

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 3826  
OFFERED BY MR. PLATTS**

Strike all after the enacting clause and insert the  
following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Program Assessment  
3 and Results Act”.

**4 SEC. 2. FINDINGS.**

5       Congress finds that—

6           (1) inefficiency and ineffectiveness in Federal  
7 programs undermines the confidence of the Amer-  
8 ican people in the Government and reduces the Fed-  
9 eral Government’s ability to adequately address vital  
10 public needs;

11           (2) insufficient information on program per-  
12 formance seriously disadvantages Federal managers  
13 in their efforts to improve program efficiency and ef-  
14 fectiveness;

15           (3) congressional policy making, spending deci-  
16 sions, and program oversight are handicapped by in-  
17 sufficient attention to program performance and re-  
18 sults;



1 (4) programs performing similar or duplicative  
2 functions that exist within a single agency or across  
3 multiple agencies should be identified and their per-  
4 formance and results shared among all such pro-  
5 grams to improve their performance and results;

6 (5) advocates of good government continue to  
7 seek ways to improve accountability, focus on re-  
8 sults, and integrate the performance of programs  
9 with decisions about budgets;

10 (6) with the passage of the Government Per-  
11 formance and Results Act of 1993, the Congress di-  
12 rected the executive branch to seek improvements in  
13 the effectiveness, efficiency, and accountability of  
14 Federal programs by having agencies focus on pro-  
15 gram results; and

16 (7) the Government Performance and Results  
17 Act of 1993 provided a strong framework for the ex-  
18 ecutive branch to monitor the long-term goals and  
19 annual performance of its departments and agencies.

20 **SEC. 3. PURPOSE.**

21 The purposes of this Act are—

22 (1) to improve the Government Performance  
23 and Results Act of 1993 by implementing a program  
24 assessment and evaluation process that attempts to  
25 determine the strengths and weaknesses of Federal



1 programs with a particular focus on the results pro-  
2 duced by individual programs;

3 (2) to use the information gathered in the as-  
4 sessment and evaluation process to build on the  
5 groundwork laid in the Government Performance  
6 and Results Act of 1993 to help the executive  
7 branch make informed management decisions and  
8 evidence-based funding requests aimed at achieving  
9 positive results; and

10 (3) to provide congressional policy makers the  
11 information needed to conduct more effective over-  
12 sight, to make better-informed authorization deci-  
13 sions, and to make more evidence-based spending  
14 decisions that achieve positive results for the Amer-  
15 ican people.

16 **SEC. 4. PROGRAM ASSESSMENT.**

17 (a) REQUIREMENT FOR PROGRAM ASSESSMENTS.—  
18 Chapter 11 of title 31, United States Code, as amended  
19 by the Government Performance and Results Act of 1993,  
20 is amended by adding at the end the following new section:

21 **“§ 1120. Program assessment**

22 **“(a) ASSESSMENT.—**The Director of the Office of  
23 Management and Budget to the maximum extent prac-  
24 ticable shall conduct, jointly with agencies of the Federal



1 Government, an assessment of each program at least once  
2 every 5 fiscal years.

3 “(b) ASSESSMENT REQUIREMENTS.—In conducting  
4 an assessment of a program under subsection (a), the Di-  
5 rector of the Office of Management and Budget and the  
6 head of the relevant agency shall—

7 “(1) coordinate to determine the programs to  
8 be assessed; and

9 “(2) evaluate the purpose, design, strategic  
10 plan, management, and results of the program, and  
11 such other matters as the Director considers appro-  
12 priate.

13 “(c) CRITERIA FOR IDENTIFYING PROGRAMS TO AS-  
14 SESS.—The Director of the Office of Management and  
15 Budget shall develop criteria for identifying programs to  
16 be assessed each fiscal year. In developing the criteria, the  
17 Director shall take into account the advantages of assess-  
18 ing during the same fiscal year any programs that are per-  
19 forming similar functions, have similar purposes, or share  
20 common goals, such as those contained in strategic plans  
21 under section 306 of title 5. To the maximum extent pos-  
22 sible, the Director shall assess a representative sample of  
23 Federal spending each fiscal year.

24 “(d) CRITERIA FOR MORE FREQUENT ASSESS-  
25 MENTS.—The Director of the Office of Management and



1 Budget shall make every effort to assess programs more  
2 frequently than required under subsection (a) in cases in  
3 which programs are determined to be of higher priority,  
4 special circumstances exist, improvements have been  
5 made, or the head of the relevant agency and the Director  
6 determine that more frequent assessment is warranted.

7 “(e) PUBLICATION.—At least 90 days before com-  
8 pleting the assessments under this section to be conducted  
9 during a fiscal year, the Director of the Office of Manage-  
10 ment and Budget shall—

11 “(1) make available in electronic form through  
12 the Office of Management and Budget website or  
13 any successor website, and provide to the Committee  
14 on Government Reform of the House of Representa-  
15 tives and the Committee on Governmental Affairs of  
16 the Senate—

17 “(A) a list of the programs to be assessed  
18 during that fiscal year; and

19 “(B) the criteria that will be used to assess  
20 the programs; and

21 “(2) provide a mechanism for interested per-  
22 sons to comment on the programs being assessed  
23 and the criteria that will be used to assess the pro-  
24 grams.



1       “(f) REPORT.—(1) The results of the assessments  
2 conducted during a fiscal year shall be submitted in a re-  
3 port to Congress at the same time that the President sub-  
4 mits the next budget under section 1105 of this title after  
5 the end of that fiscal year.

6       “(2) The report shall—

7           “(A) include the performance goals for each  
8 program assessment;

9           “(B) specify the criteria used for each assess-  
10 ment;

11          “(C) describe the results of each assessment,  
12 including any significant limitation in the assess-  
13 ments;

14          “(D) describe significant modifications to the  
15 Federal Government performance plan required  
16 under section 1105(a)(28) of this title made as a re-  
17 sult of the assessments; and

18          “(E) be available in electronic form through the  
19 Office of Management and Budget website or any  
20 successor website.

21       “(3) Nothing in this section requires the publication  
22 of classified information or the inclusion of classified infor-  
23 mation in a report under this subsection.

24       “(g) TERMINATION.—This section shall not be in ef-  
25 fect after September 30, 2013.”.



1 (b) GUIDANCE.—Not later than 6 months after the  
2 date of the enactment of this Act, the Director of the Of-  
3 fice of Management and Budget shall prescribe guidance  
4 to implement the requirements of section 1120 of title 31,  
5 United States Code, as added by subsection (a), including  
6 guidance on a definition of the term “program”.

7 (c) CONFORMING AND CLERICAL AMENDMENTS.—

8 (1) Section 1115(g) of title 31, United States  
9 Code, is amended by striking “1119” and inserting  
10 “1120”.

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

“1120. Program assessment.”.

14 **SEC. 5. STRATEGIC PLANNING AMENDMENTS.**

15 (a) CHANGE IN DEADLINE FOR STRATEGIC PLAN.—  
16 Subsection (a) of section 306 of title 5, United States  
17 Code, is amended by striking “Not later than September  
18 30, 1997,” and inserting “Not later than September 30  
19 of each year following a year in which an election for  
20 President occurs, beginning with September 30, 2005, ”.

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



1           “(b) Each strategic plan shall cover the 4-year period  
2 beginning on October 1 of the year following a year in  
3 which an election for President occurs.”.

