

[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).

(6) Any other information as required by guidance issued by the Director.

(b) EVALUATION PLAN.—The head of each agency shall issue in conjunction with the performance plan required under section 1115(b) of title 31, an evaluation plan describing activities the agency plans to conduct pursuant to subsection (a) of this section during the fiscal year following the year in which the performance plan is submitted. Such plan shall—

(1) describe key questions for each significant evaluation study that the agency plans to begin in the next fiscal year;

(2) describe key information collections or acquisitions the agency plans to begin in the next fiscal year; and

(3) any<sup>1</sup> other information included in guidance issued by the Director under subsection (a)(6).

(c) CONSULTATION.—In developing the plan required under subsection (a), the head of an agency shall consult with stakeholders, including the public, agencies, State and local governments, and representatives of non-governmental researchers.

(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.

<sup>1</sup> So in original.