

Union Calendar No. 810

115TH CONGRESS
2^D SESSION

H. R. 2846

[Report No. 115–1043]

To require the collection of voluntary feedback on services provided by agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. FARENTHOLD (for himself and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

NOVEMBER 27, 2018

Additional sponsor: Ms. SINEMA

NOVEMBER 27, 2018

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 8, 2017]

A BILL

To require the collection of voluntary feedback on services provided by agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Federal Agency Cus-*
5 *tomers Experience Act of 2018”.*

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 *(a) FINDINGS.—Congress finds that—*

8 *(1) the Federal Government serves the people of*
9 *the United States and should seek to continually im-*
10 *prove public services provided by the Federal Govern-*
11 *ment based on customer feedback;*

12 *(2) the people of the United States deserve a Fed-*
13 *eral Government that provides efficient, effective, and*
14 *high-quality services across multiple channels;*

15 *(3) many agencies, offices, programs, and Fed-*
16 *eral employees provide excellent service to individuals,*
17 *however many parts of the Federal Government still*
18 *fall short on delivering the customer service experience*
19 *that individuals have come to expect from the private*
20 *sector;*

21 *(4) according to the 2016 American Customer*
22 *Satisfaction Index, the Federal Government ranks*
23 *among the bottom of all industries in the United*
24 *States in customer satisfaction;*

1 (5) *providing quality services to individuals im-*
2 *proves the confidence of the people of the United*
3 *States in their government and helps agencies achieve*
4 *greater impact and fulfill their missions; and*

5 (6) *improving service to individuals requires*
6 *agencies to work across organizational boundaries, le-*
7 *verage technology, collect and share standardized*
8 *data, and develop customer-centered mindsets and*
9 *service strategies.*

10 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
11 *that all agencies should strive to provide high-quality, cour-*
12 *teous, effective, and efficient services to the people of the*
13 *United States and seek to measure, collect, report, and uti-*
14 *lize metrics relating to the experience of individuals inter-*
15 *acting with agencies to continually improve services to the*
16 *people of the United States.*

17 **SEC. 3. DEFINITIONS.**

18 *In this Act:*

19 (1) *ADMINISTRATOR.—The term “Adminis-*
20 *trator” means the Administrator of General Services.*

21 (2) *AGENCY.—The term “agency” has the mean-*
22 *ing given the term in section 3502 of title 44, United*
23 *States Code.*

24 (3) *COVERED AGENCY.—The term “covered agen-*
25 *cy” means an agency or component of an agency that*

1 *is designated as a “covered agency” pursuant to sec-*
2 *tion 5(a).*

3 (4) *DIRECTOR.*—*The term “Director” means the*
4 *Director of the Office of Management and Budget.*

5 (5) *VOLUNTARY CUSTOMER SERVICE FEED-*
6 *BACK.*—*The term “voluntary customer service feed-*
7 *back” means a response to a collection of information*
8 *conducted by a covered agency in accordance with*
9 *this Act.*

10 **SEC. 4. APPLICATION OF CERTAIN PROVISIONS OF THE PA-**
11 **PERWORK REDUCTION ACT TO COLLECTION**
12 **OF VOLUNTARY CUSTOMER SERVICE FEED-**
13 **BACK.**

14 *Sections 3506(c) and 3507 of title 44, United States*
15 *Code (provisions of what is commonly known as the “Pa-*
16 *perwork Reduction Act”)* shall not apply to a collection of
17 *voluntary customer service feedback.*

18 **SEC. 5. GUIDELINES FOR VOLUNTARY CUSTOMER SERVICE**
19 **FEEDBACK.**

20 (a) *EVALUATION AND DESIGNATION.*—*The Director*
21 *shall assess agencies, agency components, and agency pro-*
22 *grams to identify which have the highest impact on or num-*
23 *ber of interactions with individuals or entities. Based on*
24 *the assessment, the Director shall designate agencies, agency*

1 *components, or programs as covered agencies for purposes*
2 *of this Act.*

3 (b) *GUIDANCE.—The Director shall issue guidance that*
4 *requires each covered agency that solicits voluntary cus-*
5 *tomers service feedback to ensure that—*

6 (1) *any response to the solicitation of voluntary*
7 *customer service feedback remains anonymous, the*
8 *collection method does not include a request for or op-*
9 *portunity for the respondent to provide information*
10 *that could identify such respondent, and any response*
11 *is not traced to a specific individual or entity;*

12 (2) *any individual or entity who declines to par-*
13 *ticipate in the solicitation of voluntary customer serv-*
14 *ice feedback shall not be treated differently by the*
15 *agency for purposes of providing services or informa-*
16 *tion;*

17 (3) *the solicitation does not include more than*
18 *10 questions;*

19 (4) *the voluntary nature of the solicitation is*
20 *clear;*

21 (5) *the collection of voluntary customer service*
22 *feedback is only used to improve customer service and*
23 *will not be used for any other purpose;*

1 (6) *any solicitation of voluntary customer service*
2 *feedback is limited to 1 solicitation per interaction*
3 *with an individual or entity;*

4 (7) *to the extent practicable, the solicitation of*
5 *voluntary customer service feedback is made at the*
6 *point of service with an individual or entity;*

7 (8) *any instrument for collecting voluntary cus-*
8 *tomers service feedback is accessible to individuals*
9 *with disabilities in accordance with section 508 of the*
10 *Rehabilitation Act of 1973 (29 U.S.C. 794d); and*

11 (9) *internal agency data governance policies re-*
12 *main in effect with respect to the collection of vol-*
13 *untary customer service feedback from any individual*
14 *or entity.*

15 **SEC. 6. CUSTOMER EXPERIENCE DATA COLLECTION.**

16 (a) *COLLECTION OF RESPONSES.—The head of each*
17 *covered agency (or a designee), assisted by and in consulta-*
18 *tion with the Performance Improvement Officer or other*
19 *senior accountable official for customer service of the cov-*
20 *ered agency, shall collect voluntary customer service feed-*
21 *back with respect to any service of or transaction with the*
22 *covered agency that has been identified by the Director, in*
23 *consultation with the Administrator, in accordance with the*
24 *guidance issued by the Director under section 5.*

25 (b) *CONTENT OF QUESTIONS.—*

1 (1) *STANDARDIZED QUESTIONS.*—*The Director,*
2 *in consultation with the Administrator, shall develop*
3 *a set of standardized questions for use by each covered*
4 *agency in collecting voluntary customer service feed-*
5 *back under this section that address—*

6 (A) *overall satisfaction of individuals or en-*
7 *tities with the specific interaction or service re-*
8 *ceived;*

9 (B) *the extent to which individuals or enti-*
10 *ties were able to accomplish their intended task*
11 *or purpose;*

12 (C) *whether the individual or entity was*
13 *treated with respect and professionalism;*

14 (D) *whether the individual or entity believes*
15 *they were served in a timely manner; and*

16 (E) *any additional metrics as determined*
17 *by the Director, in consultation with the Admin-*
18 *istrator.*

19 (2) *ADDITIONAL QUESTIONS.*—*In addition to the*
20 *questions developed pursuant to paragraph (1), the*
21 *Director shall consult with the Performance Improve-*
22 *ment Council to develop additional questions relevant*
23 *to the operations or programs of covered agencies.*

24 (c) *ADDITIONAL REQUIREMENTS.*—*To the extent prac-*
25 *ticable—*

1 (1) *each covered agency shall collect voluntary*
2 *customer service feedback across all platforms or*
3 *channels through which the covered agency interacts*
4 *with individuals or other entities to deliver informa-*
5 *tion or services; and*

6 (2) *voluntary customer service feedback collected*
7 *under this section shall be tied to specific transactions*
8 *or interactions with customers of the covered agency.*

9 (d) *REPORTS.—*

10 (1) *ANNUAL REPORT TO THE DIRECTOR.—*

11 (A) *IN GENERAL.—Not later than 1 year*
12 *after the date of the enactment of this Act, and*
13 *not less frequently than annually thereafter, each*
14 *covered agency shall publish on the website of the*
15 *covered agency and submit to the Director, in a*
16 *manner determined by the Director—*

17 (i) *a report that includes—*

18 (I) *the voluntary customer service*
19 *feedback for the previous year; and*

20 (II) *descriptions of how the cov-*
21 *ered agency has used and plans to use*
22 *such feedback; and*

23 (ii) *a machine readable dataset that*
24 *includes—*

1 (I) the the standardized questions
2 or additional questions described in
3 subsection (b) and the response choices
4 for such questions; and

5 (II) the response rate for each col-
6 lection of voluntary customer service
7 feedback for the previous year.

8 (B) *CENTRALIZED WEBSITE.*—*The Director*
9 *shall—*

10 (i) include and maintain on a publicly
11 available website links to the information
12 provided on the websites of covered agencies
13 under subparagraph (A); and

14 (ii) for purposes of clause (i), establish
15 a website or make use of an existing
16 website, such as the website required under
17 section 1122 of title 31, United States Code.

18 (2) *AGGREGATED REPORT.*—*Each covered agency*
19 *shall publish in an electronic format and update on*
20 *a regular basis an aggregated report on the sollicita-*
21 *tion and use of voluntary customer service feedback,*
22 *which shall include—*

23 (A) the intended purpose of each solicitation
24 of voluntary customer service feedback conducted
25 by the covered agency;

1 (B) the appropriate point of contact within
2 each covered agency for each solicitation of vol-
3 untary customer service feedback conducted;

4 (C) the questions or survey instrument sub-
5 mitted to members of the public as part of the
6 solicitation of voluntary customer service feed-
7 back; and

8 (D) a description of how the covered agency
9 uses the voluntary customer service feedback re-
10 ceived by the covered agency to improve the cus-
11 tomer service of the covered agency.

12 **SEC. 7. CUSTOMER EXPERIENCE SCORECARD REPORT.**

13 (a) *IN GENERAL.*—Not later than 15 months after the
14 date on which all covered agencies have submitted the first
15 annual reports to the Director required under section
16 6(d)(1), and every 2 years thereafter until the date that is
17 10 years after such date, the Comptroller General of the
18 United States shall make publicly available and submit to
19 the Committee on Homeland Security and Governmental
20 Affairs of the Senate and the Committee on Oversight and
21 Government Reform of the House of Representatives a score-
22 card report assessing the data collected and reported by the
23 covered agencies and each instrument used to collect vol-
24 untary customer service feedback.

1 (b) *CONTENTS.*—*The report required under subsection*

2 *(a) shall include—*

3 (1) *a summary of the information required to be*
4 *published by covered agencies under section 6(d);*

5 (2) *a description of how each covered agency*
6 *plans to use and has used the voluntary customer*
7 *service feedback received by the covered agency; and*

8 (3) *an evaluation of each covered agency’s com-*
9 *pliance with this Act.*

10 **SEC. 8. SENSE OF CONGRESS.**

11 *It is the sense of Congress that adequate Federal fund-*
12 *ing is needed to ensure agency staffing levels that can pro-*
13 *vide the public with appropriate customer service levels.*

Amend the title so as to read: “A bill to require the collection of voluntary customer service feedback on services provided by agencies, and for other purposes.”.

Union Calendar No. 810

115TH CONGRESS
2^D SESSION

H. R. 2846

[Report No. 115-1043]

A BILL

To require the collection of voluntary feedback on services provided by agencies, and for other purposes.

NOVEMBER 27, 2018

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed