

Performance Agreements in US Government

Lessons for Developing Countries

A performance agreement is a document summarising the understanding between the US president and his cabinet secretary regarding the expected results and performance indicators for the concerned department. This article argues that performance agreements are an effective instrument for promoting a culture of accountability in the government and lauds the attempt by the US administration to introduce them systematically in the highest echelons of the government. However, due to technical flaws in their design, these instruments have proved to be ineffective. This experience provides valuable lessons for developing countries in search of effective instruments of accountability. A well-designed system of performance agreements can be a great instrument for transforming development goals into reality.

PRAJAPATI TRIVEDI

The non-performance of performance agreements in the US government remains a mystery in the ever-expanding universe of 'reinventing government' initiatives world-wide [Osborne and Plastrik 1997, Osborne and Gaebler 1992, Kettl 2000, OECD 1994 and Scott 1996]. This paper goes beyond the explanations based on institutional analysis to identify conceptual flaws in the design of performance agreements and derive key lessons for developing nations attempting similar reforms.

The article is written from the perspective of belief in the value of performance evaluation in the public sector in general and the concept of performance agreements within government in particular. Thus its objective is not to question the rationale for the US government's performance agreements policy. Rather, it is intended to improve the quality of implementation efforts in the future and make a good policy even better.

I Background

The concept of a performance agreement is straightforward. It is intended to be a written agreement between the president of the US and a cabinet department secretary that describes the mutual responsibilities of the two parties to the agreement. The following paragraph from the introduction to various performance agreements¹ signed by the president with a select group of departmental secretaries succinctly describes the concept.

The American people deserve a government that works better and costs less. The departments and agencies of the federal government hold vital keys to improving performance and to restoring the faith of the American people in their government. Many changes will need to take place for this broad goal to be realised. The purpose of performance agreements with senior officials is to establish clarity and consensus about the priorities for departmental management. They are intended to improve the management of the Executive Branch and are not intended to create any legally enforceable rights. From these agreements should flow the programme management priorities of the departments. These agreements represent a beginning, a basis of continuous improvement as we reinvent our government to meet the needs and expectations of the American people.

The origins of this policy lie in the pioneering Government Performance and Results Act of 1993 (GPRA). This act requires

that at least 10 federal agencies launch three-year pilot projects, beginning in fiscal 1994, to develop measures of progress. Each pilot project was to develop annual performance plans that specified measurable goals. The agencies were to produce annual reports showing how they were doing on those measures. At least five pilots would also test so-called managerial flexibility waivers – which exempt them from some administrative regulations – to help them perform even better. In exchange for greater flexibility, these agencies were to set higher performance targets. This is exactly the process of measured deregulation (we agree to deregulate you if you agree to be held accountable) that must be the basis of an empowered and accountable government.

GPRA requires that, after learning from the pilot programmes, all federal agencies must develop five-year strategic plans linked to measurable outcomes. By 1999, every agency was expected to craft detailed annual performance plans – that is, plans that describe what they intend to *achieve*, not plans that detail how many pencils they will buy or how many people they will hire. The agencies will have to report their successes and failures in meeting those goals; however, GPRA allows the Office of Management and Budget (OMB) to exempt very small agencies from these requirements.

II Importance of Performance Agreement Approach

Performance agreements represent the culmination of a long tradition of the central role played by evaluation in public policy [Carter 1983, Wholey 1983, Picciotto and Weisner 1998, Popovich 1998, Sarji 1996 and Gore 1993]. Whether from theory or from practice, the message is the same: what gets measured gets done. In large institutions, public and private, things are counted, and whatever is counted, counts.

Typically, public agencies are either not clear about their goals or are aiming at the wrong goals. The lack of clarity of goals can be attributed to the fact that most public agencies have to deal with multiple principals who have multiple (and often conflicting) objectives. This leads to fuzziness in the agencies' perception of what is expected from them. The simple act of

defining performance measures is enlightening for many public organisations. When they have to define the outcomes they want and appropriate benchmarks to measure those outcomes, this confusion is brought into the open. People begin to ask the right questions, to redefine the problem they are trying to solve, and to diagnose that problem anew.

The theoretical case for performance evaluation in government agencies is supported by the positive results that have accrued whenever an evaluation system has been implemented in the government. As the following example shows, this is true regardless of the level at which it was implemented.

During New York City's fiscal crisis in the 1970s, an independent foundation developed a method, called 'Scorecard', to measure the cleanliness of streets. It then sent out volunteers every month to rate each of 6,000 streets. The sanitation department had always focused on inputs: how many trucks were assigned to each district? How many men were needed on each truck? Now it began to look at the Scorecard information, which rated outcomes: how clean was each street? Using this information, it reassigned its street cleaners and began to reward crews that made the greatest improvements. By 1986, the percentage of streets rated 'filthy' had declined from 43 to 4 per cent. Nearly 75 per cent were rated 'acceptably clean'.

III

Critique of Performance Agreements in the US

The performance agreement documents produced by the National Performance Review office headed by vice-president Al Gore (1993) are the policy tools crafted to deliver on the promise of the GPRA. These performance agreements have several strengths and weaknesses.

Strengths: Performance agreements reflect an attempt to instil accountability for results (performance) at the highest levels in government. While the concept of accountability for performance in the public sector is not a new one, it usually has been implemented at lower government levels. There are several problems with the bottom-up approach. First, it lacks credibility. It is hard for people who are not accountable for results to impose the discipline of results-oriented management on others. It is much easier for accountability to trickle down than it is for it to seep up the bureaucratic chain of command.

Second, if the environment is vitiated by a culture of weak accountability for results, it is difficult to make much of a difference by imposing a system of accountability in one corner of the government. In fact, some economists would argue that to achieve second-best outcomes, it may be necessary to depart from the first-best solution of a rigorous system of accountability in one part of the government, if other parts of the government do not have an effective system of accountability. Others would argue that for accountability to work in various parts of the government, it is necessary to create an enabling environment. The US policy of establishing performance agreements at the cabinet level can be viewed as an attempt to create the enabling environment needed to implement GPRA in all parts of the government.

Third, accountability systems work best when they have the full support of the chief executive in the government. Implementation of performance agreements in the US was not only spurred by the White House, this policy was clearly seen to have the highest of level political support. Each performance agreement was signed by president Bill Clinton and the cabinet secretary responsible for the relevant department.

Fourth, the structure of these documents is in line with best practice in this area. Each document contains the following five sections: (1) Introduction, (2) Major Objectives of the Department, (3) Measurement of Performance, (4) Administration Support, and (5) Terms of Agreement.

Finally, the speed and efficiency with which these documents were drafted is commendable. Unlike typical government documents, they are readable, written in simple, workmanlike language devoid of legal and bureaucratic jargon.

Weaknesses: In spite of a first-rate effort on most fronts, the performance agreement documents suffer from a fatal flaw: they have a weak methodology to evaluate performance. More accurately, the performance agreements do not have any mechanism to evaluate performance against commitments made by the two parties in the body of these documents. The rationale for the performance agreement approach is based on the positive benefits that accrue as a consequence of government's ability to measure performance. If the government cannot or does not measure performance, then ipso facto it forgoes the benefits. The main weaknesses of the evaluation system can be summarised as follows.

Lack of Prioritisation

The performance agreement between the president and the secretary of the interior includes seven objectives and 30 performance measures for fiscal year 1994 (Appendix). Let us say, for the sake of argument, that at the end of fiscal year 1994, the secretary of the interior reports to the president that he has achieved targets for 24 performance measures out of the 30 listed in the performance agreement. How should the president evaluate the secretary's performance?

The short answer is that the president cannot even begin to evaluate performance in an objective manner. It is possible that the secretary did not achieve the agreed targets (performance measures) in the most critical areas but was able to achieve targets in other, less important areas. Thus, whatever action the president takes, it can be questioned. Clearly, the secretary would like to claim that the 24 gets he achieved are the ones that really count. His detractors would argue that the six targets he missed were more important. Any method to resolve this conflict is likely to appear subjective and hence undermine the credibility of the evaluation exercise.

To overcome this problem, it is common to agree on an explicit prioritisation of performance measures. In the example given here, this could be done by attaching weights to each of the seven major objectives specified in the interior department's performance agreement, and dividing them among the 30 performance measures listed under these objectives. Table 1 gives a hypothetical example of how this could be done for the department

Table 1: Relative Priorities

Objective	Weight
Establish the national biological survey	.10
Reform land management at the department of interior	.10
Reinvent the bureau of reclamation	.30
Strengthen the commitment of the national park system to employees and the American public	.20
Act as a partner with Indian tribes	.05
Make the Endangered Species Act work	.15
Champion collaboration and performance at the department of interior	.10
Total Weight = 1.00	

of the interior. This table simply takes the indicators mentioned in the department performance agreement and restates them in the suggested format.

Lack of Clarity with Respect to Targets

This category includes three kinds of problems. First, for some performance measures it is not clear how the performance will be measured. Take, for example, the following performance measure under the objective 'Act as a partner with Indian tribes':

The secretary will emphasise continued consultations with the tribes and Congress to develop an appropriate vehicle for the management of Indian trust funds including alternatives other than operations within the Bureau of Indian Affairs.

This performance measure does not make clear how to determine whether the secretary did indeed 'emphasise continued consultations'. For instance, will a simple letter from the secretary to this effect fulfil the requirement to 'emphasise continued consultations'? Would it not be far better to require the secretary to develop an appropriate vehicle for management of trust funds than to ask him to merely 'emphasise continued consultations'? Conventional wisdom regarding performance evaluation suggests that output-oriented performance measures must be given preference over process-oriented indications.

The second problem relates to the way in which some of the targets have been stated. For example, take the following criteria under the objective 'Strengthen the commitment of the national park service to employees and the American public':

The secretary will make significant progress in FY 1994 to develop a mechanism to provide seasonal and temporary employees greater benefits...

...concession reform will commence with new negotiations of current contracts early in FY 1994.

In both examples, the target is loosely defined. In the first example, the phrase 'significant progress' allows great latitude for convenient interpretation. Similarly, the phrase 'early in FY 1994' introduces fuzziness in evaluation.

Finally, it is not clear how deviation from the targets would be measured. For example, the 1994 performance agreement between the president and the secretary of veterans affairs included the following target:

Accelerate automation of patient clinical records and give medical providers more rapid access to clinical information in order to

improve service to veterans by implementing automated exchange of patient data between 135 medical centres.

Assume that at the end of 1994, the secretary for veterans affairs reported to the president that he managed to implement automated data exchange between 120 centres, as against the target of 135. How should the secretary's performance have been evaluated? In the absence of any explicit agreement on how to measure deviations from the targets, any conclusion regarding the secretary's performance could be questioned. For this reason, current best practice requires agreement on a scale of targets rather than on a single point. This eliminates any subjectivity at the end of the evaluation cycle. For example, a five-point scale for this target might look like the one shown in Table 2.

This five-point scale permits a precise judgment of performance. The actual number of points on the scale is not important. However, it is important that the two parties to the performance agreement agree to a specific scale when the agreement is signed.

Lack of Methodology for Overall Evaluation

Prioritising objectives (by assigning weights that add up to 100 per cent) and defining the targets more precisely (using a scale) are the ingredients of a proper evaluation. However, these ingredients have to be processed to achieve a fair and objective evaluation. Therefore, it is equally important to agree on a performance evaluation methodology.

The following example illustrates how performance agreements could be reformatted to enable overall performance evaluation. To simplify exposition, three criteria are included in the hypothetical performance agreement for the Department of Veterans Affairs signed at the beginning of the year (Table 3).

Assume that at the end of the year the performance reported by the secretary of the department of veterans affairs to the president is as shown in Table 4.

Table 5 illustrates a methodology for evaluating the overall performance of the department of veterans affairs based on the comparison of ex post performance with the ex ante agreement on the targets and their relative priorities. A similar methodology is used for evaluating performance in the public sector in several countries such as South Korea, Thailand, Costa Rica, India, Pakistan and Colombia.

The calculation of overall performance score (composite score) involves three steps. First, by comparing the actual achievement with the agreed criterion values, we get a raw score. The raw score for Criterion 1 in Table 5 is '4' because 135 is listed under the column number 4 in Table 3. Since we cannot add these scores, because each has a different level of importance (weights), we call them raw scores. The second step involves multiplying each raw score by its respective weight to obtain the relevant 'weighted raw score' in Table 5. Finally, by adding all the weighted raw scores we obtain the 'composite score'

Table 2: Example of a Target Scale

Criterion	Unit	Criterion Values				
		5 Excellent	4 Very Good	3 Good	2 Fair	1 Poor
Implementation of automated data exchange system	No of medical centres	140	135	130	125	120

Table 3: Recommended Structure for a Performance Agreement
(Signed at the Beginning of the Fiscal Year)

Criterion	Unit	Weight	Criterion Values				
			5 Excellent	4 Very Good	3 Good	2 Fair	1 Poor
Implementation of automated data exchange system	No of medical centres	.50	140	135	130	125	120
Reduce internal directives	Percentage of reduction	.20	11	10	9	8	7
Train 50 per cent of the employees in total quality management	Months	.30	9.5	10	10.5	11	11.5

representing overall performance of the Department of Veterans Affairs.

The beauty of the composite score is that it gives a precise overall evaluation on a five-point scale. This composite score can be used to compare various departments and thereby generate benchmark competition among government departments and agencies. While the commitments, targets, and weights for these departments will be different and cannot be compared on a one-to-one basis, the departments' ability to meet these commitments can be compared using the composite score.

Lack of Clarity on Consequences of Failure

Each performance agreement has a section titled 'administrative support'. Not only is this in line with international best practice, but it is a sine qua non for performance agreements. As mentioned earlier, a performance agreement is supposed to be an agreement between two parties in which the obligations of both parties in achieving the agreed targets are mentioned.

There is much to be said for the way some of the items under the 'administrative support' section are listed. For example, let us examine the following item in the performance agreement for the Department of the Interior:

The Office of Management and Budget will provide generic clearances for customer surveys within two weeks of submission of requests by the department of the interior.

This is a good way to list conditions that are required to achieve targets. Unfortunately, the problem with this formulation is the absence of any agreement on the consequences of failure on the part of the administration to meet this condition. The appropriate way to handle this situation is to list which targets will be affected and how they will be affected by the failure to meet this condition.

In addition to the problem just mentioned, there is the problem of lack of clarity with respect to some of the items listed. For example, in the following item listed in the performance agreement for the Department of the Interior, the term 'support' is not clearly defined.

Support passage of authorising legislation to establish the National Biological Survey.

Unclear Institutional Mechanism for Evaluation

The mechanism for performance evaluation is unclear. Performance agreements are agreements between the US president, representing the administration, and cabinet secretaries, representing their respective departments and agencies. However, the evaluation is expected (implicitly) to be done by the president, and this presents an apparent conflict of interest. It does not seem appropriate for one party to the agreement to be the judge as well. In other places where this type of institutional arrangement has been tried, these instruments have tended to be one-sided documents and the weaker parties have felt the treatment to be unfair.

One possible alternative would be to have the agreement signed between the vice president and various cabinet secretaries. In that event, the president would be the appellate authority that would be expected to act as a neutral third party.

However, before we conclude that this would be the best arrangement, it is important to point out that there is a positive side to the current institutional arrangement. The president's signing of the agreement lends the entire exercise enormous prestige and could in many circumstances help compensate for the

problems resulting from an agreement between two unequal parties.

IV Current Status of Policy

In spite of the fanfare with which the performance agreement policy was launched, there was no clear follow-up. The performance agreements signed in 1994 have never been evaluated (or at least the evaluation has not been made public). There seem to be several reasons for this. To start with, as this paper has tried to establish, it would have been impossible to evaluate performance on the basis of the 1994 performance agreements even if the administration had wanted to do so. The technical elements required for a successful ex-post evaluation were missing from the structure of the 1994 performance agreements.

Another reason appears to be the political risk involved in evaluating cabinet secretaries. The administration was worried that the performance evaluations based on the 1994 performance agreements would be used by the Republican opposition for narrow political purposes.

In a recent best-seller titled *Banishing the Bureaucracy*, the fathers of the 'reinventing government' movement, David Osborne and Peter Plastrik, offer an explanation of why the US and Canada have not managed to install performance evaluation systems at the highest levels of government while New Zealand, the United Kingdom and Costa Rica have done so. According to them, the top executive in the government must be willing to devote his personal attention and political capital to the task of improving government performance. He must be willing to invest the time, energy, and resources – blood, sweat, and tears – it takes to reinvent government. In short, the head of government must have enormous courage.

V Lessons for Developing Countries

Developing countries have tried to reform their bureaucracies for a long time. The common jargon for the standard approach is 'civil service reforms'. Unfortunately, these reforms have focused largely on the input side: reducing the number of civil servants, reforming the salary structures, modifying civil service

Table 4: Achievements at the End of the Fiscal Year

Criterion	Unit	Achievement
Implementation of automated data exchange system	Nos of medical centres	135
Reduce internal directives	Percentage of reduction	8.5
Train 50 per cent of the employees in total quality management	Months	9

Table 5: Overall Performance Evaluation

Criterion	Unit	Weight	Achievement	Raw Score	Weighted Raw Score
Implementation of automated data exchange system	No of medical centres	.50	135	4	2
Reduce internal directives	Percentage of reduction	.20	8.5	2.5	.5
Train 50 per cent of the employees in total quality management	Months	.30	9	5	1.5
Composite Score					4.00

recruitment and promotion procedures and so on. Many of these reforms have been driven by the fiscal imperative of reducing expenditures on government machinery. The current wave of reforms symbolised by the performance agreement approach in the US shifts the debate from *quantity* of government to *quality* of government and from the *cost* of government machinery to *cost effectiveness* of government machinery.

Evidence from successful reforms suggests that the returns from this type of reform are well worth the effort required. This is particularly true in developing countries, where the current crisis is not one of lack of ideas, but one of poor implementation of ideas. Good ideas and policies do not implement themselves; they require a dedicated cadre of public servants. This dedication comes not from some selfless pursuit of public good, but from a well-designed system of accountability for results and from incentives for public servants to respond in the appropriate manner. A well-designed government machinery is capable of implementing any policy effectively, whereas a poorly functioning government machinery is likely to botch up any policy, however well thought out it may be. In other words, reform of the accountability system creates a tool that enables government to implement all other reforms effectively.

The US experiment has several useful lessons for developing nations attempting this paradigm shift. First, accountability for results must start at the very top. If top-level officials are held responsible for results, they will hold those below them accountable for results. It will take time, but soon the culture of accountability will trickle down to all levels of government machinery. Even though the 1994 performance agreements apparently were not evaluated, they set in motion a process of greater focus on end results within the government agencies.

Second, the government must start by defining its objectives at the highest levels and develop the capacity to evaluate whether the people in charge of achieving them are succeeding. As the old saying goes, 'What gets measured gets done'. Furthermore, if they are to have any effect on the behaviour of the people being evaluated, the results of this exercise should be made public.

Third, all other systems in government – financial, procedural and organisational – should be adapted to increase the success of achieving these objectives. That is, the criterion for judging reforms in the government machinery should be whether the proposed changes help the government become more successful in achieving clearly measurable objectives through an objective performance evaluation system.

Finally, the documents must be structured so that they enable objective ex-post performance evaluation. This article has concentrated on this aspect because in the final analysis the benefits of this approach depend on the ability to evaluate performance. The vast documented experience in this field should allow developing countries to adopt best-practice methodologies and avoid reinventing the wheel [Trivedi 1990, 1995; Wiesner 1993; OECD 1994].

VI Conclusion

The American attempt is to be judged by what it tried rather than what was achieved. It broke new ground in attempting to instil accountability at the highest levels in government. It was expected to be evolutionary and thus it may be too early to judge its final fate. The reform pendulum has swung back, but the force for reform is alive and well even in the Bush administration. Thus, it is only a matter of time before this instrument will be back

with renewed vigour and refined design. Developing nations should learn the lessons from this unique experiment and adapt this instrument while avoiding the pitfalls.

Appendix

Performance Agreement between the President of the US and the Secretary of the Interior (For Fiscal Year 1994)

I Introduction

The American people deserve a government that works better and costs less. The departments and agencies of the federal government hold vital keys to improving performance and to restoring the faith of the American people in their government. Many changes will need to take place for this broad goal to be realised. The purpose of performance agreements with senior officials is to establish clarity and consensus about the priorities for departmental management. They are intended to improve the management of the executive branch and are not intended to and do not create any legally enforceable rights. From these agreements should flow the programme and management priorities of the departments. These agreements represent a beginning, a basis for continuous improvement as we reinvent our government to meet the needs and expectations of the American people.

II The Department of the Interior

This agreement reflects the major objectives developed by the secretary for the department of the interior to achieve over the next several years as well as specific performance measures to be accomplished in fiscal year 1994. It also describes areas of specific support the administration intends to provide for the accomplishment of these objectives.

The secretary undertakes to accomplish the following at the Department of the Interior:

Establish the National Biological Survey: The secretary is committed to establishing a new organisation within the department that will serve as an important nationwide repository for biological data for government customers and the public, and that will provide an integrated natural resources scientific database including a national status and trends survey. This information will be used to develop sound natural resources management and development decisions.

Reform Land Management at the Department of the Interior: The secretary is committed to reforming rangeland programmes administered by the Bureau of Land Management in order to restore and improve the ecological condition of the rangeland, to manage for biodiversity, forage production and sustainable ecosystems and to establish fair and equitable grazing fees for private use of public lands. The secretary is committed to implementing a comprehensive reform of mining activities on public lands in order to eliminate land patent giveaways, charge a fair royalty for public minerals and provide strong environmental protection for public lands.

Reinvent the Bureau of Reclamation: The secretary is committed to transforming the Bureau of Reclamation from a civil works agency into the leading water management agency that is cost-effective in serving its customers.

Strengthen the Commitment of the National Park System to

Employees and the American Public: The secretary is committed to improving the morale and working conditions of employees in the National Park Service. The secretary is committed to resolving professional discrepancies between full time and seasonal temporary employees and enhancing professional development opportunities for Park Rangers and other Park Service employees.

The secretary is also committed to the entrepreneurial management of the national parks through improved fee applications and collections and contract negotiations. Creative use of private funds to mitigate the problems of employee housing is an important goal of the secretary.

Act as a Partner with Indian Tribes: The secretary will demonstrate this administration's commitment to fulfilment of the federal Indian Trust responsibility and the creation of a mutually respectful, beneficial government to government partnership by achieving progress necessary to accomplish national Indian self-determination objectives and address the concerns of congress.

Make the Endangered Species Act Work: The secretary, is committed to reforming the administration and implementation of the Endangered Species Act to minimise conflicts, maximise flexibility for conflict resolution, and conserve our nation's ecosystems for future generations.

Champion Collaboration and Performance at the Department of the Interior: The secretary will champion the administration's commitment to a government that works better by demonstrating creative patterns of collaboration, organisation and communication with other employees, other agencies, and citizens.

With the leadership of the secretary, the department of the interior will develop one of the best appraisal processes among federal agencies for its senior executive service managers, measuring progress on three common departmental elements: increased cross organisational cooperation and action, increased employee diversity, and improved matching of decision-making level to decision needed.

III Measurement of Performance

To measure progress against the above objectives, the secretary is committed to accomplishing specific measurable results.

To maintain focus and a sense of urgency and to have a real impact on performance, there will be periodic reviews of progress, discussion of difficulties encountered and agreement on appropriate actions. These reviews will be held between the president and/or his designees and department officials and, with greater frequency, within the department. Any specific reporting requirements will be developed jointly with the department.

IV Administration Support

In order to accomplish the above described objectives and measures during fiscal year 1994, it is the administration's objective to provide the Department of the Interior with the following specific support:

- Support for passage of authorising legislation to establish the National Biological Survey.
- The office of management and budget will provide generic clearances for customer surveys within two weeks of submission of requests by the department of the interior.
- Lead responsibility for mining law reform to the department of the interior to work with all affected federal agencies. In addition, the White House will establish a mechanism to provide

effective liaison with the department during mine legislation conference proceedings.

V Miscellaneous

This agreement is intended only to improve the internal management of the executive branch and is not intended to and does not create any right, benefit, trust or responsibility, substantive or procedural, enforceable at law or equity by a party against the US, its agencies, its officers, or any person.

VI Term of Agreement

This agreement will remain in effect until modified. It is expected that it will be updated at least annually to reflect significant changes in budget, policy, personnel or other factors that may affect the accomplishment of objectives.

This agreement represents our joint commitment to a department of the interior that works better and costs less and fulfils our sacred trust to the American people.

Sd/-
Bruce Babbitt
Secretary of the Interior

Sd/-
William J Clinton
President of the US

Note

[The views expressed in this article are those of the author and do not necessarily reflect the views of the World Bank or its Executive Directors.]

- 1 Appendix gives the 1994 performance agreement between president Bill Clinton and the secretary of the interior, Bruce Babbitt.

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