federal Reserve banks shall not be
3 required to submit a report on program performance to
4 the President under this section.”.

5 **SEC. 4. LIMITATION ON AUTHORITY TO EXEMPT THE COUN-**
6 **CIL ON ENVIRONMENTAL QUALITY.**

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

11 **SEC. 5. SUBMISSION OF AGENCY FINANCIAL STATEMENTS.**

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

14 (1) by striking “1997” and inserting “1999”;

15 and

16 (2) by inserting “the Congress and” after “and
17 submit to”.

 Passed the House of Representatives March 12,
1998.

Attest:

Clerk.