

***In the House of Representatives, U. S.,***

*December 5, 2024.*

*Resolved*, That the bill from the Senate (S. 709) entitled “An Act to improve performance and accountability in the Federal Government, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Federal Agency Perform-*  
3 *ance Act of 2024”.*

4 ***SEC. 2. ESTABLISHMENT OF STRATEGIC REVIEWS AND RE-***  
5 ***PORTING.***

6 *(a) STRATEGIC REVIEWS.—*

7 *(1) IN GENERAL.—Section 1121 of title 31,*  
8 *United States Code, is amended—*

9 *(A) by striking the section heading and in-*  
10 *serting “**Progress reviews and use of***  
11 ***performance information**”; and*

12 *(B) by adding at the end the following:*

13 *“(c) AGENCY REVIEWS OF PROGRESS TOWARDS STRA-*  
14 *TEGIC GOALS AND OBJECTIVES.—*

1           “(1) *COVERED GOAL DEFINED.*—*In this sub-*  
2           *section, the term ‘covered goal’ means a goal or objec-*  
3           *tive established in the strategic plan of the agency*  
4           *under section 306(a) of title 5.*

5           “(2) *REVIEW.*—*Not less frequently than annually*  
6           *and consistent with guidance issued by the Director*  
7           *of the Office of Management and Budget, the head*  
8           *and Chief Operating Officer of each agency, shall—*

9                   “(A) *for each covered goal, review with the*  
10                  *appropriate agency official responsible for the*  
11                  *covered goal—*

12                           “(i) *the progress achieved toward the*  
13                           *covered goal—*

14                                   “(I) *during the most recent fiscal*  
15                                   *year; or*

16                                   “(II) *from recent sources of evi-*  
17                                   *dence available at the time of the re-*  
18                                   *view; and*

19                                   “(ii) *the likelihood that the agency will*  
20                                   *achieve the covered goal;*

21                           “(B) *coordinate with relevant personnel*  
22                           *within and outside the agency who contribute to*  
23                           *the accomplishment of each covered goal;*

24                           “(C) *assess progress toward each covered*  
25                           *goal by reviewing performance information and*

1           *other types of evidence relating to each covered*  
2           *goal, such as program evaluations and statistical*  
3           *data;*

4           “(D) *identify whether additional evidence is*  
5           *necessary to better assess progress toward each*  
6           *covered goal, and prioritize the development of*  
7           *the evidence described in subparagraph (C), such*  
8           *as through the plans required under section 312*  
9           *of title 5, if applicable;*

10           “(E) *assess whether relevant organizations,*  
11           *program activities, regulations, policies, and*  
12           *other activities contribute as planned to each*  
13           *covered goal;*

14           “(F) *as appropriate, leverage the assessment*  
15           *performed under subparagraph (E) as part of*  
16           *the portfolio reviews required under section*  
17           *503(c)(1)(G);*

18           “(G) *identify any risks or impediments that*  
19           *would reduce or otherwise decrease the likelihood*  
20           *that the agency will achieve the covered goal; and*

21           “(H) *for each covered goal at greatest risk*  
22           *of not being achieved, identify prospects and*  
23           *strategies for performance improvement, includ-*  
24           *ing any necessary changes to program activities,*

1           *regulations, policies, or other activities of the*  
 2           *agency.*

3           “(3) *SUPPORT.—In fulfilling the requirements of*  
 4           *paragraph (2), the head and Chief Operating Officer*  
 5           *of each agency shall be supported by—*

6                     “(A) *the Performance Improvement Officer*  
 7                     *of the agency;*

8                     “(B) *as appropriate, the Chief Data Officer,*  
 9                     *Evaluation Officer, Program Management Im-*  
 10                    *provement Officer, and Statistical Official of the*  
 11                    *agency; and*

12                    “(C) *any other senior agency official des-*  
 13                    *ignated by the head of the agency, the sustained*  
 14                    *involvement of whom may help the agency in-*  
 15                    *crease the likelihood of achieving 1 or more cov-*  
 16                    *ered goals.”.*

17           (2) *CONFORMING AMENDMENT.—The table of sec-*  
 18           *tions for Chapter 11 of title 31, United States Code,*  
 19           *is amended by striking the item relating to section*  
 20           *1121 and inserting the following:*

                  “1121. *Progress reviews and use of performance information..”.*

21           (b) *SUMMARY REQUIRED.—Section 1116 of title 31,*  
 22           *United States Code, is amended—*

23                    (1) *in subsection (c)—*

24                             (A) *in paragraph (6)(E), by striking “and”*  
 25                             *at the end;*

1           (B) in paragraph (7), by striking the period  
2           at the end and inserting “; and”; and

3           (C) by adding at the end the following:

4           “(8) include a summary of the findings of the re-  
5           view of the agency under section 1121(c).”; and

6           (2) by striking subsections (f) through (i).

7 **SEC. 3. REVISIONS TO THE FEDERAL PERFORMANCE**

8           **WEBSITE.**

9           Section 1122 of title 31, United States Code, is amend-  
10 ed—

11           (1) in subsection (a)—

12           (A) in paragraph (2)—

13           (i) in subparagraph (C)—

14           (I) by inserting “required to be  
15           included on the single website under  
16           subparagraph (A) and the informa-  
17           tion”; before “in the program inven-  
18           tory”; and

19           (II) by striking “and” at the end;

20           (ii) in subparagraph (D), by striking  
21           the period at the end and inserting “; and”;  
22           and

23           (iii) by adding at the end the fol-  
24           lowing:

1           “(E) ensure that the website described in  
2           subparagraph (A) conforms with the require-  
3           ments for websites under section 3(a) of the 21st  
4           Century Integrated Digital Experience Act (44  
5           U.S.C. 3501 note).”; and

6           (B) in paragraph (4), by striking subpara-  
7           graph (A) and inserting the following:

8           “(A) archive and preserve—

9           “(i) the information included in the  
10           program inventory required under para-  
11           graph (2)(B), including the information de-  
12           scribed in paragraph (3), after the end of  
13           the period during which that information is  
14           made available; and

15           “(ii) the information included in the  
16           single website under paragraph (2)(A) in  
17           accordance with subsections (b) and (c)  
18           after the end of the period during which  
19           such information is made available on the  
20           website; and”;

21           (2) in subsection (b), by striking paragraph (6)  
22           and inserting the following:

23           “(6) the results achieved toward the agency pri-  
24           ority goals established under section 1120(b)—

1           “(A) during the most recent quarter and  
2 overall trend data for each quarter compared to  
3 the planned level of performance; and

4           “(B) at the end of the 2-year agency pri-  
5 ority goal period compared to the overall  
6 planned level of performance;” and

7           (3) in subsection (c), by striking paragraph (5)  
8 and inserting the following:

9           “(5) the results achieved toward the priority  
10 goals developed under section 1120(a)(1)—

11           “(A) during the most recent quarter and  
12 overall trend data for each quarter compared to  
13 the planned level of performance; and

14           “(B) at the end of the 4-year Federal Gov-  
15 ernment priority goal period compared to the  
16 overall planned level of performance;”.

17 **SEC. 4. FEDERAL GOVERNMENT PRIORITY GOALS.**

18           Section 1120(a)(2) of title 31, United States Code, is  
19 amended by striking the second sentence and inserting  
20 “Such goals shall—

21           “(A) be updated and revised not less fre-  
22 quently than during the first year of each Presi-  
23 dential term;

24           “(B) be made publicly available not less fre-  
25 quently than concurrently with the submission of

1           *the budget of the United States Government*  
2           *under section 1105(a) made during the first full*  
3           *fiscal year following any year during which a*  
4           *term of the President commences under section*  
5           *101 of title 3;*

6           “(C) *include plans for the successful*  
7           *achievement of each goal within each single Pres-*  
8           *idential term; and*

9           “(D) *explicitly cite to any specific contents*  
10          *of the budget described in subparagraph (B) that*  
11          *support the achievement of each goal.”.*

12 **SEC. 5. FEDERAL GOVERNMENT PRIORITY GOAL CO-LEAD-**  
13           **ERS.**

14          *Section 1115(a) of title 31, United States Code, is*  
15          *amended by striking paragraph (3) and inserting the fol-*  
16          *lowing:*

17           “(3) *for each Federal Government performance*  
18          *goal, identify, as appropriate, not fewer than 2 lead*  
19          *Government officials who shall jointly be responsible*  
20          *for coordinating the efforts to achieve the goal, of*  
21          *whom—*

22           “(A) *not less than 1 shall be from the Exec-*  
23          *utive Office of the President; and*

24           “(B) *not less than 1 shall be from an agen-*  
25          *cy identified as contributing to the Federal Gov-*



1            *ernment performance goal described in para-*  
2            *graph (2);”.*

3 **SEC. 6. REPEAL OF OUTDATED PILOT PROJECTS.**

4            *(a) IN GENERAL.—Chapter 11 of title 31, United*  
5            *States Code, is amended by striking sections 1118 and 1119.*

6            *(b) CONFORMING AMENDMENT.—Section 9704 of title*  
7            *31, United States Code, is amended—*

8                    *(1) by striking subsection (c); and*

9                    *(2) by redesignating subsection (d) as subsection*  
10            *(c).*

11            *(c) CLERICAL AMENDMENT.—The table of sections for*  
12            *chapter 11 of title 31, United States Code, is amended by*  
13            *striking the items relating to sections 1118 and 1119.*

14 **SEC. 7. CLARIFYING AMENDMENTS.**

15            *(a) CLARIFICATION OF REQUIREMENT TO CITE TO*  
16            *EVIDENCE-BUILDING ACTIVITIES IN STRATEGIC PLANS.—*  
17            *Section 306(a) of title 5, United States Code, is amended—*

18                    *(1) in paragraph (8) by inserting “, as applica-*  
19            *ble” after “section 312”; and*

20                    *(2) in paragraph (9), in the matter preceding*  
21            *subparagraph (A), by inserting “with respect to the*  
22            *head of an agency required to develop a plan de-*  
23            *scribed in subsection (a) or (b) of section 312,” before*  
24            *“an assessment”.*

1           **(b) CLARIFICATION OF TIMING OF AGENCY PERFORM-**  
2 **ANCE REPORT.**—*Section 1116(b)(1) of title 31, United*  
3 *States Code, is amended by striking “shall occur no less*  
4 *than 150 days after” and inserting “shall occur not later*  
5 *than 150 days after”.*

6 **SEC. 8. GAO REPORT.**

7           *Not later than 18 months after the date of enactment*  
8 *of this Act, the Comptroller General of the United States*  
9 *shall submit to the Committee on Homeland Security and*  
10 *Governmental Affairs of the Senate and the Committee on*  
11 *Oversight and Accountability of the House of Representa-*  
12 *tives a report on the effectiveness of this Act and the amend-*  
13 *ments made by this Act.*

Attest:

*Clerk.*



118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 709**

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**AMENDMENT**