

(Added Pub. L. 111-352, §8, Jan. 4, 2011, 124 Stat. 3878.)

§ 1124. Performance Improvement Officers and the Performance Improvement Council

(a) PERFORMANCE IMPROVEMENT OFFICERS.—

(1) ESTABLISHMENT.—At each agency, the head of the agency, in consultation with the agency Chief Operating Officer, shall designate a senior executive of the agency as the agency Performance Improvement Officer.

(2) FUNCTION.—Each Performance Improvement Officer shall report directly to the Chief Operating Officer. Subject to the direction of the Chief Operating Officer, each Performance Improvement Officer shall—

(A) advise and assist the head of the agency and the Chief Operating Officer to ensure that the mission and goals of the agency are achieved through strategic and performance planning, measurement, analysis, regular assessment of progress, and use of performance information to improve the results achieved;

(B) advise the head of the agency and the Chief Operating Officer on the selection of agency goals, including opportunities to collaborate with other agencies on common goals;

(C) assist the head of the agency and the Chief Operating Officer in overseeing the implementation of the agency strategic planning, performance planning, and reporting requirements provided under sections 1115 through 1122 of this title and sections 306 of title 5, including the contributions of the agency to the Federal Government priority goals;

(D) support the head of agency and the Chief Operating Officer in the conduct of regular reviews of agency performance, including at least quarterly reviews of progress achieved toward agency priority goals, if applicable;

(E) assist the head of the agency and the Chief Operating Officer in the development and use within the agency of performance measures in personnel performance appraisals, and, as appropriate, other agency personnel and planning processes and assessments; and

(F) ensure that agency progress toward the achievement of all goals is communicated to leaders, managers, and employees in the agency and Congress, and made available on a public website of the agency.

(b) PERFORMANCE IMPROVEMENT COUNCIL.—

(1) ESTABLISHMENT.—There is established a Performance Improvement Council, consisting of—

(A) the Deputy Director for Management of the Office of Management and Budget, who shall act as chairperson of the Council;

(B) the Performance Improvement Officer from each agency defined in section 901(b) of this title;

(C) other Performance Improvement Officers as determined appropriate by the chairperson; and

(D) other individuals as determined appropriate by the chairperson.

(2) FUNCTION.—The Performance Improvement Council shall—

(A) be convened by the chairperson or the designee of the chairperson, who shall preside at the meetings of the Performance Improvement Council, determine its agenda, direct its work, and establish and direct subgroups of the Performance Improvement Council, as appropriate, to deal with particular subject matters;

(B) assist the Director of the Office of Management and Budget to improve the performance of the Federal Government and achieve the Federal Government priority goals;

(C) assist the Director of the Office of Management and Budget in implementing the planning, reporting, and use of performance information requirements related to the Federal Government priority goals provided under sections 1115, 1120, 1121, and 1122 of this title;

(D) work to resolve specific Government-wide or crosscutting performance issues, as necessary;

(E) facilitate the exchange among agencies of practices that have led to performance improvements within specific programs, agencies, or across agencies;

(F) coordinate with other interagency management councils;

(G) seek advice and information as appropriate from nonmember agencies, particularly smaller agencies;

(H) consider the performance improvement experiences of corporations, nonprofit organizations, foreign, State, and local governments, Government employees, public sector unions, and customers of Government services;

(I) receive such assistance, information and advice from agencies as the Council may request, which agencies shall provide to the extent permitted by law; and

(J) develop and submit to the Director of the Office of Management and Budget, or when appropriate to the President through the Director of the Office of Management and Budget, at times and in such formats as the chairperson may specify, recommendations to streamline and improve performance management policies and requirements.

(3) SUPPORT.—

(A) IN GENERAL.—The Administrator of General Services shall provide administrative and other support for the Council to implement this section.

(B) PERSONNEL.—The heads of agencies with Performance Improvement Officers serving on the Council shall, as appropriate and to the extent permitted by law, provide at the request of the chairperson of the Performance Improvement Council up to 2 personnel authorizations to serve at the direction of the chairperson.

(Added Pub. L. 111-352, §9, Jan. 4, 2011, 124 Stat. 3878.)

§ 1125. Elimination of unnecessary agency reporting

(a) AGENCY IDENTIFICATION OF UNNECESSARY REPORTS.—Annually, based on guidance pro-

vided by the Director of the Office of Management and Budget, the Chief Operating Officer at each agency shall—

(1) compile a list that identifies all plans and reports the agency produces for Congress, in accordance with statutory requirements or as directed in congressional reports;

(2) analyze the list compiled under paragraph (1), identify which plans and reports are outdated or duplicative of other required plans and reports, and refine the list to include only the plans and reports identified to be outdated or duplicative;

(3) consult with the congressional committees that receive the plans and reports identified under paragraph (2) to determine whether those plans and reports are no longer useful to the committees and could be eliminated or consolidated with other plans and reports; and

(4) provide a total count of plans and reports compiled under paragraph (1) and the list of outdated and duplicative reports identified under paragraph (2) to the Director of the Office of Management and Budget.

(b) PLANS AND REPORTS.—

(1) FIRST YEAR.—During the first year of implementation of this section, the list of plans and reports identified by each agency as outdated or duplicative shall be not less than 10 percent of all plans and reports identified under subsection (a)(1).

(2) SUBSEQUENT YEARS.—In each year following the first year described under paragraph (1), the Director of the Office of Management and Budget shall determine the minimum percent of plans and reports to be identified as outdated or duplicative on each list of plans and reports.

(c) REQUEST FOR ELIMINATION OF UNNECESSARY REPORTS.—In addition to including the list of plans and reports determined to be outdated or duplicative by each agency in the budget of the United States Government, as provided by section 1105(a)(37),¹ the Director of the Office of Management and Budget may concurrently submit to Congress legislation to eliminate or consolidate such plans and reports.

(Added Pub. L. 111-352, §11(b), Jan. 4, 2011, 124 Stat. 3881.)

REFERENCES IN TEXT

Section 1105(a)(37), referred to in subsec. (c), probably means the section 1105(a)(37) added by section 11(a)(2) of Pub. L. 111-352, Jan. 4, 2011, 124 Stat. 3881.

CHAPTER 13—APPROPRIATIONS

SUBCHAPTER I—GENERAL

Sec.	
1301.	Application.
1302.	Determining amounts appropriated.
1303.	Effect of changes in titles of appropriations.
1304.	Judgments, awards, and compromise settlements.
1305.	Miscellaneous permanent appropriations.
1306.	Use of foreign credits.
1307.	Public building construction.
1308.	Telephone and metered services.
1309.	Social security tax.

¹ See References in Text note below.

Sec.	
1310.	Appropriations for private organizations.
SUBCHAPTER II—TRUST FUNDS AND REFUNDS	
1321.	Trust funds.
1322.	Payments of unclaimed trust fund amounts and refund of amounts erroneously deposited.
1323.	Trust funds for certain fees, donations, quasi-public amounts, and unearned amounts.
1324.	Refund of internal revenue collections.
SUBCHAPTER III—LIMITATIONS, EXCEPTIONS, AND PENALTIES	
1341.	Limitations on expending and obligating amounts.
1342.	Limitation on voluntary services.
1343.	Buying and leasing passenger motor vehicles and aircraft.
1344.	Passenger carrier use.
1345.	Expenses of meetings.
1346.	Commissions, councils, boards, and inter-agency and similar groups.
1347.	Appropriations or authorizations required for agencies in existence for more than one year.
1348.	Telephone installation and charges.
1349.	Adverse personnel actions.
1350.	Criminal penalty.
1351.	Reports on violations.
1352.	Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions.
1353.	Acceptance of travel and related expenses from non-Federal sources.
1354.	Limitation on use of appropriated funds for contracts with entities not meeting veterans' employment reporting requirements.

AMENDMENTS

1998—Pub. L. 105-339, §7(b)(2), Oct. 31, 1998, 112 Stat. 3189, added item 1354.

1990—Pub. L. 101-280, §4(b)(2), May 4, 1990, 104 Stat. 157, redesignated item 1352 “Acceptance of travel and related expenses from non-Federal sources” as 1353.

1989—Pub. L. 101-194, title III, §302(b), Nov. 30, 1989, 103 Stat. 1746, added item 1352 “Acceptance of travel and related expenses from non-Federal sources”.

Pub. L. 101-121, title III, §319(a)(2), Oct. 23, 1989, 103 Stat. 756, added item 1352 “Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions”.

1986—Pub. L. 99-550, §1(b), Oct. 27, 1986, 100 Stat. 3070, substituted “Passenger carrier use” for “Passenger motor vehicle and aircraft use” in item 1344.

SUBCHAPTER I—GENERAL

§ 1301. Application

(a) Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

(b) The reappropriation and diversion of the unexpended balance of an appropriation for a purpose other than that for which the appropriation originally was made shall be construed and accounted for as a new appropriation. The unexpended balance shall be reduced by the amount to be diverted.

(c) An appropriation in a regular, annual appropriation law may be construed to be permanent or available continuously only if the appropriation—

(1) is for rivers and harbors, lighthouses, public buildings, or the pay of the Navy and Marine Corps; or

(2) expressly provides that it is available after the fiscal year covered by the law in which it appears.