

date on which each strategic plan required under section 306(a) of title 5, United States Code, is published, the Comptroller General of the United States shall submit to Congress a report that—

“(1) summarizes agency findings and highlights trends in the assessment conducted pursuant to subsection (a)(9) of section 306 of title 5, United States Code, as added by subsection (c); and

“(2) if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.”

[For definitions of “agency” and “evaluation” as used in section 101(d) of Pub. L. 115–435, set out above, see section 101(e)(4) of Pub. L. 115–435, set out as a note under section 311 of this title.]

BIENNIAL OMB REPORT

Pub. L. 115–435, title II, §202(g)(2), Jan. 14, 2019, 132 Stat. 5544, provided that: “Not later than 1 year after [the] date of the enactment of this Act [Jan. 14, 2019], and biennially thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with this Act [see Short Title of 2019 Amendment note set out under section 101 of this title] and the amendments made by this Act.”

[For definition of “agency” as used in section 202(g)(2) of Pub. L. 115–435, set out above, see section 101(e)(4)(A) of Pub. L. 115–435, set out as a note under section 311 of this title.]

USE OF EXISTING RESOURCES

Pub. L. 115–435, title IV, §402, Jan. 14, 2019, 132 Stat. 5557, provided that: “To the extent practicable, the head of each agency shall use existing procedures and systems to carry out agency requirements and shall select existing employees for appointments under this Act [see Short Title of 2019 Amendment note set out under section 101 of this title] and the amendments made by this Act.”

[For definition of “agency” as used in section 402 of Pub. L. 115–435, set out above, see section 101(e)(4)(A) of Pub. L. 115–435, set out as a note under section 311 of this title.]

SUBCHAPTER II—FEDERAL EVIDENCE-BUILDING ACTIVITIES

§311. Definitions

In this subchapter:

(1) AGENCY.—The term “agency” means an agency referred to under section 901(b) of title 31.

(2) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(3) EVALUATION.—The term “evaluation” means an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.

(4) EVIDENCE.—The term “evidence” has the meaning given that term in section 3561 of title 44.

(5) STATE.—The term “State” means each of the several States, the District of Columbia, each territory or possession of the United States, and each federally recognized governing body of any Indian Tribe, band, nation, pueblo, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(6) STATISTICAL ACTIVITIES; STATISTICAL AGENCY OR UNIT; STATISTICAL PURPOSE.—The

terms “statistical activities”, “statistical agency or unit”, and “statistical purpose” have the meanings given those terms in section 3561 of title 44.

(Added Pub. L. 115–435, title I, §101(a)(2), Jan. 14, 2019, 132 Stat. 5530.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115–435, set out as an Effective Date of 2019 Amendment note under section 306 of this title.

EVALUATION AND PERSONNEL STANDARDS

Pub. L. 115–435, title I, §101(e), Jan. 14, 2019, 132 Stat. 5534, provided that:

“(1) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act [Jan. 14, 2019], the Director of the Office of Management and Budget, in consultation with any interagency council relating to evaluation, shall—

“(A) issue guidance for program evaluation for agencies consistent with widely accepted standards for evaluation; and

“(B) identify best practices for evaluation that would improve Federal program evaluation.

“(2) GUIDANCE.—Not later than 90 days after the date on which the guidance under paragraph (1) is issued, the head of each agency shall oversee the implementation of such guidance.

“(3) OPM GUIDANCE.—Not later than 180 days after the date on which the guidance under paragraph (1) is issued, the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall—

“(A) identify key skills and competencies needed for program evaluation in an agency;

“(B) establish a new occupational series, or update and improve an existing occupational series, for program evaluation within an agency; and

“(C) establish a new career path for program evaluation within an agency.

“(4) DEFINITIONS.—In this Act [see Short Title of 2019 Amendment note set out under section 101 of this title]:

“(A) AGENCY.—Except as otherwise provided, the term ‘agency’ has the meaning given the term ‘Executive agency’ under section 105 [probably means section 105 of title 5, United States Code].

“(B) EVALUATION.—The term ‘evaluation’ has the meaning given that term in section 311 of title 5, United States Code, as added by subsection (a).”

§312. Agency evidence-building plan

(a) REQUIREMENT.—The head of each agency shall include in the strategic plan required under section 306 a systematic plan for identifying and addressing policy questions relevant to the programs, policies, and regulations of the agency. Such plan shall contain the following:

(1) A list of policy-relevant questions for which the agency intends to develop evidence to support policymaking.

(2) A list of data the agency intends to collect, use, or acquire to facilitate the use of evidence in policymaking.

(3) A list of methods and analytical approaches that may be used to develop evidence to support policymaking.

(4) A list of any challenges to developing evidence to support policymaking, including any statutory or other restrictions to accessing relevant data.

(5) A description of the steps the agency will take to accomplish paragraphs (1) and (2).