

# Report for Congress

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## **Government Performance and Results Act: Overview of Associated Provisions in the 106<sup>th</sup> Congress**

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# Government Performance and Results Act: Overview of Associated Provisions in the 106<sup>th</sup> Congress

## Summary

The Government Performance and Results Act of 1993 (P. L. 103-62, known as GPRA, or the Results Act) established a new framework for performance management and budgeting in federal agencies. In complying with GPRA, agencies must set goals, devise performance measures, and assess results achieved. This report identifies and analyzes provisions in public laws and committee reports from the 106<sup>th</sup> Congress (1999-2000) relating to GPRA and its implementation, including comparisons to similar provisions in the 104<sup>th</sup> and 105<sup>th</sup> Congresses. The purpose of these studies is to review ways in which Congress and its committees engage in oversight of GPRA, and, more generally, monitor implementation efforts by the executive branch agencies.

Online databases were used to identify language of potential interest in committee reports and in the public laws from the 106<sup>th</sup> Congress. The resulting electronic files were examined and pruned, with the remaining relevant excerpts captured for further analysis.\* This approach covered specific citations to GPRA, as well as provisions that are or might be deemed associated with GPRA, such as performance measures and strategic plans. The research identified 42 public laws from the 106<sup>th</sup> Congress containing statutory language relating to GPRA and performance measurement. Two of these laws were omnibus measures containing GPRA-associated provisions from 10 separate bills, arguably better counted as 10 items rather than two, for a total of 50 enacted measures from the 106<sup>th</sup> Congress with GPRA-related provisions. Previous CRS studies identified 14 public laws with performance-related provisions enacted during the 104<sup>th</sup> Congress, and 28 in the 105<sup>th</sup>. Although the rate of increase of 100% from the 104<sup>th</sup> to the 105<sup>th</sup> in the number of public laws with GPRA-associated provisions was not quite sustained, the rate of increase from the 105<sup>th</sup> to the 106<sup>th</sup> was significant at almost 79%.

In addition to statutes with GPRA-associated provisions, a search of committee reports identified 24 additional public laws from the 106<sup>th</sup> Congress that contained GPRA-associated passages in accompanying reports, compared with 17 laws so identified in the 105<sup>th</sup>. Thus a total of 74 laws enacted in the 106<sup>th</sup> Congress were determined to have GPRA-relevant provisions in statutory language or in committee report language, compared with a total of 45 public laws from the 105<sup>th</sup> Congress with GPRA-relevant provisions in statute or accompanying reports.

Congressional efforts to oversee GPRA implementation continued in the 107<sup>th</sup> Congress. Moreover, the inclusion of budget and performance integration as a key initiative in the President's Management Agenda arguably has increased attention to GPRA-related issues in the executive branch. This report, with its focus on the 106<sup>th</sup> Congress, will not be updated, but other CRS products on GPRA and performance management and budgeting will be revised and expanded as events warrant.

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\*Genevieve Knezo, Resources, Science, and Industry Division, participated equally with the author in this phase of the research, and her contributions are gratefully acknowledged.

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This report was prepared at the request of Members of Congress.

# Government Performance and Results Act: Overview of Associated Provisions in the 106<sup>th</sup> Congress

## Introduction

The Government Performance and Results Act of 1993 (known as GPRA, or the Results Act)<sup>1</sup> sought to promote greater efficiency, effectiveness, and accountability in federal spending by establishing a new framework for performance management and budgeting in federal agencies. GPRA establishes three types of ongoing planning, evaluation, and reporting requirements for executive branch agencies: strategic plans (covering 6 years but to be revised at least every 3 years), annual performance plans, and annual reports on program performance. In complying with GPRA, agencies must set goals, devise performance measures, and then assess results achieved.

GPRA joined a number of other budget and financial management reform laws enacted in the last 24 years that were designed to upgrade existing procedures or to provide new mechanisms for managing government operations and improving accountability. Important new roles were established by the Inspector General Act of 1978 and the Chief Financial Officers (CFO) Act of 1990. The Government Management and Reform Act of 1994 and the Federal Financial Management Improvement Act of 1996 contained important amendments to the CFO Act.<sup>2</sup> In addition to their impact on executive management and accountability, these statutes provide new or enhanced data and information about federal programs and performance. In turn, they establish new mechanisms and means for congressional oversight, or “the review, monitoring, and supervision of the implementation of public policy.”<sup>3</sup>

The framework created by the Results Act might contribute to several purposes which congressional oversight of the executive branch is designed to fulfill. For example, reports to Congress pursuant to GPRA arguably can facilitate evaluation of program performance; lead to improvements in the efficiency, effectiveness, and

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<sup>1</sup>P.L. 103-62, 107 Stat. 285, 31 U.S.C. 1115 note. For background on the law, see CRS Report RS20257, *Government Performance and Results Act: Brief History and Implementation Activities*, by Genevieve Knezo; and CRS Report RS20938, *Performance Management and Budgeting: Benchmarks and Recent Developments*, by Virginia McMurtry.

<sup>2</sup>For discussion of these laws, see CRS Report RL30895, *General Management Laws: A Selective Compendium—107th Congress*.

<sup>3</sup> CRS Report RL30240, *Congressional Oversight Manual*.

economy of governmental operations; help to assess the ability of agencies to manage and carry out program objectives; and assist in reviewing and determining federal financial priorities.<sup>4</sup>

In terms of GPRA, congressional oversight is essential not only to foster successful implementation of the Act itself, but also to make certain that Congress reaps its expected benefits.<sup>5</sup> The importance of GPRA for all types of congressional committees was alluded to by then Comptroller General Charles Bowsher in 1996 testimony: “Authorization, appropriation, budget and oversight committees all have key interests in ensuring that GPRA is successful, because once fully implemented, it should provide valuable data to help inform the decisions that each committee must make.”<sup>6</sup>

Progress in GPRA implementation has proved uneven to date. Some agencies have yet to define fully their goals, program objectives, and expected outcomes and results, and to develop appropriate measures to gauge their attainment, in accordance with GPRA standards. Concerns have been expressed about the costs and benefits of developing new results-oriented performance measurement systems, about the lack of interagency coordination to use similar measures to compare similar programs, and about the need to link “Results Act” implementation to the everyday work of program managers.

Supporters of GPRA contend that performance management and budgeting are feasible, and assert that accountability and congressional control over the budget will increase as Congress gains experience in using objective, results-oriented information to oversee agencies and develop budget priorities. However, others are concerned that GPRA might become a futile and wasteful paperwork exercise, with its documentation largely ignored on Capitol Hill.

This report identifies and analyzes provisions in public laws and committee reports from the 106<sup>th</sup> Congress relating to GPRA and its implementation.<sup>7</sup> This work is a sequel to previous CRS studies examining such provisions in public laws and their associated reports from the 105<sup>th</sup> Congress,<sup>8</sup> and in statutes enacted during

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<sup>4</sup>See *ibid.* for a review of oversight, its meaning, characteristics, and techniques; for elaboration on these and other purposes of oversight, see pp. 1-4.

<sup>5</sup>For further discussion of GPRA and oversight, see CRS Report 97-382, *Government Performance and Results Act: Implications for Congressional Oversight*, by Frederick M. Kaiser and Virginia A. McMurtry.

<sup>6</sup>See *Performance-Based Government: Examining the Government Performance and Results Act of 1993*. Joint hearing, 1996, p. 7.

<sup>7</sup>In this discussion the term “provisions” is sometimes used in a broad sense to cover instances of GPRA-related language in committee reports, as well as more formal “provisions” in public laws, in order to avoid unduly convoluted phraseology. Generally, however, such GPRA-relevant elements from committee reports are referred to as “passages.”

<sup>8</sup>U.S. Library of Congress, Congressional Research Service, *Performance Measure* (continued...)

the 104<sup>th</sup> Congress.<sup>9</sup> The purpose of these studies is to review ways in which Congress and its committees engage in oversight of GPRA, and, more generally, monitor implementation efforts by the executive branch agencies.

This report provides an overview analysis of data collected by CRS on congressional efforts to monitor the implementation of the Government Performance and Results Act during the 106<sup>th</sup> Congress (1999-2000). The approach entails an assessment of GPRA-related provisions identified in an electronic search of public laws and committee reports. It should be noted that this approach covered specific citations to GPRA, as well as provisions that are or might be deemed associated with GPRA, such as performance measures and strategic plans. After providing an overview of the data, this report examines specific references from the 106<sup>th</sup> Congress to GPRA and its related documentation.

## Methodology

Online databases were used to identify legislative language of potential interest in committee reports and in the public laws enacted by the 106<sup>th</sup> Congress. Searching the LEXIS/NEXIS public law and committee reports libraries created an initial list of “hits” for the term “performance.” Additional searches were executed to identify other possible variations of language in statutes referencing the Government Performance and Results Act (e.g. “Results Act,” and “GPRA”). For this review of the 106<sup>th</sup> Congress the additional search term of “strategic plan” also was used.

The resulting electronic files of excerpts were examined to establish the relevance of each occurrence of the keyword terms. Although it was not necessary that the Results Act, or GPRA, be cited explicitly, the identified provisions had to be in accord with the law’s requirements, or at least allude to performance measurement.<sup>10</sup>

For the 105<sup>th</sup> Congress, excerpts from committee report language otherwise meeting the criteria for inclusion, but accompanying a bill that was not enacted into

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<sup>8</sup>(...continued)

*Provisions in the 105<sup>th</sup> Congress: Analysis of a Selected Compilation*, by Genevieve J. Knezo and Virginia A. McMurtry, CRS general distribution memorandum (Washington: Jan. 7, 1999). 49 p.

<sup>9</sup>CRS Report 97-1059, *Government Performance and Results Act: Performance-related Requirements Included in Laws and in Committee Report Language During the 104<sup>th</sup> Congress*, by Genevieve J. Knezo and William Heniff.

<sup>10</sup>For example, language referring to “performance” of an artistic work was clearly not relevant to our interest, whereas language concerning technical performance requirements for facilities or equipment might appear less clear-cut, but was generally excluded. This pruning of the tentative listing of identified examples, through assessments by the analysts, eliminated more than a third of the hits from the original computer search. Relevant excerpts then were captured in electronic format for further analysis. Genevieve Knezo, Resources, Science, and Industry Division, participated equally with the author in this phase of the research, and her contributions are gratefully acknowledged.

law, were excluded from further consideration. Also excluded were references to GPRA or to performance measures in oversight reports not attached to any legislation. The CRS review of the 106<sup>th</sup> Congress is more comprehensive than were the previous efforts in that contents from all committee reports were examined. Committee reports searched for the 106<sup>th</sup> Congress included reports accompanying legislation enacted or vetoed, legislative reports accompanying bills that received committee action in at least one chamber, but did not become public law, as well as oversight reports.

In some cases, there were segments relevant to performance measures in the committee report(s), but not in the statutory language itself. Where language in a committee report simply repeated bill language or reflected changes in current law that would occur with enactment, the passages from the report generally were not included in this analysis. Additional caveats should be mentioned. First, committee report language does not reflect the full extent to which committees provided commentary or guidance on performance measures. Committee hearings doubtless contain additional references, and, particularly during development and revision of the strategic plans, informal meetings of congressional and agency staff often occur. Second, report language as well as public laws may include provisions relevant to GPRA implementation; however, unless GPRA or “performance” or “strategic plan” were mentioned, the provision was not captured in this survey.<sup>11</sup>

As was done in the previous CRS studies of performance measure provisions, for the purposes of facilitating the analysis of provisions identified in public laws and reports from the 106<sup>th</sup> Congress, a listing of descriptive attributes was established.<sup>12</sup> Items in the listing were suggested by the excerpts of legislative language selected, and were intended to identify similar types of language (albeit not necessarily identical). Moreover, these categories were not designed to be mutually exclusive; a given provision could be judged to reflect more than one category. Nor are the categories necessarily of equal significance; some appear to be more important than others. The excerpted passages were then assigned to these categories, grouped under five broad headings, which included: references to GPRA and related documents, congressional guidance to agency implementation of performance measures, congressional instruction to recipients of federal funding about GPRA application, GPRA and budget matters, and other performance-related components. These five headings then provided the framework for the discussion and analysis of the provisions. In addition to an overview of GPRA-associated provisions in the 106<sup>th</sup> Congress, this report covers the first heading, references to GPRA and related documents, while others are to be addressed subsequently in a companion report.

Quantitative analysis was limited to counts of whether certain categories apply to the GPRA-associated provisions identified in laws and reports from the 106<sup>th</sup> Congress. For example, the number of laws and reports that explicitly mention the

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<sup>11</sup>Committees may choose to issue findings relevant to GPRA as a committee print or in some other form of documentation, rather than as a formal committee report. However, the electronic data files searched in this study covered only committee reports.

<sup>12</sup>The listing of categories used in the 105<sup>th</sup> Congress provided the starting point for the analysis of provisions in the 106<sup>th</sup> as well, but some modifications were subsequently made.

Results Act was indicated. Most of the categories, however, do not lend themselves to quantitative analysis, because the ways in which they apply in different cases are not equivalent. In addition, quantitative analysis of categories that are not analogous cannot be meaningfully compared. A category was counted only once for a given law or report to which it applied. For example, if one report mentioned GPRA 10 times and another only once, they were treated as two occurrences, not 11. The use of this conservative approach reduces the risk of artificially inflating the significance of the occurrences. The numbers referred to in the subsequent discussion were derived by creating an *Access* database of the GPRA-related passages and their attributes.<sup>13</sup>

Another caveat mentioned originally in the report for the 104<sup>th</sup> Congress bears repeating, but arguably now may be receding as a concern: “While a number of committee reports contain performance-oriented language, it is not possible to determine if this is a change from previous Congresses. Earlier laws and committee reports, perhaps even predating 1993, may have included requirements for agencies to provide performance-related data.”<sup>14</sup> However, without the availability of data over a longer period, particularly some benchmarks for the situation before enactment of GPRA, conclusions based on apparent trends over time, such as changes in the frequency of including provisions requiring performance information or in the types of such provisions, remain less than certain.

## Overview of Provisions in 106<sup>th</sup> Congress

The research identified 42 relevant public laws from the 106<sup>th</sup> Congress containing statutory language relating to GPRA and performance measures (see listing in Appendix A). Two of these laws were omnibus measures; the Consolidated Appropriations Act for FY2000 contained GPRA-associated provisions from six originally free-standing bills, while the Consolidated Appropriations Act for 2001 incorporated relevant provisions from four measures, so arguably P. L. 106-113 and P.L. 106-554 should be counted as constituting 10 items rather than two, for a total of 50 enacted measures from the 106<sup>th</sup> Congress with explicit GPRA or GPRA-related provisions.<sup>15</sup>

Previous CRS studies identified 14 public laws with performance-related provisions enacted during the 104<sup>th</sup> Congress, and 28 in the 105<sup>th</sup>. While the rate of

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<sup>13</sup>The author wishes to acknowledge the assistance of Clay Wellborn and Kevin Gates in creating the *Access* database and producing the counts and cross-tabulations needed for the analysis of GPRA-related provisions.

<sup>14</sup>CRS Report 97-1059, op. cit., p. 3.

<sup>15</sup>However, four of these public laws included reference to a “strategic plan” but not to “performance” or directly to GPRA. Since “strategic plan” was not used as a search term in the CRS studies of previous Congresses, for purposes of comparison it could be argued that it is more accurate to exclude the latter four, and use the figure of 46 laws with performance measure provisions in the 106<sup>th</sup> Congress. However, since the figures on occurrences in the 106<sup>th</sup> Congress have relevance aside from comparisons with previous Congresses, it was decided to use the adjusted figure of 50 public laws from the 106<sup>th</sup> Congress identified with GPRA-associated provisions.



increase of 100% from the 104<sup>th</sup> to the 105<sup>th</sup> in the number of public laws with GPRA-associated provisions was not quite sustained, the rate of increase from the 105<sup>th</sup> to the 106<sup>th</sup> was rather convincing at almost 79%.

In addition to statutes with GPRA-associated provisions, a search of committee reports identified 24 more public laws from the 106<sup>th</sup> Congress that contained GPRA-associated passages in accompanying reports (from the House, Senate, or conference committees). So a total of 74 laws in the 106<sup>th</sup> Congress were acknowledged to have relevant provisions in statute, or GPRA-related passages in accompanying committee reports. In comparison, a total of 45 public laws from the 105<sup>th</sup> Congress had GPRA-related provisions; 28 of these contained statutory provisions, while the remaining 17 had relevant passages in accompanying reports.

In many instances a single public law had more than one accompanying report with relevant passages. For the 106<sup>th</sup> Congress, the study identified a total of 118 reports with GPRA-associated passages accompanying bills passed by both the House and Senate and either enacted into law or vetoed by the President.<sup>16</sup> Of the 118 reports, 52 came from House committees, 38 from Senate committees, and 28 from conference committees.

As noted above in the methodology discussion, CRS examination of committee reports from the 106<sup>th</sup> Congress was more comprehensive than in previous studies of performance measurement provisions. The search of committee reports for the 106<sup>th</sup> Congress included legislative reports accompanying bills that received committee action in at least one chamber, but were not necessarily enacted, as well as oversight reports. With this expanded purview, 87 additional reports with GPRA-associated passages were identified (52 from House committees and 35 from Senate committees), for a grand total of 205 reports from the 106<sup>th</sup> Congress with relevant passages. Appendix B provides a listing of the reports.

The 205 reports containing GPRA-associated passages in the 106<sup>th</sup> Congress included 28 from conference committees, and a total of 104 from House committees and 73 from Senate committees (see Tables 1 and 2). In the House 18 of the 20 committees were included, while in the Senate 15 of the 20 committees were represented. However, in both chambers the committees with the most reports identified with GPRA-associated passages were the appropriations committees: 19 reports, or 14% of all the Senate reports, came from the Senate Appropriations Committee, and 23 reports, or 24% of all the House reports with relevant passages, came from the House Appropriations Committee. After the two Appropriations Committees, the Senate Governmental Affairs Committee came next with a total of 12 reports, followed by the House Resources Committee (12), House Education and Workforce Committee (11), and House Science Committee (10).

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<sup>16</sup>The reports accompanying vetoed measures were grouped with those accompanying enacted bills, because of the 14 reports in this category 10 accompanied appropriations measures eventually enacted under some rubric other than that of the original bill (three from House Appropriations Committee, four from Senate Appropriations Committee, and three from committees of conference).

Another perspective incorporates the distribution of committees from which the reports with relevant passages came across the three Congresses for which we have data. As mentioned above, for the previous two Congresses, only reports accompanying measures which became public laws were encompassed by the CRS studies. For the 106<sup>th</sup> Congress, we sought to cover all committee reports. However, for the purposes of comparison across Congresses, only those reports from the 106<sup>th</sup> conforming with the previous parameters were included, i.e., committee reports accompanying measures that were enacted or vetoed. **Table 3** provides data for House committees from the 104<sup>th</sup>, 105<sup>th</sup>, and 106<sup>th</sup> Congresses, while **Table 4** reflects the figures for Senate committees over the same six-year period.

Following a pattern seen previously in the 104<sup>th</sup> and 105<sup>th</sup> Congresses, and for the 106<sup>th</sup> Congress as well, the committees submitting the most reports having GPRA-associated passages that accompanied bills signed into law or vetoed by the President in both House and Senate were the Appropriations Committees. In the House, 23 out of 52 total reports, or 44%, were from the Appropriations Committee; and in the Senate, 18 out of 38 reports, or 47%. However, in the previous Congresses the Appropriations Committees accounted for a majority of the committee reports having GPRA-related passages accompanying bills enacted into law: 56% in the 104<sup>th</sup> Congress and 54% in the 103<sup>rd</sup> Congress. So while the House and Senate Appropriations Committees retained “first place” for the respective chambers in the 106<sup>th</sup> Congress, reports with GPRA-associated passages were becoming more broadly dispersed among the various House and Senate committees. As indicated in **Table 3**, in the 104<sup>th</sup> Congress, performance measurement-related passages appeared in reports of four House committees; in the 105<sup>th</sup>, eight committees; and in the 106<sup>th</sup>, 18 committees. For the Senate, in the 104<sup>th</sup> Congress, these reports came from five committees; in the 105<sup>th</sup> Congress, six committees; and in the 106<sup>th</sup> Congress, 15 committees (see **Table 4**). With respect to the distribution by Appropriations subcommittees, in the 106<sup>th</sup> Congress, 23 of the 26 subcommittees had reports with GPRA-associated passages (12 of 13 in the House, and 11 of 13 in the Senate).<sup>17</sup>

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<sup>17</sup>Appropriations Subcommittees for which no GPRA-associated passages were identified in 106<sup>th</sup> Congress committee reports included the House and Senate Subcommittees on Military Construction and the Senate Subcommittee on Defense.

**Table 1. Instances of 106<sup>th</sup> Congress Committee Reports with GPRA-Associated Passages by House Committee**

House Committees	Total	Report with bill enacted or vetoed	Other <sup>a</sup>
Agriculture	2	1	1
Appropriations	23	23	0
Armed Services	2	2	0
Banking and Financial Services	3	0	3
Budget	1	1	0
Commerce	6	2	4
Education and the Workforce	11	2	9
Government Reform	4	1	3
House Administration	0	0	0
International Relations	2	2	0
Judiciary	3	0	3
Resources	12	5	7
Rules	6	0	6
Science	10	2	8
Select Committee on Intelligence	3	2	1
Small Business	2	1	1
Standards of Official Conduct	0	0	0
Transportation and Infrastructure	5	3	2
Veterans' Affairs	2	2	0
Ways and Means	7	3	4
<b>Totals</b>	104	52	52

a. Includes oversight reports, and other reports not accompanying measures passed by both the House and the Senate.

**Table 2. Instances of 106<sup>th</sup> Congress Committee Reports with GPR-Associated Passages by Senate Committee**

Senate Committees	Total	Report with bill enacted or vetoed	Other <sup>a</sup>
Agriculture, Nutrition, and Forestry	0	0	0
Appropriations	19	18	1
Armed Services	2	1	1
Banking, Housing, and Urban Affairs	2	0	2
Budget	1	0	1
Commerce, Science, and Transportation	6	2	4
Energy and Natural Resources	4	2	2
Environment and Public Works	4	2	2
Finance	2	1	1
Foreign Relations	3	1	2
Governmental Affairs	12	7	5
Health, Education, Labor, and Pensions	8	1	7
Indian Affairs	5	2	3
Judiciary	0	0	0
Rules and Administration	1	0	1
Select Committee on Ethics	0	0	0
Select Committee on Intelligence	0	0	0
Small Business	2	1	1
Special Committee on Aging	0	0	0
Veterans' Affairs	2	0	2
<b>Totals</b>	<b>73</b>	<b>38</b>	<b>35</b>

a. Includes oversight reports, and other reports not accompanying measures passed by both the House and the Senate.

**Table 3. House Reports Accompanying Enacted Measures Identified with Performance Measure Features or GPRA-Associated Passages, from 104<sup>th</sup>, 105<sup>th</sup> and 106<sup>th</sup> Congresses, by House Committee**

House Committees	Congress		
	104 <sup>th</sup> 1995-96	105 <sup>th</sup> 1997-98	106 <sup>th</sup> 1999-2000
Agriculture	1	1	1
Appropriations	8	20	23
Armed Services <sup>a</sup>	1	0	2
Banking and Financial Services	0	0	0
Budget	0	0	1
Commerce	0	1	2
Education and the Workforce	0	3	2
Government Reform	2	1	1
House Administration	0	0	0
International Relations	0	0	2
Judiciary	0	0	0
Resources	0	0	5
Rules	0	0	0
Science	0	1	2
Select Committee on Intelligence	0	0	2
Small Business	0	0	1
Standards of Official Conduct	0	0	0
Transportation and Infrastructure	0	1	3
Veterans' Affairs	0	0	2
Ways and Means	0	1	3
<b>Totals</b>	12	29	52

a. Called National Security Committee in 104<sup>th</sup> Congress

**Table 4. Senate Reports Accompanying Enacted Measures Identified with Performance Measure Features or GPRA-Associated Passages, from 104<sup>th</sup>, 105<sup>th</sup> and 106<sup>th</sup> Congresses, by Senate Committee**

Senate Committees	Congress		
	104 <sup>th</sup> 1995-96	105 <sup>th</sup> 1997-98	106 <sup>th</sup> 1999-2000
Agriculture, Nutrition, and Forestry Committee	0	1	0
Appropriations Committee	7	22	19
Armed Services Committee	1	0	2
Banking, Housing, and Urban Affairs Committee	0	0	0
Budget Committee	1	0	0
Commerce, Science, and Transportation Committee	0	1	2
Energy and Natural Resources Committee	0	1	2
Environment and Public Works Committee	0	1	2
Finance Committee	0	0	1
Foreign Relations Committee	0	0	1
Governmental Affairs Committee	2	0	8
Health, Education, Labor, and Pensions Committee	1	4	1
Indian Affairs Committee	0	0	2
Judiciary Committee	0	0	0
Rules and Administration Committee	0	0	0
Select Committee on Ethics	0	0	0
Select Committee on Intelligence	0	1	0
Small Business Committee	0	0	1
Special Committee on Aging	0	0	0
Veterans' Affairs Committee	0	0	0
<b>Totals</b>	12	30	41

## References to GPRA and Related Documents

In over half of all the committee reports and public laws from the 106<sup>th</sup> Congress identified as having GPRA- related provisions (136 out of 255), there were explicit references to the Government Performance and Results Act. Sometimes the act was merely mentioned or cited, while in other instances GPRA was endorsed in a supportive way, such as for overall quality of implementation, or specifically with regard to an agency’s strategic or performance plans or performance reports (see **Table 5**).

**Table 5. GPRA-Associated Provisions in the 106<sup>th</sup> Congress: References to the Results Act and Related Documentation<sup>a</sup>**

Type of reference	Number of Public Laws Identified (with type)	Number of Committee Reports Identified
Mentions Act	6	31
Endorses Act	0	16
Refers to Strategic Plan	15	77
Refers to Performance Plan	2	32
Refers to Performance Report	2	21
Other	1	13

a. A given report or public law identified as having GPRA related provisions could contain more than one type of reference. As noted above, over half of the reports and public laws from the 106<sup>th</sup> Congress recognized as having GPRA-relevant provisions displayed at least one of the types of references reflected in the table.

Sometimes the language in reports or public laws included reference to or endorsement of GPRA, accompanied by discussion of concerns regarding performance measurement, budget linkages, or some other factor. Such “dual” characteristic provisions are to receive further attention in a separate CRS report, forthcoming, providing a more detailed analysis of GPRA and associated provisions from the 106<sup>th</sup> Congress.

### Examples of References to GPRA in Public Laws

In terms of specific references to GPRA found in public laws from the 106<sup>th</sup> Congress, references to strategic plans were most prevalent (15 instances identified), while there were two references each to performance plans and reports; there were also six general mentions of the act (see **Table 5**). Some examples will serve to illustrate the variety of these provisions.

Section 103(a) of P.L. 106-503, the Fire Administration Authorization Act of 2000, contained a requirement for a new strategic plan:

Not later than April 30, 2001, the Administrator of the United States Fire Administration shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 5-year strategic plan of program activities for the United States Fire Administration. (114 Stat. 2299)

Section 103(b) titled “Contents of Plan,” stipulated 13 items to be addressed in the strategic plan, starting with a comprehensive mission statement and ending with the expected costs for implementing the plan. Subparagraph (10) in Section 106(b) entailed “a description of how the strategic plan prepared under this section will be incorporated into the strategic plan and the performance plans and reports of the Federal Emergency Management Agency” (114 Stat. 2999, 2300). Further, the House report accompanying the measure referred to the section with the strategic plan provisions and noted: “The language in this section matches closely the language on strategic plans in the Government Performance and Results Act.”<sup>18</sup>

The Small Business Reauthorization Act of 2000, enacted as a part of the Consolidated Appropriations Act for Fiscal Year 2001 (P.L. 106-554–Appendix I) references the agency’s annual performance plan as required by 31 USC 1115(a) and (b) (i.e., GPRA). Section 106, “Report on Programs for Annual Performance Plan,” amended the Small Business Act, to require the inclusion within the annual performance plan for the Small Business Administration of a section on the SBIR (small business innovation research) program, and the submission of such section to the Committee on Small Business of the Senate, and to the House Science and Small Business committees (114 Stat. 2763A-669).

P.L. 106-565, the Jamestown 400<sup>th</sup> Commemoration Commission Act of 2000, requires the new body to prepare a strategic plan and annual performance plans. Section 4(c)(2)(a) provides: “In accordance with the Government Performance and Results Act of 1993 (P.L. 103-62; 107 Stat. 285), the Commission shall prepare a strategic plan and annual performance plans for the activities of the Commission carried out under this Act” (114 Stat. 2814-15).

A final example comes from the National Defense Authorization Act for FY2000 (P.L. 106-65). In Section 245(a)(2), “Additional Pilot Program for Revitalizing Department of Defense Laboratories,” reference is made to GPRA (codified) as a factor for consideration by the Secretary of Defense in choosing participants in the pilot program. The provision stipulates: “In selecting the laboratories for participation in the pilot program, the Secretary shall consider laboratories where innovative management techniques have been demonstrated, particularly as documented under sections 115 through 119 of title 31, United States Code, relating to Government agency performance and results” (113 Stat. 553).

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<sup>18</sup>U.S. Congress. House Committee on Science, *Fire Administration Authorization Act of 1999*, report to accompany H.R. 1550, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., H. Rept. 106-133 (Washington: GPO, 1999), p. 10.



## Examples of References to GPRA in Committee Reports

Many of the citations to GPRA and related documents identified in 106<sup>th</sup> Congress committee reports occurred in reports of the Appropriations Committees. However, there were also instances in reports accompanying authorization measures, as well as in committee oversight reports. The following discussion considers some examples of such passages in the respective types of committee reports.

**Appropriations reports.** Most of the reports from the Appropriations committees identified in this study contained multiple references to GPRA. The examples cited below provide a sampling.

While less prevalent than in the preceding Congress, general language conveying committee support for GPRA was inserted in many committee reports from the 106<sup>th</sup> Congress. One such instance occurred in the Senate report accompanying the Agriculture appropriations bill for FY2001. After alluding to the GPRA requirements, the report stated:

The Committee supports the concepts of this law and intends to use the agencies' plans for funding purposes. The Committee considers GPRA to be a viable way to reduce Federal spending while achieving a more efficient and effective Government and will closely monitor compliance with this law. The Committee is fully committed to the success and outcome of GPRA requirements as envisioned by the Congress, the administration, and this Committee.<sup>19</sup>

Comments in a committee report regarding support for GPRA and progress to date were also directed to a particular agency. For example, the Senate report accompanying the FY2000 Labor/HHS/Education bill noted with specific reference to the Administration on Aging: "The Committee supports the efforts of the agency in implementing the Government Performance and Results Act and believes the agency should continue work in this area."<sup>20</sup>

In the Senate report accompanying the FY2001 Transportation appropriations bill, a separate section titled "Government Performance and Results Act" (placed within the summary of major recommendations discussion), likewise conveyed support and praise for GPRA: "The Committee is fully committed to support the [Transportation] Department as it seeks to implement the requirements of the Results Act" and "commends the Department for its aggressive implementation" of GPRA.<sup>21</sup>

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<sup>19</sup>U.S. Congress. Senate Committee on Appropriations, *Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, 2001*, report to accompany S. 2536, 106<sup>th</sup> Cong., 2d sess., S. Rept. 106-288 (Washington: GPO, 2000), p. 9.

<sup>20</sup>U.S. Congress. Senate Committee on Appropriations, *Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Bill, 2000*, report to accompany S. 1650, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Rept. 106-166 (Washington: GPO, 1999), p. 228.

<sup>21</sup>U.S. Congress. Senate Committee on Appropriations, *Department of Transportation and* (continued...)

Moving beyond generalities, the discussion then turns to an assessment of the department's combined FY2001 performance plan and FY1999 performance report, citing both accomplishments and shortcomings to date. In its performance report for FY 1999 the Department of Transportation included data for over 90% of the measures in the 1999 plan, with the department meeting or approaching ("had a positive trend") for about 77% of its 1999 goals. However, for five goals "missed by a significant amount, the Department is reviewing its strategies to see if they need to be changed."<sup>22</sup> The committee report also examined Transportation's FY2001 performance plan, concluding:

Clearly, the [Transportation] Department has made major strides with its performance plan, but that plan has yet to penetrate the day-to-day operations of the Department, the modal administrations, or the procurement or personnel processes. In short, the plans are very useful documents for determining how the Department views the relative and absolute importance of its disparate goals and a valuable gauge of whether the Departmental leadership is serious about remedying identified deficiencies or inconsistencies in programs, activities, management, or direction.<sup>23</sup>

Sometimes the appropriations reports contained an overview assessment of GPRA implementation for all the major agencies funded in the bill. For example, in the Senate report accompanying the VA/HUD FY2000 appropriations, an introductory section titled "Government Performance and Results Act," noted:

The Committee remains very concerned regarding the compliance of the major agencies within the jurisdiction of the Appropriations Subcommittee on VA, HUD, and Independent Agencies with regard to the Government Performance and Results Act (GPRA). While each agency has made progress toward compliance with GPRA, each has additional progress to make. Each agency must do better at providing objective, measurable goals for all program activities and projects, and each budget justification must tie these goals into a coherent set of funding requests.<sup>24</sup>

Another format for presentation of committee observations regarding GPRA was used in the Senate report accompanying the FY2001 Labor/HHS/Education bill. This report included as part of its introductory discussion a separate section on GPRA. However, there were no general remarks across agencies, but rather specific observations regarding the performance plans and reports provided for each cabinet department covered by the bill. For example, the committee seemed quite pleased with GPRA activities in the Department of Health and Human Services, finding its

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<sup>21</sup>(...continued)

*Related Agencies Appropriations Bill, 2001*, report to accompany S. 2720, 106<sup>th</sup> Cong., 2d sess., S. Rept. 106-309 (Washington: GPO, 2000), p. 6.

<sup>22</sup>*Ibid.*, p. 6.

<sup>23</sup>*Ibid.*, p. 8.

<sup>24</sup>U.S. Congress. Senate Committee on Appropriations, *Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill, 2000*, report to accompany S. 1596, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Rept. 106-161 (Washington: GPO, 1999), p. 5.

performance plan “much improved over previous years. Many parts of the [FY2001 performance] plan do fulfill the Results Act’s purpose of ensuring that Congress has the necessary information to assess whether HHS programs are achieving intended results.”<sup>25</sup>

It was not feasible to calculate the total number of references to GPRA in each report. However, the reports accompanying Labor/ HHS/Education appropriations bills appeared to contain among the most. In the House report accompanying the FY2000 bill, there were over 50 mentions of GPRA and over 100 hits on related terms such as performance measure and strategic plan.<sup>26</sup> In a section titled “Government Performance and Results Act,” toward the beginning of the report, the committee stated that it “continues to believe” that the departments and agencies within its jurisdiction “have made adequate progress” in establishment of goals and benchmarks, yet “remain a long way from meeting its overall intent.”<sup>27</sup> In subsequent sections, the report notes, repeatedly, “The Committee is concerned that after two years of Congressional interest and six years since the passage of GPRA...” a specified agency or program funded via the bill has not identified specific numerical performance goals, or specific measurable standards. However, the committee’s report language on occasion was quite complimentary with regard to GPRA implementation. For example, in the House report accompanying the Labor/HHS/Education FY2001 bill, the committee conveyed special approval in discussion of the account for departmental management (salaries and expenses) for the Education Department: “The Committee continues to be pleased with the emphasis the Department’s senior management team has placed on complying with the Government Performance and Results Act. The Committee expects the Department to continue to develop and refine GPRA measures for all programs....”<sup>28</sup>

There was at least one instance in a report from a conference committee accompanying an appropriations bill in the 106<sup>th</sup> Congress where a general reference to GPRA was included. In the joint explanatory statement accompanying the Treasury bill for FY2000, in discussing the President’s proposal on climate change, the conferees noted, “With regard to programs pursued under the President’s

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<sup>25</sup>U.S. Congress. Senate Committee on Appropriations, *Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Bill, 2001*, report to accompany S. 2553, 106<sup>th</sup> Cong., 2d sess., S. Rept. 106-293 (Washington: GPO, 2000), p. 21.

<sup>26</sup>U.S. Congress. House Committee on Appropriations, *Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Bill, 2000*, report to accompany H.R. 3037, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., H. Rept. 106-370 (Washington: GPO, 1999).

<sup>27</sup>*Ibid.*, p. 10.

<sup>28</sup>U.S. Congress. House Committee on Appropriations, *Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Bill, 2001*, report to accompany H.R. 4577, 106<sup>th</sup> Cong., 2d sess., H. Rept. 106-645 (Washington: GPO, 2000), p. 177.

proposal, the conferees expect the administration to comply with the letter and spirit of the Government Performance and Results Act (GPRA).”<sup>29</sup>

**Authorization and oversight reports.** There were varied references to GPRA in authorization reports, although not as frequently as in appropriations reports. A few examples follow.

The Senate report accompanying H.R. 1833, the Customs Authorization Act of 1999, contained a discussion of provisions in Section 202 (regarding internal compliance and management of customs), and how they emanated from GPRA:

The proposal would institutionalize the management changes begun by the Government Performance and Results Act of 1993, which requires all government agencies to establish performance measures and assess their performance on an annual basis. The internal compliance model, with its higher emphasis on encouraging compliance through training, self-assessment, the identification of specific management objectives for the succeeding review period, and the measurement of agency performances against those benchmarks, draws on best practices currently available within government and the private sector to encourage management by objective throughout the agency, and thereby contribute to the improvement in Customs’ performance of its mission responsibility.<sup>30</sup>

The report accompanying S. 296, the Federal Research Investment Act, referred to GPRA and the special problems encountered by research agencies in implementing it, noting:

While funding levels are one important consideration for Federal R&D programs, another issue is improving the effectiveness of such programs. On August 3, 1993, the Government Performance and Results Act (GPRA) was signed into law.... Individual agencies are submitting performance plans to Congress during the FY2000 authorization and appropriations cycle. The General Accounting Office reports that research agencies have encountered difficulties in preparing strategic plans and in developing performance measures.<sup>31</sup>

In reviewing the background on authorizing legislation for the Department of Energy (DOE), a report from the House Science Committee provided a summary of hearings on the measure, including one on March 24, 1999, titled “Fiscal Year 2000

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<sup>29</sup>U.S. Congress. Committee of Conference, *Making Appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and Certain Independent Agencies, for the Fiscal Year Ending September 30, 2000, and for Other Purposes*, conference report to accompany H.R. 2490, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., H. Rept. 106-319 (Washington: GPO, 1999), p. 56.

<sup>30</sup>U.S. Congress. Senate. Committee on Finance, *Customs Authorization Act of 1999*, report to accompany H.R. 1833, S. Rept. 106-156, 106<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 1999), p. 20.

<sup>31</sup>U.S. Congress. Senate Committee on Commerce, Science, and Transportation, *Federal Research Investment Act*, report to accompany S. 296, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Rept. 106-106 (Washington: GPO, 1999), p. 2.

Budget Authorization Request: Department of Energy Results Act Implementation.” The DOE Inspector General testified on reviews by his office relating to GPRA implementation and presented his findings and recommendations, while a witness from GAO offered observations regarding DOE’s record in implementing GPRA. Also appearing from DOE was the Director of Strategic Planning, Budget, and Program Evaluation, who related agency efforts to comply with the Results Act and characterized the two main challenges remaining for DOE in GPRA implementation as “refining and perfecting measures so that they represent outcomes, not outputs, and ensuring that all Department activities, budgets, contracts, and plans clearly link to the strategic plan.”<sup>32</sup>

There were also references in oversight reports. For example, the House Committee on Government Reform held hearings and issued an oversight report on federal financial management reform, which referenced GPRA in relation to the Chief Financial Officers Act of 1990 (CFO Act), as expanded by the Government Management Reform Act of 1994 (GMRA), and further amended by the Federal Financial Management Improvement Act of 1996 (FFMIA). The 1999 report stated:

It is imperative that these acts [CFO Act, GMRA, and FFMIA] are implemented successfully. They form the basis for the data used in measuring program performance under the Government Performance and Results Act. ... Thus, at a minimum, strong congressional oversight is needed to achieve the primary goal of all these laws: a Federal Government that is accountable to the American taxpayers.<sup>33</sup>

In the Senate, the Appropriations Committee prepared a special report on the impact of GPRA on the appropriations process, focusing particularly on agency performance plans for FY2000. The report assessed agency implementation under the rubric of the subcommittees and provided some general observations:

As this report illustrates, the quality and usefulness of the performance plan is directly impacted by the following factors: (1) the quality of the agency’s goals and measures; (2) an agency’s vulnerability to external factors in achieving its goals; (3) the accuracy of agency data; (4) agency responsiveness to GAO and Congressional concerns and/or recommendations, such as the GAO high risk areas; (5) the quality and frequency of the consultation process between the

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<sup>32</sup>U.S. Congress. House Committee on Science, *Department of Energy Research, Development, and Demonstration Authorization Act of 1999*, report to accompany H.R. 1655, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., H. Rept. 106-243 (Washington: GPO, 1999), pp. 16-17.

It should be noted that there were several oversight hearings on GPRA in the 106<sup>th</sup> Congress, but unless they were mentioned in a committee report, such as that accompanying the DOE reauthorization bill just cited, they are not reflected in this CRS study. As noted, the search technique for identifying relevant provisions encompassed public laws and committee reports, but not hearings.

<sup>33</sup>U.S. Congress. House Committee on Government Reform, *Making the Federal Government Accountable: Enforcing the Mandate for Effective Financial Management*, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., H. Report. 106-170 (Washington: GPO, 1999), pp. 3-4.

The point was reiterated in a sequel issued in the second session. See *Making the Federal Government Accountable: Enforcing the Mandate for Effective Financial Management*, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess., H. Rept. 106-802 (Washington: GPO, 2000), p. 3.

agency and Congressional staff; and (6) the commitment of agency staff to comply with the Results Act.<sup>34</sup>

As a final example of references in reports not accompanying appropriations measures,<sup>35</sup> there was mention of GPRA implementation in the report of the Senate Budget Committee accompanying the budget resolution for FY2000. The language read:

The Committee-reported resolution assumes that the discipline of the spending caps will be maintained by the Committees of the Congress beginning to actively engage in oversight and implementation of the 'Government Performance and Results Act of 1993' that was designed specifically to identify low performance and ineffective government spending programs.<sup>36</sup>

## Afterword

This report provided an overview analysis of data relating to congressional efforts to monitor the implementation of the Government Performance and Results Act during the 106<sup>th</sup> Congress (1999-2000). The approach used was to examine GPRA-related provisions identified in an electronic search of public laws and committee reports from the 106<sup>th</sup> Congress. After providing an overview of the data, this report focused on specific references to GPRA and related documentation (strategic plans and annual performance plans and reports). The discussion proceeded to consider instances of GPRA-related provisions in public laws, and also in committee reports from appropriation and authorization committees as well as in committee oversight reports.

Congressional efforts to oversee GPRA implementation in executive branch agencies continued in the 107<sup>th</sup> Congress. In January 2001, the House approved changes in its standing rules to require that committee reports authorizing new funding include a statement of general performance goals and objectives, including

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<sup>34</sup>U.S. Congress. S. Committee on Appropriations, *Special Report on the Government Performance and Results Act of 1993*, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess., Senate Rept. 106-347 (Washington: GPO, 2000), p. 95.

<sup>35</sup>There were also two special studies by committee staff which referenced GPRA, issued by the Senate Governmental Affairs Committee toward the end of the 106<sup>th</sup> Congress. However, since these documents were released by the chairman in the form of committee prints rather than as full committee reports, they fell outside the purview of this study. See report of Sen. Fred Thompson, *Management Challenges Facing the New Administration*, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess, Senate Prt. 106-62 (Washington: GPO, 2000); and *Major Management Challenges Facing Federal Departments and Agencies*, Senate Prt. 106-63, (Washington: GPO, 2000).

<sup>36</sup>U.S. Congress. Senate Committee on the Budget, *Concurrent Resolution on the Budget FY2000*, report to accompany S. Con. Res. 20, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Rept. 106-27 (Washington: GPO, 1999), p. 2.

outcome-related goals and objectives.<sup>37</sup> On June 19, 2001, the House Government Reform Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations held a hearing focusing on “The Results Act: Has it Met Congressional Expectations?” On September 19, 2002, the same subcommittee of the House Government Reform Committee, along with the Subcommittee on Legislative and Budget Process of the House Rules Committee, held a joint oversight hearing on “Linking Program Funding to Performance Results.”<sup>38</sup>

In a statement submitted for the record of the September hearing, Sen. Fred Thompson conveyed some thoughts on the future of GPRA, observing:

We still have a long way to go in implementing the Results Act and in making the federal government more results-oriented and performance-based. We are at the point after all these years of implementing the Results Act where we need to start using performance information to make decisions or we might as well give up on the Act.<sup>39</sup>

Sen. Thompson then voiced some optimism regarding the future of GPRA, noting that he was “encouraged by the President’s unprecedented interest in, and the Office of Management and Budget’s new focus on, integrating performance review with budget decisions.” In a similar vein, Rep. Stephen Horn, Chairman of the Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, observed in his opening statement that many agencies “have made significant progress” in using their GPRA plans and reports to measure their performance. However, the connection between performance results and funding decisions has been lacking, and until decision makers firmly establish that linkage, “the Results Act will remain largely a paper exercise.... Fortunately, the current Administration is intent on establishing this link.” Rep. Deborah Pryce, Chairman of the Rules Subcommittee on the Legislative and Budget Process, likewise noted that she was encouraged by recent efforts “to establish a more meaningful link between ...(GPRA) and the budget process,” and concluded her opening statement “by saying that as government performance rating tools and measures become more and more reliable, Congress will be finally responsible for using and integrating this information into our budgetary and fiscal decision-making.”<sup>40</sup>

To review very briefly recent developments in the executive branch relating to GPRA and performance budgeting, in August 2001 the Bush Administration released the “President’s Management Agenda,” for improving performance; one of five

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<sup>37</sup>Rule X, clause 4(c)(2). See Rules of the House of Representatives, 107<sup>th</sup> Congress, prepared by Jeff Trandahl, Clerk of the House, Jan. 3, 2001.

<sup>38</sup>Testimony available online at [http://www.house.gov/rules/rules\\_test17.htm](http://www.house.gov/rules/rules_test17.htm).

<sup>39</sup>Senator Fred Thompson, *Linking Program Funding to Performance Results*, Statement for the Record before a joint hearing, Sept. 19, 2002. Ibid.

<sup>40</sup>See *ibid.* for text of the opening statements by Rep. Horn and Rep. Pryce.

government-wide initiatives identified was budget and performance integration.<sup>41</sup> On February 4, 2002, President Bush transmitted his budget for FY2003, which sought to incorporate the five management initiatives, including budget and performance integration, into agencies' budgets and introduced a "Management Scorecard" to measure progress.<sup>42</sup> In a memorandum dated April 24, 2002, from OMB Director Daniels, regarding planning for the FY2004 budget requests, the Bush Administration announced that its effort to base budget decisions on program performance would continue and be expanded:

As a part of the President's budget and performance integration management initiative, this year we will continue our emphasis on program effectiveness. OMB has already begun an extensive effort to identify a subset of programs and evaluation metrics for these programs..... Effectiveness ratings for approximately 20 percent of your programs will be published in the President's FY 2004 Budget.<sup>43</sup>

The final version of the new program performance assessment rating tool, known as PART, was issued in July, 2002.<sup>44</sup> PART was used by agency program managers and OMB budget examiners to evaluate over 200 programs during the budget review process for the President's FY2004 budget in the fall of 2002. According to OMB officials, while scores from PART are intended to be used in making budget decisions, the purpose is diagnostic and not punitive. A low score this year will not necessarily lead to funding cuts, OMB officials assert, and it could mean that the program needs more funding in order to be successful.<sup>45</sup> Despite such reassurances, some are concerned that eventually PART may be used to justify substantial reductions in, or perhaps elimination of, programs not favored by the Administration.

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<sup>41</sup>See OMB, "The President's Management Agenda," Aug. 2001. Available electronically at [<http://www.whitehouse.gov/omb/budget/fy2002/mgmt.pdf>].

<sup>42</sup>See *Budget of the United States Government, Fiscal Year 2003, Analytical Perspectives* (Washington: GPO, 2002), pp. 3-16, re. "Budget and Performance Integration," and pp. 411-415, re. "Scorecard Standards for Success."

<sup>43</sup>See OMB, "Planning for the President's Fiscal Year 2004 Budget Request," Memorandum for Heads of Executive Departments and Agencies from Mitchell E. Daniels, Jr., M-02-06, April 24, 2002.

<sup>44</sup>See OMB, "Program Performance Assessments for the FY2004 Budget," Memorandum for Heads of Executive Departments and Agencies from Mitchell E. Daniels, Jr., M-02-10, July 16, 2002.

<sup>45</sup>*Ibid.* Further discussed by Marcus Peacock, OMB briefing on PART for invited participants, October 25, 2002. Mr. Peacock is the OMB Associate Director for Natural Resources, Energy, and Science, and concurrently serves as the lead for the performance and budget integration component of the president's management initiative.



## **Appendix A: Laws from the 106<sup>th</sup> Congress Identified with GPRA-Associated Provisions**

- P.L. 106-25  
Education Flexibility Partnership Act of 1999
- P.L. 106-53  
Water Resources Development Act of 1999
- P.L. 106-57  
Legislative Branch Appropriations Act, 2000
- P.L. 106-58  
Treasury and General Government Appropriations Act, 2000
- P.L. 106-65  
National Defense Authorization Act for Fiscal Year 2000
- P.L. 106-69  
Department of Transportation and Related Agencies Appropriations Act,  
2000
- P.L. 106-74  
Departments of Veterans Affairs and Housing and Urban Development, and  
Independent Agencies Appropriations Act, 2000
- P.L. 106-78  
Agriculture, Rural Development, Food and Drug Administration, and  
Related Agencies Appropriations Act, 2000
- P.L. 106-79  
Department of Defense Appropriations Act, 2000
- P.L. 106-84  
To amend the Revised Organic Act of the Virgin Islands to provide for  
greater fiscal autonomy consistent with other United States jurisdictions, and  
for other purposes.
- P.L. 106-107  
Federal Financial Assistance Management Improvement Act of 1999
- P.L. 106-113  
Consolidated Appropriations Act for FY2000, including provisions from  
these bills:  
    Departments of Commerce, Justice, and State, the Judiciary, and  
    Related Agencies Appropriations Act, 2000  
    Departments of Labor, Health and Human Services, and Education, and  
    Related Agencies Appropriations Act, 2000

Foreign Operations, Export Financing, and Related Programs  
Appropriations Act, 2000  
Foreign Relations Authorization Act, Fiscal Years 2000 and 2001  
Intellectual Property and Communications Omnibus Reform Act of  
1999  
Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of  
1999

- P.L. 106-117  
Veterans Millennium Health Care and Benefits Act
- P.L. 106-129  
Healthcare Research and Quality Act of 1999
- P.L. 106-148  
National Geologic Mapping Reauthorization Act of 1999
- P.L. 106-159  
Motor Carrier Safety Improvement Act of 1999
- P.L. 106-169  
Foster Care Independence Act of 1999
- P.L. 106-170  
Ticket to Work and Work Incentives Improvement Act of 1999
- P.L. 106-181  
Wendell H. Ford Aviation Investment and Reform Act for the 21st Century
- P.L. 106-202  
Worker Economic Opportunity Act
- P.L. 106-224  
Agricultural Risk Protection Act of 2000
- P.L. 106-246  
Military Construction Appropriations Act, 2001
- P.L. 106-259  
Department of Defense Appropriations Act, 2001
- P.L. 106-284  
Beaches Environmental Assessment and Coastal Health Act of 2000
- P.L. 106-292  
To authorize appropriations for the United States Holocaust Memorial  
Museum, and for other purposes.

- P.L. 106-303  
To make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.
- P.L. 106-309  
Microenterprise for Self-Reliance and International Anti-Corruption Act of 2000
- P.L. 106-310  
Children's Health Act of 2000
- P.L. 106-373  
Famine Prevention and Freedom From Hunger Improvement Act of 2000
- P.L. 106-377  
Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001
- P.L. 106-398  
Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001
- P.L. 106-404  
Technology Transfer Commercialization Act of 2000
- P.L. 106-414  
Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act
- P.L. 106-501  
Older Americans Act Amendments of 2000
- P.L. 106-503  
Fire Administration Authorization Act of 2000
- P.L. 106-505  
Public Health Improvement Act
- P.L. 106-531  
Reports Consolidation Act of 2000
- P.L. 106-554  
Consolidated Appropriations Act, 2001, including provisions from these bills:  
Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001  
Treasury and General Government Appropriations Act, 2001  
Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000  
Small Business Reauthorization Act

P.L. 106-562

To approve a governing international fishery agreement between the United States and the Russian Federation.

P.L. 106-565

Jamestown 400th Commemoration Commission Act of 2000

P.L. 106-568

Omnibus Indian Advancement Act

P.L. 106-569

American Homeownership and Economic Opportunity Act of 2000

## Appendix B: Committee Reports in the 106<sup>th</sup> Congress Identified with GPRA-Related Passages

### House Reports<sup>46</sup>

*Paperwork Elimination Act of 1999* (H.Rept. 106-11, part 1)  
*Education Flexibility Partnership Act of 1999* (H.Rept. 106-43)  
*Making Emergency Supplemental Appropriations for the Fiscal Year Ending September 30, 1999, and for Other Purposes* (H.Rept. 106-64)  
*Oversight Plans for All House Committees* (H.Rept. 106-78)  
*Microenterprise for Self-Reliance Act of 1999* (H.Rept. 106-82)  
*Beaches Environmental Assessment, Cleanup, and Health Act of 1999* (H.Rept. 106-98)  
*Earthquake Hazards Reduction Authorization Act of 1999* (H.Rept. 106-99, part 1)  
*Education Flexibility Partnership Act of 1999* (H.Rept. 106-100)  
*Water Resources Development Act of 1999* (H.Rept. 106-106, part 1)  
*Providing for the Consideration of H.R. 1480, the Water Resources Development Act of 1999* (H.Rept. 106-120)  
*Fire Administration Authorization Act of 1999* (H.Rept. 106-133)  
*American Land Sovereignty Protection Act* (H.Rept. 106-142)  
*Making Emergency Supplemental Appropriations for the Fiscal Year Ending September 30, 1999, and for Other Purposes* (H.Rept. 106-143)  
*National Aeronautics and Space Administration Authorization Act of 1999* (H.Rept. 106-145)  
*National Weather Service and Related Agencies Authorization Act of 1999* (H.Rept. 106-146)  
*Nuclear Waste Policy Act of 1999* (H.Rept. 106-155, part 1)  
*Legislative Branch Appropriations Bill, 2000* (H.Rept. 106-156)  
*Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, 2000* (H.Rept. 106-157)  
*Trade Agency Authorizations, Drug Free Borders, and Presentation of On-Line Child Pornography Act of 1999* (H.Rept. 106-161)  
*National Defense Authorization Act for Fiscal Year 2000* (H.Rept. 106-162)  
*Providing for the Consideration of H.R. 1401, the National Defense Authorization Act for Fiscal Year 2000* (H.Rept. 106-166)  
*Aviation Investment and Reform Act for the 21<sup>st</sup> Century* (H.Rept. 106-167, part 1)  
*Child Care Services for Federal Employees* (H.Rept. 106-169)  
*Making the Federal Government Accountable: Enforcing the Mandate for Effective Financial Management* (H.Rept. 106-170)  
*Department of Transportation and Related Agencies Appropriations Bill, 2000* (H.Rept. 106-180)  
*Comprehensive Budget Process Reform Act of 1999* (House Report 106-198, part 2)

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<sup>46</sup>Reports from conference committees are included here. According to congressional practice, conference reports are issued with House numbers.

*Veterans Benefits Improvement Act of 1999* (H.Rept. 106-202)  
*Work Incentives Improvement Act of 1999* (H.Rept. 106-220, part 1)  
*Department of the Interior and Related Agencies Appropriations Bill, 2000*  
 (H.Rept. 106-222)  
*Treasury, Postal Service, and General Government Appropriations Bill, 2000*  
 (H.Rept. 106-231)  
*Teacher Empowerment Act* (H.Rept. 106-232, part 1)  
*Veterans' Millennium Health Care Act* (H.Rept. 106-237)  
*Financial Freedom Act of 1999* (H.Rept. 106-238)  
*Department of Energy Research, Development, and Demonstration Authorization*  
*Act of 1999* (H.Rept. 106-243)  
*Department of Defense Appropriations Bill, 2000* (H.Rept. 106-244)  
*District of Columbia Appropriations Bill, 2000* (H.Rept. 106-249)  
*Energy and Water Development Appropriations Bill, 2000* (H.Rept. 106-253)  
*Foreign Operations, Export Financial, and Related Programs Appropriations*  
*Bill, 2000* (H.Rept. 106-254)  
*Wellton-Mohawk Transfer Act* (H.Rept. 106-257)  
*Clear Creek Distribution System Conveyance Act* (H.Rept. 106-258)  
*Sly Park Unit Conveyance Act* (H.Rept. 106-259)  
*Carlsbad Irrigation Project Acquired Land Conveyance Act* (H.Rept. 106-260)  
*Department of Commerce, Justice, and State, the Judiciary, and Related Agencies*  
*Appropriations Bill, Fiscal Year 2000* (H.Rept. 106-283)  
*Departments of Veterans Affairs and Housing and Urban Development, and*  
*Independent Agencies Appropriations Bill, 2000* (H.Rept. 106-286)  
*American Inventors Protection Act of 1999* (H.Rept. 106-287, part 1)  
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*Water Resources Development Act of 1999* (H.Rept. 106-298)  
*Agricultural Risk Protection Act of 1999* (H.Rept. 106-300)  
*Health Research and Quality Act of 1999* (H.Rept. 106-305)  
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*Service, the Executive Office of the President, and Certain Independent*  
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*Purposes* (H.Rept. 106-319)  
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*Small Business Innovation Research Program Reauthorization Act of 1999*  
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*To Provide Greater Fiscal Autonomy for the Virgin Islands* (H.Rept. 106-337)  
*Making Appropriations for Foreign Operations, Export Financing, and Related*  
*Programs for the Fiscal Year Ending September 30, 2000, and for Other*  
*Purposes* (H.Rept. 106-339)  
*Recycle America's Land Act of 1999* (H.Rept. 106-353)  
*Making appropriations for Agriculture, Rural Development, Food and Drug*  
*Administration, and Related Agencies Programs for the Fiscal Year Ending*  
*September 30, 2000, and for Other Purposes* (H.Rept. 106-354)  
*Making Appropriations for the Department of Transportation and Related*  
*Agencies for the Fiscal Year Ending September 30, 2000, and for Other*  
*Purposes* (H.Rept. 106-355)  
*Rewarding Performance in Compensation Act* (H.Rept. 106-358)

- Providing for the Consideration of H.R. 2990, the Quality Care for the Uninsured Act of 1999, and H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999* (H.Rept. 106-366)
- Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Bill, 2000* (H.Rept. 106-370)
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- Making Appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for Sundry Independent Agencies, Boards, Commissions, Corporations, and Offices for the Fiscal Year Ending September 30, 2000, and for Other Purposes* (H.Rept. 106-379)
- Academic Achievement for All Act* (H.Rept. 106-386)
- National Geologic Mapping Reauthorization Act of 1999* (H.Rept. 106-389)
- Ticket to Work and Work Incentives Improvement Act of 1999* (H.Rept. 106-393, part 1)
- Student Results Act of 1999* (H.Rept. 106-394, part 1)
- Student Results Act of 1999* (H.Rept. 106-394, part 2)
- Making Appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for the Fiscal year Ending September 30, 2000, and for Other Purposes* (H.Rept. 106-398)
- Making Appropriations for the Department of the Interior and Related Agencies for the Fiscal year Ending September 30, 2000, and for Other Purposes* (H.Rept. 106-406)
- Providing for the Consideration of H.R. 2300, the Academic Achievement for All Act* (H.Rept. 106-408)
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- Intellectual Property and Communications Omnibus Reform Act of 1999* (H.Rept. 106-464)
- Wage and Employment Growth Act of 1999* (H.Rept. 106-467, part 1)
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*Literacy Involves Families Together Act* (H.Rept. 106-503)  
*Environmental Protection Agency Office of Air and Radiation Authorization Act  
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*Environmental Protection Agency Office of Research and Development and  
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