

115TH CONGRESS
2D SESSION

H. R. 2846

IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2018

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To require the collection of voluntary customer service 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Agency Customer Experience Act of 2018”.

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

5 (a) FINDINGS.—Congress finds that—

6 (1) the Federal Government serves the people
7 of the United States and should seek to continually
8 improve public services provided by the Federal Government based on customer feedback;

10 (2) the people of the United States deserve a
11 Federal Government that provides efficient, effective,
12 and high-quality services across multiple channels;

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

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

24 (5) providing quality services to individuals improves
25 the confidence of the people of the United

1 States in their government and helps agencies
2 achieve greater impact and fulfill their missions; and
3 (6) improving service to individuals requires
4 agencies to work across organizational boundaries,
5 leverage technology, collect and share standardized
6 data, and develop customer-centered mindsets and
7 service strategies.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that all agencies should strive to provide high-quality,
10 courteous, effective, and efficient services to the people
11 of the United States and seek to measure, collect, report,
12 and utilize metrics relating to the experience of individuals
13 interacting with agencies to continually improve services
14 to the people of the United States.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of General Serv-
19 ices.

20 (2) AGENCY.—The term “agency” has the
21 meaning given the term in section 3502 of title 44,
22 United States Code.

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

1 cy that is designated as a “covered agency” pursu-
2 ant to section 5(a).

3 (4) DIRECTOR.—The term “Director” means
4 the Director of the Office of Management and Budg-
5 et.

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

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

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

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

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

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

3 (b) GUIDANCE.—The Director shall issue guidance
4 that requires each covered agency that solicits voluntary
5 customer 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
9 opportunity for the respondent to provide informa-
10 tion that could identify such respondent, and any re-
11 sponse 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
14 service feedback shall not be treated differently by
15 the agency for purposes of providing services or in-
16 formation;

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
23 and will not be used for any other purpose;

1 (6) any solicitation of voluntary customer serv-
2 ice feedback is limited to 1 solicitation per inter-
3 action 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 tomer service feedback is accessible to individuals
9 with disabilities in accordance with section 508 of
10 the Rehabilitation Act of 1973 (29 U.S.C. 794d);
11 and

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

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

17 (a) COLLECTION OF RESPONSES.—The head of each
18 covered agency (or a designee), assisted by and in con-
19 sultation with the Performance Improvement Officer or
20 other senior accountable official for customer service of
21 the covered agency, shall collect voluntary customer serv-
22 ice feedback with respect to any service of or transaction
23 with the covered agency that has been identified by the
24 Director, in consultation with the Administrator, in ac-

1 cordance with the guidance issued by the Director under
2 section 5.

3 (b) CONTENT OF QUESTIONS.—

4 (1) STANDARDIZED QUESTIONS.—The Director,
5 in consultation with the Administrator, shall develop
6 a set of standardized questions for use by each covered
7 agency in collecting voluntary customer service
8 feedback under this section that address—

9 (A) overall satisfaction of individuals or
10 entities with the specific interaction or service
11 received;

12 (B) the extent to which individuals or entities
13 were able to accomplish their intended task
14 or purpose;

15 (C) whether the individual or entity was
16 treated with respect and professionalism;

17 (D) whether the individual or entity believes
18 they were served in a timely manner; and

19 (E) any additional metrics as determined
20 by the Director, in consultation with the Administrator.
21

22 (2) ADDITIONAL QUESTIONS.—In addition to
23 the questions developed pursuant to paragraph (1),
24 the Director shall consult with the Performance Improvement
25 Council to develop additional questions

1 relevant to the operations or programs of covered
2 agencies.

3 (c) ADDITIONAL REQUIREMENTS.—To the extent
4 practicable—

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

10 (2) voluntary customer service feedback col-
11 lected under this section shall be tied to specific
12 transactions or interactions with customers of the
13 covered agency.

14 (d) REPORTS.—

15 (1) ANNUAL REPORT TO THE DIRECTOR.—

16 (A) IN GENERAL.—Not later than 1 year
17 after the date of the enactment of this Act, and
18 not less frequently than annually thereafter,
19 each covered agency shall publish on the
20 website of the covered agency and submit to the
21 Director, in a manner determined by the Direc-
22 tor—

23 (i) a report that includes—

24 (I) the voluntary customer serv-
25 ice feedback for the previous year; and

1 (II) descriptions of how the cov-
2 ered agency has used and plans to use
3 such feedback; and

4 (ii) a machine readable dataset that
5 includes—

6 (I) the the standardized ques-
7 tions or additional questions described
8 in subsection (b) and the response
9 choices for such questions; and

10 (II) the response rate for each
11 collection of voluntary customer serv-
12 ice feedback for the previous year.

13 (B) CENTRALIZED WEBSITE.—The Direc-
14 tor shall—

15 (i) include and maintain on a publicly
16 available website links to the information
17 provided on the websites of covered agen-
18 cies under subparagraph (A); and

19 (ii) for purposes of clause (i), estab-
20 lish a website or make use of an existing
21 website, such as the website required under
22 section 1122 of title 31, United States
23 Code.

24 (2) AGGREGATED REPORT.—Each covered
25 agency shall publish in an electronic format and up-

1 date on a regular basis an aggregated report on the
2 solicitation and use of voluntary customer service
3 feedback, which shall include—

4 (A) the intended purpose of each sollicita-
5 tion of voluntary customer service feedback con-
6 ducted by the covered agency;

7 (B) the appropriate point of contact within
8 each covered agency for each solicitation of vol-
9 untary customer service feedback conducted;

10 (C) the questions or survey instrument
11 submitted to members of the public as part of
12 the solicitation of voluntary customer service
13 feedback; and

14 (D) a description of how the covered agen-
15 cy uses the voluntary customer service feedback
16 received by the covered agency to improve the
17 customer service of the covered agency.

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

19 (a) IN GENERAL.—Not later than 15 months after
20 the date on which all covered agencies have submitted the
21 first annual reports to the Director required under section
22 6(d)(1), and every 2 years thereafter until the date that
23 is 10 years after such date, the Comptroller General of
24 the United States shall make publicly available and submit
25 to the Committee on Homeland Security and Govern-

1 mental Affairs of the Senate and the Committee on Over-
2 sight and Government Reform of the House of Represent-
3 atives a scorecard report assessing the data collected and
4 reported by the covered agencies and each instrument used
5 to collect voluntary customer service feedback.

6 (b) CONTENTS.—The report required under sub-
7 section (a) shall include—

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

10 (2) a description of how each covered agency
11 plans to use and has used the voluntary customer
12 service feedback received by the covered agency; and

13 (3) an evaluation of each covered agency's com-
14 pliance with this Act.

15 **SEC. 8. SENSE OF CONGRESS.**

16 It is the sense of Congress that adequate Federal
17 funding is needed to ensure agency staffing levels that can
18 provide the public with appropriate customer service lev-
19 els.

Passed the House of Representatives November 29,
2018.

Attest:

KAREN L. HAAS,

Clerk.