

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 10132  
OFFERED BY MR. COMER OF KENTUCKY**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Federal Agency Per-  
3 formance 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  
14 STRATEGIC GOALS AND OBJECTIVES.—

15           “(1) COVERED GOAL DEFINED.—In this sub-  
16 section, the term ‘covered goal’ means a goal or ob-  
17 jective established in the strategic plan of the agency  
18 under section 306(a) of title 5.

1           “(2) REVIEW.—Not less frequently than annu-  
2 ally and consistent with guidance issued by the Di-  
3 rector of the Office of Management and Budget, the  
4 head and Chief Operating Officer of each agency,  
5 shall—

6           “(A) for each covered goal, review with the  
7 appropriate agency official responsible for the  
8 covered goal—

9           “(i) the progress achieved toward the  
10 covered goal—

11           “(I) during the most recent fiscal  
12 year; or

13           “(II) from recent sources of evi-  
14 dence available at the time of the re-  
15 view; and

16           “(ii) the likelihood that the agency  
17 will achieve the covered goal;

18           “(B) coordinate with relevant personnel  
19 within and outside the agency who contribute to  
20 the accomplishment of each covered goal;

21           “(C) assess progress toward each covered  
22 goal by reviewing performance information and  
23 other types of evidence relating to each covered  
24 goal, such as program evaluations and statis-  
25 tical data;

1           “(D) identify whether additional evidence  
2 is necessary to better assess progress toward  
3 each covered goal, and prioritize the develop-  
4 ment of the evidence described in subparagraph  
5 (C), such as through the plans required under  
6 section 312 of title 5, if applicable;

7           “(E) assess whether relevant organizations,  
8 program activities, regulations, policies, and  
9 other activities contribute as planned to each  
10 covered goal;

11           “(F) as appropriate, leverage the assess-  
12 ment performed under subparagraph (E) as  
13 part of the portfolio reviews required under sec-  
14 tion 503(c)(1)(G);

15           “(G) identify any risks or impediments  
16 that would reduce or otherwise decrease the  
17 likelihood that the agency will achieve the cov-  
18 ered goal; and

19           “(H) for each covered goal at greatest risk  
20 of not being achieved, identify prospects and  
21 strategies for performance improvement, includ-  
22 ing any necessary changes to program activi-  
23 ties, regulations, policies, or other activities of  
24 the agency.

1           “(3) SUPPORT.—In fulfilling the requirements  
2 of paragraph (2), the head and Chief Operating Of-  
3 ficer of each agency shall be supported by—

4                   “(A) the Performance Improvement Officer  
5 of the agency;

6                   “(B) as appropriate, the Chief Data Offi-  
7 cer, Evaluation Officer, Program Management  
8 Improvement Officer, and Statistical Official of  
9 the agency; and

10                   “(C) any other senior agency official des-  
11 ignated by the head of the agency, the sus-  
12 tained involvement of whom may help the agen-  
13 cy increase the likelihood of achieving 1 or more  
14 covered goals.”.

15           (2) CONFORMING AMENDMENT.—The table of  
16 sections for Chapter 11 of title 31, United States  
17 Code, is amended by striking the item relating to  
18 section 1121 and inserting the following:

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

19           (b) SUMMARY REQUIRED.—Section 1116 of title 31,  
20 United States Code, is amended—

21                   (1) in subsection (c)—

22                           (A) in paragraph (6)(E), by striking “and”  
23 at the end;

24                           (B) in paragraph (7), by striking the pe-  
25 riod at the end and inserting “; and”; and

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

2 “(8) include a summary of the findings of the  
3 review of the agency under section 1121(c).”; and

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

5 **SEC. 3. REVISIONS TO THE FEDERAL PERFORMANCE**  
6 **WEBSITE.**

7 Section 1122 of title 31, United States Code, is  
8 amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2)—

11 (i) in subparagraph (C)—

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

17 (II) by striking “and” at the end;

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

21 (iii) by adding at the end the fol-  
22 lowing:

23 “(E) ensure that the website described in  
24 subparagraph (A) conforms with the require-  
25 ments for websites under section 3(a) of the

1           21st Century Integrated Digital Experience Act  
2           (44 U.S.C. 3501 note).”; and

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

5           “(A) archive and preserve—

6           “(i) the information included in the  
7           program inventory required under para-  
8           graph (2)(B), including the information  
9           described in paragraph (3), after the end  
10          of the period during which that informa-  
11          tion is made available; and

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

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

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

22          “(A) during the most recent quarter and  
23          overall trend data for each quarter compared to  
24          the planned level of performance; and

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

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

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

8 “(A) during the most recent quarter and  
9 overall trend data for each quarter compared to  
10 the planned level of performance; and

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

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

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

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

21 “(B) be made publicly available not less  
22 frequently than concurrently with the submis-  
23 sion of the budget of the United States Govern-  
24 ment under section 1105(a) made during the  
25 first full fiscal year following any year during

1           which a term of the President commences under  
2           section 101 of title 3;

3           “(C) include plans for the successful  
4           achievement of each goal within each single  
5           Presidential term; and

6           “(D) explicitly cite to any specific contents  
7           of the budget described in subparagraph (B)  
8           that support the achievement of each goal.”.

9   **SEC. 5. FEDERAL GOVERNMENT PRIORITY GOAL CO-LEAD-**  
10                           **ERS.**

11           Section 1115(a) of title 31, United States Code, is  
12   amended by striking paragraph (3) and inserting the fol-  
13   lowing:

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

19           “(A) not less than 1 shall be from the Ex-  
20           ecutive Office of the President; and

21           “(B) not less than 1 shall be from an  
22           agency identified as contributing to the Federal  
23           Government performance goal described in  
24           paragraph (2);”.



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

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

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

7 (1) by striking subsection (c); and

8 (2) by redesignating subsection “(d)” as sub-  
9 section “(c)”.

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

13 **SEC. 7. CLARIFYING AMENDMENTS.**

14 (a) CLARIFICATION OF REQUIREMENT TO CITE TO  
15 EVIDENCE-BUILDING ACTIVITIES IN STRATEGIC  
16 PLANS.—Section 306(a) of title 5, United States Code,  
17 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,” be-  
24 fore “an assessment”.

25 (b) CLARIFICATION OF TIMING OF AGENCY PER-  
26 FORMANCE REPORT.—Section 1116(b)(1) of title 31,

1 United States Code, is amended by striking “shall occur  
2 no less than 150 days after” and inserting “shall occur  
3 not later than 150 days after”.

4 **SEC. 8. GAO REPORT.**

5 Not later than 18 months after the date of enactment  
6 of this Act, the Comptroller General of the United States  
7 shall submit to the Committee on Homeland Security and  
8 Governmental Affairs of the Senate and the Committee  
9 on Oversight and Accountability of the House of Rep-  
10 resentatives a report on the effectiveness of this Act and  
11 the amendments made by this Act.

