




EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 23, 2008

PROGRAM ASSESSMENT RATING TOOL GUIDANCE NO. 2008-03

TO: OMB PROGRAM ASSOCIATE DIRECTORS
OMB PROGRAM DEPUTY ASSOCIATE DIRECTORS
AGENCY BUDGET AND PERFORMANCE INTEGRATION LEADS
AGENCY PROGRAM ASSESSMENT RATING TOOL CONTACTS

FROM: Dustin Brown 
Deputy Assistant Director for Management

SUBJECT: Guidance on Appeals Process for 2008 PARTs

1. Purpose. This memorandum provides Agencies and OMB Resource Management Offices (RMOs) guidance on the PART appeals process.

2. Schedule of Required Actions.

- By COB June 6 – Agencies will submit any PART appeals
- Between June 6 – June 13 OMB RMOs and Agencies will have one final opportunity to work together to resolve the appeals. RMOs will also provide their recommendations on agency appeals.
- June 13 – OMB RMOs provide their recommendations on appeals
- June 20 – Appeals Board meets to resolve outstanding appeals.
- June 25 – Appeals Board provides all appeal decisions.
- July 16 – PARTs updated to reflect Appeals Board decisions; Draft PART summaries ready for review.

3. Overview of Appeals Process. The 2008 PART appeals will be considered through a formal process like the one used last year.

- Agency Deputy Secretaries (or equivalents) may submit appeals of specific PART questions for consideration by a five-person panel comprised of members of the President's Management Council. Appeals should provide evidence to refute the current PART answers.

- When appeals are first submitted, agencies and OMB RMOs will have one final opportunity to work together to resolve these appeals before they are considered by the Appeals Board. If they come to agreement on an issue that was formally appealed, the proposed resolution will be reviewed by the Appeals Board.
- RMOs will provide their recommendations on all agency appeals by June 13.
- All appeals, including the agency request and OMB RMO recommendations will be reviewed by the Performance Evaluation Team (PET) which will make recommendations to the Appeals Board.
- The Appeals Board will then review all PART appeals and issue its decisions. The Board might also identify related follow-up actions.
- PARTs must then be updated to reflect Appeals Board decisions by July 16.

4. Agency Instructions. Attachment A provides instructions for agencies submitting appeals. Attachment B is a template transmittal letter for Agency Deputy Secretaries to submit to the OMB Deputy Director for Management. The letter certifies that the Deputy Secretary has reviewed the agency's appeals and determined that each one merits consideration by the Appeals Board. The letter includes an attachment that should list all agency appeals. Agency appeals not included on the Deputy Secretary's list will not be considered.

5. RMO Instructions. Instructions for RMOs reviewing appeals are provided in Attachment C.

6. PART Appeals and Recommendation Forms. Like last year, there are two recommendation forms: one for appeals of PART questions that are not related to measures (Attachment D, PART Non-Measures Appeal and Recommendation Form), and one for appeals of PART questions related to measures (Attachment E, PART Measures Appeal and Recommendation Form). Agencies will need to complete a separate form for each PART question appealed. These forms will then be used by OMB RMOs and PET Teams to log recommendations, and will be reviewed by the Appeals Board which will issue final decisions.

7. Inquiries. Questions about this guidance should be directed to a PET representative.

Attachment A: Agency Instructions for PART Appeals

Attachment B: Template for Agency PART Appeals Transmittal Letter

Attachment C: RMO Instructions for PART Appeals

Attachment D: PART Non-Measures Appeal and Recommendation Form

Attachment E: PART Measures Appeal and Recommendation Form

AGENCY INSTRUCTIONS FOR PART APPEALS

Guidelines for Submitting Appeals

1. To be considered by the Appeals Board, an appeal must meet the following criteria:
 - Address the answer to a specific question (e.g., change a *No* to a *Yes*, a *Small Extent* to a *Large Extent*, a *No* to a *NA*, etc.).
 - Relate to a PART, either new or reassessment that was completed this year (2008).
 - Be consistent with the PART guidance.
 - Be submitted on Attachment D or Attachment E.

The Board will not consider the following:

- Requests to modify the wording of the *Explanation* and *Evidence* that do not affect the answer to the question. Those requests should be discussed with the OMB Resource Management Office.
 - Requests to change the overall score or rating. Any change to the overall score or rating will need to be achieved by appealing a specific question.
 - Requests to change answers on PARTs completed in prior years.
2. Agencies must complete a separate PART Appeal and Recommendation Form for each PART question appealed. Like last year, there are two different forms: one for appeals of PART non-measures questions (Attachment D), and one for appeals of PART measures questions (Attachment E).
 3. For each PART question that is being appealed, Agencies should complete only Sections 1, 2, and 3 on the PART Appeal and Recommendation Form.
 - a. In Section 1, agencies should provide the department or agency name, the program name, and the program code number used in PARTWeb.
 - b. In Section 2, Agencies should provide the number and text of the PART question being appealed, the answer they desire for the question, a concise description of the nature of the appeal, and the justification for the revision, including how agencies believe the explanation and/or evidence should be revised. Note that the heading "Appeal Answer" refers to the agency's desired response to a question. For example, if the current answer is "Small Extent" and the agency is appealing for a "Yes", the agency should enter "Yes" in this box on page 1.
 - c. In Section 3, agencies should provide the number and text of the PART question and the current PART answer that is being appealed. Agencies also should copy and paste the current Explanation and Evidence language for this question directly from the most recent OMB version of the PART available on PARTWeb.

- d. If PART measure-related questions are being disputed, agencies should provide the text, year, targets, and actuals for the current measure(s) in PARTWeb that are being appealed and their proposed revised measures in Section 3. Agencies should provide *only* those measures that are being appealed.
 - e. If an agency's measures appeal for a PART involves more than five measures, please contact James Hurban (James_C._Hurban@omb.eop.gov, 202-395-6833) for a revised PART Measures Appeal and Recommendation Form.
4. Agencies must submit completed forms electronically by 5pm on June 6 to PARTAPPEALS@OMB.EOP.GOV. Although it is not required, agencies are encouraged to attach all PART appeals to a single email message. Please include the PART program name and code in the body of the email message. Additionally, please save the PDF file with the following naming convention: PART code-Question number (e.g., 10009999-3.4.pdf). If you have an earlier version of Adobe, you can change the name of the file using Windows Explorer. Agencies need Adobe Acrobat 6.0 or higher to enter data and save the PART Appeal and Recommendation Form for each appeal. Agencies that have earlier versions of Adobe Acrobat or that have only Adobe Acrobat Reader should contact James Hurban (James_C._Hurban@omb.eop.gov, 202-395-6833) for an alternative format.
 5. If agencies have *relevant* evidence *specifically* identified in the PART that they have *not previously submitted*, they may attach it to the email or submit it separately to RMOs by June 6. Please do not resubmit evidence already submitted to RMOs.
 6. Agency Deputy Secretaries or their equivalent, or an official acting in this capacity, must submit to the OMB Deputy Director for Management by June 6 a corresponding transmittal letter listing all of the agency's appeals (see Attachment B). The signed letter should be faxed or a PDF file may be included in the appeals email.

Guidelines for Resolving Appeals

1. RMOs may contact agencies to resolve appeals during the week of June 9th. RMOs may request evidence consistent with PART guidance.
2. RMOs and agencies may agree on a modified solution. For example, the current answer to Question 4.2 may be *No* and an agency may appeal for a *Large Extent*. Based on review of performance data, the RMO may recommend *Small Extent*.
3. The modified solution must be described in Section 4 so that it may be reviewed by the Appeals Board. Agreements between RMOs and agencies must be consistent with the PART guidance and are subject to review by the Appeals Board before being considered final.
4. The deadline for resolving appeals with RMOs is June 13.

Notification of Appeals Board Decisions

1. The OMB Deputy Director for Management will issue a letter to Agency Deputy Secretaries providing Appeals Board decisions by June 25th.
2. All decisions by the Appeals Board are final.
3. RMOs and agencies must update PARTs to reflect Appeals Board decisions by July 16th.

TEMPLATE FOR AGENCY PART APPEALS TRANSMITTAL LETTER

One letter per agency to be faxed to OMB DDM office at 202-456-5938 or PDF emailed to PARTAPPEALS@OMB.EOP.GOV

[AGENCY HEADER]

[DATE – *Note that the deadline is June 6, 2008*]

The Honorable Clay Johnson III
Deputy Director for Management
Office of Management and Budget

Dear Mr. Johnson:

In accordance with OMB PART GUIDANCE NO. 2008-XX, I am submitting a summary of [AGENCY NAME] appeals with respect to OMB scoring in the Program Assessment Rating Tool (PART) (please see attached). I have reviewed each appeal that [AGENCY NAME] submitted electronically to OMB's PART appeal mailbox (PARTAPPEALS@OMB.EOP.GOV) and determined that each appeal merits consideration by the Appeals Board. Thank you for your consideration.

Sincerely,

[SIGNATURE OF DEPUTY SECRETARY OR EQUIVALENT]

Attachment

**[DEPARTMENT OR AGENCY]
Summary of PART Appeals**

Program Name	Program PART ID Number	PART Question Number	Current PART Response¹	Requested PART Response²	PART Appeal No.³

¹ Large Extent (LE), Small Extent (SE), No, or NA.

² Yes, Large Extent (LE), Small Extent (SE), or NA.

³ For OMB use only. Please leave blank.

RMO INSTRUCTIONS FOR PART APPEALS

Receipt of Appeals

1. On Friday, June 6, the PET will receive agency appeals via the appeals electronic mailbox. The PET will check that all appeals forms submitted electronically correspond to appeals identified in the PART appeals transmittal letter signed by the agency Deputy Secretary and submitted to the OMB DDM.
2. The PET will move all appeals to J:\PART_PET\PET 7\Appeals\2008 1 Agency Submission and send a notice to the Branch Chiefs and PII lead by Monday, June 9th.
3. RMOs should forward any appeals they receive directly from agencies to PARTAPPEALS@OMB.EOP.GOV.

Guidelines for RMO Review of Appeals

1. RMOs should review the appeals and enter their response and recommendation under Section 4 of each PART Appeal and Recommendation Form on the J drive.
2. When reviewing agency Appeal and Recommendation Forms, RMOs should ensure that agencies provided in Section 3 the Explanation and Evidence language from the most recent OMB version of the PART. Agencies should have copied and pasted this language directly from PARTWeb.
3. RMOs should ensure that examiners on vacation during the week of June 9th provide access to PART evidence to examiners covering for them. Examiners covering this week will be responsible for completing the RMO Response and Recommendation (Section 4) on each PART Appeal and Recommendation Form.
4. RMOs may contact agencies to resolve appeals during the week of June 9th. RMOs may request evidence consistent with PART guidance. RMOs should maintain all relevant evidence in case it is requested by the PET Appeals Teams or the Appeals Board.
5. RMOs and agencies may agree on a modified solution. For example, the current answer to Question 4.2 may be *No* and an agency may appeal for a *Large Extent*. Based on review of performance data, the RMO may recommend *Small Extent*. That modification must be described in Section 4 if the RMO recommends to accept with modification.
6. Agreements between RMOs and agencies must be consistent with the PART guidance and are subject to review by the Appeals Board before they are considered final.

7. When complete, RMOs should move the PART Appeal and Recommendation Forms from the “Agency Submissions” folder to the “RMO Reviewed” folder on J:\PART_PET\PET 7\Appeals\2008 2 RMO Reviewed.
8. The deadline for submission of RMO recommendations is June 13th.

PET Appeals Team Review

1. All agency appeals submitted by the June 6 deadline will be reviewed by PET Appeals Teams and the Appeals Board to assess consistency with guidance, even if RMOs and agencies resolve appeals during initial review during the week of June 9th. The Appeals Teams will enter its recommendations under Section 5 on the PART Appeal and Recommendation Forms.
2. Depending on the number of appeals, the PET may request examiners to serve on Appeals Teams, as was done with the PART consistency check exercise.
3. The PET will prepare appeals for review prior to the Appeals Board meeting to resolve outstanding appeals on June 18th.

Notification of Appeals Board Decisions

1. The Appeals Board will meet on June 20th.
2. Branch Chiefs will be notified of Appeals Board decisions via email and the OMB Deputy Director for Management will issue a letter to Deputy Secretaries providing Appeals Board decisions on June 25th.
3. All decisions by the Appeals Board are final.
4. RMOs and agencies must update PARTs to reflect Appeals Board decisions by July 16th.

PART NON-MEASURES APPEAL AND RECOMMENDATION FORM

(Download form at www.omb.gov/part.)

PART MEASURES APPEAL AND RECOMMENDATION FORM

(Download form at www.omb.gov/part.)