

EVALUATING SUNSET What Will It Mean?

STEVE CHARNOVITZ

During the past couple of years, there has been a renewed interest within the United States in improving the performance of government and the accountability of bureaucrats. While past rounds of such self-examination focused on management by objectives, decentralization, and reorganization, and before that on rational decision making and systematic planning, the current round focuses on resource allocation (through zero-base budgeting), legislative and program evaluation (through regulatory reform and sunset laws), and once again on reorganization. Of all the new reforms, it is the sunset laws which, although they have received the least attention, have the greatest potential for impact on public policy.

A sunset law is a special kind of law which automatically terminates government agencies, programs, regulations, or other laws after specified time periods unless the legislature first reviews and then decides to recreate them.¹ The idea behind sunset is that it is easier for a legislature to save the good programs than to discard the bad ones. Therefore, the sunset law attempts to facilitate legislative oversight by reversing the presumption of continuity.

At this time, it appears likely that the Congress, either this year or next, will enact a sunset law applying to the federal government. Last year, Senator Edmund Muskie introduced such a bill to terminate almost all federal programs every five years. The proposal, which was then called the Government Economy and Spending Reform Act, attracted extensive support and was modified and rein-

roduced this session with 42 cosponsors (since increased to 55) as the Sunset Act of 1977 (and given the low number of S.2). Support for the bill is bipartisan and includes both liberals and conservatives. For example, Senators Hatfield, Kennedy, Goldwater, and Eastland are among the sponsors. The Senate Subcommittee on Intergovernmental Relations of the Governmental Affairs Committee held several days of hearings on the bill in March, at which time the director of the Office of Management and Budget voiced the support of the Carter administration for most of the bill.² In late April, the subcommittee made a few changes in the bill and referred it to the full committee for action.

The thesis of this article is that while all federal programs should be reviewed (and many do need detailed evaluations), applying the sunset process to the entire federal government is not likely to be workable and is very likely to do serious damage to both the substance of controversial programs and the process of policy making. (For a contrasting viewpoint, see James Davidson's "Sunset—A New Challenge" in *The Bureaucrat*, Spring 1977.) This article will discuss first, what sunset is and how it differs from the present system; second, the experience with sunset in the states; third, how the federal sunset process is designed to work; fourth, what sunset would do to the federal government; and fifth, how the sunset bill could be improved.

IS SUNSET ANYTHING NEW?

The essence of the sunset process is that it is action forcing. Because government agencies, programs, regulations, or other laws are automatically terminated after specified periods, no review or action by a legislature would mean the expiration of the program. Sunset is a legislative response to the perceptions of poor executive performance and lapse in congressional oversight. Sunset is not meant to replace the executive management and evaluation functions, but rather to supplement them with a rigorous congressional review. While zero-base budgeting and sunset laws could be complementary, they are by no means the same thing. The former is a system for program managers to examine the total budget through discrete decision pack-

ages and priority rankings, while the latter is a legislative tool to determine how programs have been working and whether they should be continued.

The argument has been made that sunset is not really anything new, that it exists now in the form of program authorizations for definite time periods.³ Seen in this way, sunset is just the extension to every program of the present congressional oversight and reauthorization process. While this argument has some validity, it misses that which is very new about sunset.

First, while it is true that Congress could improve oversight without a sunset law, the passage of such a law would itself be a congressional commitment to perform the review and evaluation role in a much more comprehensive and conscientious fashion. An analogy to the congressional budget process is apt. While the Congress could have done all of what the budget committees are doing now through the regular appropriations committees and through a change in the floor rules, it took the passage of the congressional Budget and Impoundment Act both to signify and effectuate this new responsibility.

Second, a sunset law would facilitate the congressional review function by requiring detailed evaluations of programs during the examination year and by grouping similar programs together for sunset review. At present, program authorizations expire almost randomly, but under sunset they would expire by budget function (e.g., energy) which would make it easier for Congress to reduce overlap and duplication. For example, when a single agency comes up for review, as the Federal Energy Administration (FEA) did in 1976, it would be politically difficult to let the agency expire, but if all energy agencies (FEA, FPC, ERDA, NRC, and parts of Interior and Agriculture) came up for review simultaneously, it would be much easier for Congress to consolidate them into a logical organization.

Third, with respect to the federal budget, not that many programs have authorizations of definite time periods. While there is no complete catalog of federal program authorizations, a ballpark estimate (by the author) is that only about one-third of the authorizations are definite. An increase in oversight from one-third to nearly all federal

programs is more a difference in kind than simply a difference in degree.

SUNSET LEGISLATION IN THE STATES

The impetus for sunset originated in Colorado where Common Cause proposed to "sunset" the state's Department of Regulatory Agencies. Colorado passed the first state sunset law last year and as of June 1977, 17 other states had enacted this type of legislation and every state legislature had considered sunset in some form. The state laws vary as to coverage, length of review cycle, and application. Some cover only the occupational licensing agencies (e.g., New Mexico), a few cover all the agencies in the state government (e.g., Louisiana), and the rest are somewhere in between. Some states have six-year cycles (e.g., Oklahoma) and the others have four-year cycles (e.g., Alabama). Most of the sunset laws apply to agencies, but a few (e.g., Georgia) terminate the law in question in addition to the agency that administers it. Many states provide for a terminated agency phase-out period of six months or one year.

At this time, it is too early to learn any lessons from the implementation of the state sunset laws because the provisions have only gone into effect in two states, Colorado and Alabama. The preliminary indications from these two states, however, are that the less extensive Colorado law was more successful.⁴

HOW SUNSET WOULD OPERATE

The federal sunset bill calls for the automatic termination of spending authority for all programs (with the few exceptions of Medicare, Social Security, retirement and disability pay, and interest on the national debt) every five years.⁵ Basically, there are three parts to the sunset mechanism. First, all government programs are divided into five groups according to government function (budget functional categories) and are evaluated and reviewed on a five-year cycle. The first review date of the cycle is September 30, 1979, which is the last day of fiscal year 1979. Second, the bill would prohibit the obligation or expenditure by an agency of any appropriation for a fiscal year

beginning after the relevant review date unless the appropriation had been reauthorized by law. Third, any bill to authorize a new appropriation would be out of order unless the proper congressional committees had conducted a "sunset review" of the program and submitted the required report.⁶ Unlike the state sunset laws, which would terminate agencies or laws, the federal bill would operate by starving programs through funding cutoffs. In other words, even though the law would remain on the books, no funds could be spent to enforce it.⁷

The best way to explain how the sunset process would work is by example. Consider the case of the Defense Department programs, most of which would expire on September 30, 1979. On or before October 1, 1978, the General Accounting Office would furnish to the House and Senate Armed Services committees the results of prior audits and reviews of all national defense programs. The committees would also be able to call on GAO, the Congressional Budget Office, and the Congressional Research Service for additional information and analyses and could seek information or assistance from the Defense Department.

During the next several months, both committees would conduct a sunset review of the defense programs "to determine if the merits of the program justify its continuation rather than termination, or its continuation at a level less than, equal to, or greater than the existing level." The committees would be allowed to determine the scope and detail needed in this systematic evaluation, but they would at least consider "the degree to which the original objectives of the programs have been achieved . . . expressed in terms of the performance, impact, or accomplishments of the program and of the problem it was intended to address, and an analysis of the costs of the program."

By May 15, 1979, both committees would have to submit the results of the sunset review. If either of the committees wanted to continue any of the defense programs, the report would have to include an "identification of the problem, needs, or mission," "the objectives of such a program," "an identification of any other programs having similar, conflicting, or duplicative objectives, and an explanation of the manner in which the program avoids duplication or conflict," "an assessment of the consequences of eliminating the

program or consolidating it," and "a projection of the anticipated budget authority requirements for the program, including an estimate of when, and the conditions under which, the program will have fulfilled the objectives for which it was established."

Congress would have from May 15 to September 30 to decide whether to continue paying for a national defense system. No reauthorization would be in order unless the committees made the required reports and the Pentagon would sunset, unless reauthorized by September 30. If, because of scheduling problems or because of a filibuster, Congress is unable to take a vote on the question of reauthorization, a joint resolution (called an Extension Resolution) would be in order to allow the continuation of the spending authority for another year. There would be a strict limitation on debate of the Extension Resolution.

LIFE UNDER THE SUNSET LAW

Sunset is being proposed as a partial answer to the problems of unaccountable bureaucracy, ineffective programs, and uncontrollable budgets. While these problems are, unfortunately, all too real in some cases, the Sunset Act would probably cause damaging systemic and behavioral changes in the way the federal government works without sufficient compensating advantages. Several of these potential changes are discussed below.

The Advantage Would Shift to the Opposition

Many new programs pass Congress by close votes and almost all of them are the result of painstaking compromises and coalition building. For example, one legislative strategy is to water down bills only as much as necessary in order to garner a majority of the votes. If each program sunsets every five years, the most controversial ones are likely to be eroded in the process of rebuilding the support necessary for repassage since those desiring to weaken a particular program would gain the tactical advantage.

This would happen for two reasons. First, Congress would be preoccupied with the whole mass of programs under reconsideration

(one-fifth of the government) and therefore would not be able to focus on the most controversial of the group. Second, the sunset deadline of September 30 forces a vote to be taken at some point and thereby gives the opponents of the program an advantage that they did not have when the bill was passed originally. Proponents of a new bill have time on their side because they can choose the most opportune moment to press for enactment. Sunset would reverse this situation and therefore is not nearly as "neutral" as is suggested by the bill's statement of purposes which includes—"to provide a neutral procedure for the reexamination and reauthorization of all Federal programs."

Moreover, congressional consideration of issues might be unduly influenced by adverse publicity near reauthorization time or by temporary crises that jolt the public sentiment. For example, what if a large increase in car prices was announced just before a renewal of the Clean Air Act programs came up for a vote? Unfortunately, if such a coincidence appeared to influence policy, more coincidences would probably occur since the period of vulnerability for a program would be frequent and periodic.

Finally, when reauthorizations do get through Congress, they would still be subject to a presidential veto. Thus, a coalition to continue a controversial program might have to include two-thirds of Congress and therefore any president with the support of over one-third could completely reshape a large portion of the government every year. Of course, presidents can veto reauthorizations under the present system, but the difference is that Congress now has the capability to provide for a permanent authorization subject only to a congressional decision to review or repeal it. Under sunset, Congress would be giving up this capability.

Last Minute Decisions Would Cause Disorder

Under the timetable for sunset review, the review year coincides with the year in which the program authorization expires. In other words, if Congress does not reauthorize a program between May 15 and September 30, the program would terminate on October 1. This one-day notification (or even five months if the decision is made

early) would severely disrupt congressional operations, federal program planning, state and local governments, and international agreements that require United States funding.

The congressional budget process now calls for a first budget target to be set by May 15 and a second by September 15. While the purpose of these targets is to adapt the budget to fiscal goals, the targets are composed of functional units which eventually must come down to judgments about the funding of individual programs. Under a sunset law, the setting of these targets by the budget committees would be greatly complicated since about one-fifth of the program authorizations would be in question each year. Moreover, with so many program authorizations subject to last minute changes, the appropriations committees would be forced either to rubber stamp the decisions made by the other committees or to delay the approval of new appropriations until they had been adequately studied. Such delays would mean the return of the old practice of government by continuing resolution.

Whatever sunset does to the congressional process would be doubled in its impact on the executive branch since authorizations for two fiscal years would be in doubt every summer during the time in which agencies draw up their budgets. The effect of this uncertainty would be to make any but the most short-term government planning impossible at federal, state, and local levels.

Not only would sunset interfere with government planning, but it would also directly interfere with day-to-day life, by constantly raising doubts about the continuation of basic federal programs. For instance, why make hospitalized veterans worry about whether the hospital will remain open? If the answer is that giving the ax to federal prosecutors, weather forecasters, or veterans' hospitals will never seriously be considered, then why write laws that are shams?⁸

Finally, any last minute lapses in program authority, while the substantive legislation is still on the books, would create controversies that would invite judicial intervention and the loss of public accountability that this entails. For example, even if no funds are appropriated by the Congress for unemployment insurance or food stamps, a person eligible for these benefits might be able to get a

federal court to order the government to meet its legal obligation to carry out these programs.

Agencies Would Become Overly Self-Protective

While no one would deny that public administrators ought to feel accountable to the Congress, the sunset provisions could have the effect of making officials too timid to carry out their duties. During the year of congressional evaluation and review, how many officials would be brave enough to make a decision unpopular with any sizeable group? Under sunset, administrators would probably devote (and waste) quite some time to touching bases, assessing options, documenting decisions, and justifying for the record every decision taken. Moreover, agencies could be expected to spend additional funds for public relations efforts such as writing and distributing reports that extol their accomplishments.

Not only would sunset slow the pace of government action, but it would also inhibit administrators in setting proper objectives for their programs. Since agencies would be judged on the basis of how well they performed, administrators would be apt to set easy goals that they could be sure to attain and would avoid experimental programs out of a fear of failure. The one exception to this picture of agency malaise is the aggressive manner in which agency protectiveness would be manifested in inter-agency relationships. Because all agencies performing the same general function would be reviewed together under the sunset bill, agencies with similar missions may begin to see themselves in competition with each other for survival. While some "creative confusion" and competition may be desirable, sunset would hinder cooperation by causing agencies to downgrade the efforts and to publicize the mistakes of their rivals. Administrators would attribute program failures to organizational problems rather than to other underlying causes.

Executive or Congressional Administration?

The fundamental and continuing role of the Congress should be to determine the needs of the people and the priorities among various

programs and then to embody these in legislation. While the oversight role is important and must be carried out if the appropriation power is to be executed responsibly, the level of effort expended upon it should depend on the extent of a program's problems. If Congress enacts the sunset bill, then a considerable amount of time will be needed for the detailed evaluation and review of every federal program and this will come at the expense of investigating new problems, making necessary trade-offs, and developing adequate legislation. This diversion of time would be a mistake because the legislative function is a full-time job and Congress is both the best and the only branch of government that can carry this out. Furthermore, Congress ought to be judged by the public, not by how many important programs have been reenacted, but by how Congress deals with new crises and responds to changing views.

If government programs are ineffective, which some are, then the president needs to be doing a better job of managing and evaluating them. This is true not only because the Constitution directs the president to "take care that laws be faithfully executed," and because the people look to the president to do this, but most importantly because the president, as chief executive, is best equipped to accomplish this difficult task. Regardless of any sunset law, the executive branch will have to do its own comprehensive program evaluation. If the president does this well, particularly in assuring standards of objectivity, then Congress should be able to rely on these results, together with some supplemental oversight of problem areas, to make legislative decisions. If the president does not do this well, then Congress should specifically direct improvement and watch carefully to make sure that it happens. Unfortunately, the president is not even mentioned in the sunset provisions of the Muskie bill, and the role of the agencies is only to provide information and assistance when requested. If the purpose of sunset is to prevent duplication and achieve the optimal use of resources, then something went wrong along the way.

Instead of a system of automatic expiration, why not a system of directed evaluation to examine unsatisfactory programs and then improve them through better management, controlled experimentation, adequate staffing and training, and clarification of program

intent? The president should, of course, involve Congress and the public in program evaluation, but above all else he should involve himself (through his Cabinet).⁹ For if the president won't take charge of administering the government, then Congress will be obliged to try. Finally, if the president is going to do a better job of management, then he must have several tools from Congress such as reorganization authority, program consolidation authority, timely budget decisions, and purview over some of the "independent commissions."

SUNSET BILL IMPROVEMENTS

It is the contention of this article that the benefits of program evaluation can be obtained without the cumbersome and perhaps dangerous sunset process. If, as it now appears, Congress is going to sunset the government in some fashion, then several improvements in the current bill should be considered.

First, the review year for programs should be changed so that it precedes the year in which the program authorization expires. For example, the military defense programs, which would expire on September 30, 1979, should be brought to a reauthorization vote before September 30, 1978. If the programs are reauthorized, then both the budget and military planning for fiscal year 1980 would go much smoother. If the programs are not reauthorized, then the Pentagon would have one year to close down its bases and Congress would have one year to reconsider its decision.

In most cases, it is not the termination of programs that will be desired, but rather the improvement of programs attained through organizational reform, efficient administration, and revised goals. The one-year period would allow the president to work with Congress to reform the program in accordance with congressional direction. Along these lines, Congress should require itself to issue a report explaining what needs to be corrected.

Second, the agency head should be given the chance to testify before the review committee after the committee has reached a preliminary decision on the reauthorization of the program. In addition to examining any relevant GAO reports, the committee should also examine any relevant evaluations done by the agency or by outside groups. Moreover, the agency head should be directed to

work together with Congress in designing needed program evaluations.

Third, if the sunset procedures are rewritten so as to rely more upon the executive for the detailed program evaluations, then Congress could focus on a function which is in need of much more attention, that of reviewing legislation to see if it is being carried out. Too often, the problem with a program is not that it has failed to work, but rather that it has not been seriously tried (and Congress has done little about it).

Fourth, if Congress allows an authorization to expire, then it should repeal the substantive law to which the authorization relates. Otherwise, the government will be left open to intervention by the courts and charges of hypocrisy by various affected groups.

Fifth, the method of cataloging programs for sunset review should be reconsidered as the use of budget functional categories, which are generally input rather than output (or mission) oriented, does not appear to be the most appropriate way either to determine the proper level of resources for a particular purpose, or to make the necessary trade-offs among various programs. For example, programs relating to social services, public assistance and other income supplements, and training and employment are reviewed in three different years, rather than all together. In addition, there seems to be a contradiction between grouping similar programs and spacing out committee workload over the five-year period. Health programs, for example, are considered in three different years.

Sixth, careful planning and evaluation should precede the introduction of reforms as it should precede the introduction of new programs. Before implementing sunset, Congress should either await its results in several states or experiment with it on a small group of programs at the federal level.

Seventh, to be consistent with its own theory, any sunset law should be subjected to sunset review after its first round of operation.

CONCLUSION

If government is going to succeed in solving some of the difficult problems of society, then government programs must be made more effective and efficient. This must happen because ineffective pro-

grams shatter expectations and thereby cause contempt for government, because inefficient programs unnecessarily raise government spending and thereby cause adverse economic and political effects, and because the implementation of one set of actions often precludes doing another. Moreover, if the public is going to continue to ask its government to take on very difficult problems, then it is important that a thorough housecleaning be conducted soon. Otherwise, the perception of some that government causes more problems than it solves will be reinforced.

It is the conclusion of this article that the enactment of the sunset bill would probably not lead to the kind of program evaluation that is urgently needed, that the sunset process would be likely to have harmful side effects, and that its adoption would postpone the implementation of more constructive reforms. At this point, sunset is a virtually untried procedure. If it succeeds, then some government programs would be improved and some useless programs would be discontinued. If it fails, then governments at all levels would be handicapped, some useful programs would be gutted, and considerable time and effort would be wasted. Only those favoring less government activity have nothing to lose from the enactment of the federal Sunset Act.

LATE DEVELOPMENTS

On July 1, 1977 the sunset bill was reported in the Senate following the unanimous approval of the Governmental Affairs Committee. The sunset bill now has 60 cosponsors and will probably come up for a Senate vote later this year. No action has yet been taken in the House.

Several significant changes have been made in the bill, the most important of which are: (1) the title of the bill was changed to the "Program Evaluation Act;" (2) the first review date was postponed from September 30, 1979 to September 30, 1982; (3) the five-year review cycle was changed to a six-year cycle composed of three review periods, each covering most of the two years of a Congress (for example, the first review period would extend from March 1981 to September 1982); (4) a procedure was set up whereby changes in

the review schedule could be made through 1980; (5) programs funding civil litigation, criminal litigation, and the enforcement of court actions relating to civil rights guaranteed by the Constitution are no longer automatically terminated; (6) the bill totally exempts the Federal Judiciary Agency and exempts for the first complete cycle 21 regulatory agencies (including both independent agencies such as the FTC and executive agencies such as OSHA) and the regulatory activities of three agencies (EPA, FHA, and the Federal Reserve); (7) provision was made for the review of the substantive law related to any program authorization that is not reenacted; and (8) a title dealing with Tax Expenditures was stricken.

The most important change, however, was that a two-track approach was established to distinguish between periodic reconsideration (a streamlined "sunset review" that would be done for all programs) and formal evaluation (a comprehensive examination of selected programs). Programs to be evaluated would be selected by the House and Senate following recommendations by the authorizing committees and by the president. The president would be required to submit his evaluation of these programs by December 31 of the first year of the review period and the committee's report on its evaluation would be due by May 15 of the second year. Both the president's and the Committee's evaluations are required to cover the 12 topics listed in the bill, one of which is "an assessment of the effect of the program on the national economy, including, but not limited to, the effects on competition, economic stability, employment, unemployment, productivity, and price inflation, including costs to consumers and to business."

Many of these changes are significant improvements over the original bill. The postponement of the first review date will give Congress more time to learn from the state experiences and to regroup the programs for review. Lengthening the review period will allow more time for evidence collection and analysis. Examination of the substantive laws underlying any terminated authorization will avoid dangerous inconsistencies. The two-track approach is a recognition that the president needs to be more involved in program evaluation and that a major evaluation is not needed and cannot be accomplished for every program.

The original thesis of this article was that sunset was not likely to be workable but was likely to cause damage to certain programs and to the policymaking process. While the changes made in the bill by the Committee would go a long way toward making the sunset process workable, sunset would still place important programs in jeopardy, disrupt government planning and operations, and inhibit agencies from carrying out their duties. Nevertheless, the Committee is moving in the right direction by requiring the president to carry out comprehensive evaluations of designated programs. Perhaps further emendation will permit the benefits of congressional review without the disadvantages of the sunset mechanism.

NOTES

1. The sunset concept is generally traced to Theodore J. Lowi's *The End of Liberalism* in which Lowi advocated a "Tenure-of-Statutes" Act to set a limit of from five to ten years on the life of every organic act. Lowi suggested that "[a]s the end of its tenure approaches, an agency is likely to find its established relations with its clientele beginning to shake from exposure, new awareness, and competition." (Lowi, *The End of Liberalism*. New York: W. W. Norton & Company, Inc., 1969, p. 309.) The first sunset law was probably the Federal Advisory Committee Act of 1972 (USCA 5 App. I) which terminates all advisory committees (whose duration is not fixed by statute) every two years, unless specifically extended by the president, the department head, or Congress, as appropriate.
2. Testimony before the Subcommittee on Intergovernmental Relations of the Senate Committee on Governmental Affairs by Bert Lance, the director of the Office of Management and Budget, on March 22, 1977.
3. Program authorizations are the parts of laws that give Congress the authority to pass appropriations for a specific use. Appropriations can be three types—permanent, multiyear, or annual. Both Houses of Congress require that appropriations be authorized by law (House Rule XXI and Senate Rule XVI) and any appropriation bill not so authorized can be stopped by a point of order. The Muskie sunset bill also declares out of order any appropriation (for any year following the review date) that does not have an authorization in law except in cases of emergency or, for the first year following the review date, in cases in which either the House or the Senate committee had reported a reauthorization bill.
4. Neal R. Peirce and Jerry Hagstrom, "Is it Time for the Sun to Set on Some State Sunset Proposals?" *National Journal*. June 18, 1977, pp. 937-939.
5. The Subcommittee mark-up of S.2 on April 28, 1977 added another section to the bill excluding independent regulatory agencies (e.g., FPC, CAB, ICC, FCC, and FTC) from the sunset process. This was a compromise with the sponsors of the Regulatory Reform Act of 1977 (principally Senators Percy and Byrd) whereby certain regulatory agencies would be reviewed under the provisions of the Regulatory Reform Act rather than the Sunset Act. It remains to be seen how long this compromise will remain in effect.
6. The requirement for a sunset review also applies to the programs exempt from automatic termination (Medicare, Social Security, retirement and disability pay, and interest on the

national debt) if the appropriations for these programs would change for any year following the review date. The appropriations for these programs are uncontrollable and will almost certainly change from year to year.

7. In addition to establishing this sunset process, the sunset bill (as approved by the Subcommittee) also includes several other provisions worth noting. First, CBO, in cooperation with GAO and CRS, is required to submit a comprehensive inventory of all federal programs. Second, the bill establishes a Citizens' Commission on the Organization and Operation of the Government to study and make recommendations on ways to improve the effectiveness of the federal government. The commission would have 18 members and would submit a final report by September 1980. Third, the House Ways and Means and Senate Finance committees are directed to prepare a five-year reauthorization schedule for all tax expenditures, in line with the reauthorization schedule for program authorizations. Finally, following the submission of the president's budget, all agencies are required to send a copy of their OMB submission to Congress.
8. Senator Muskie was correct when he stated that "there is no program so important that it should not be reviewed on a regular basis." (Hearings before the Senate Committee on Rules and Administration, September 8, 1976, Page 7.) But the issue is not *whether* basic programs should be reviewed (of course they should); it's *how* they should be reviewed. The sunset method would hamstring Congress into an inflexible review schedule that may prove impossible to meet.
9. Congress and the executive branch should collaborate in deciding the priorities for evaluation, in determining the proper measures of success, in designing and carrying out the study, and in interpreting the results. This is not done nearly enough at the present time.