

# Calendar No. 111

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1275

[Report No. 116–46]

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

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IN THE SENATE OF THE UNITED STATES

MAY 1, 2019

Ms. HASSAN (for herself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JUNE 10, 2019

Reported by Mr. JOHNSON, with amendments

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## 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 tomer Experience Act of 2019”.

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

2 (a) FINDINGS.—Congress finds that—

3 (1) the Federal Government serves the people  
4 of the United States and should seek to continually  
5 improve public services provided by the Federal Gov-  
6 ernment based on customer feedback;

7 (2) the people of the United States deserve a  
8 Federal Government that provides efficient, effec-  
9 tive, and high-quality services across multiple chan-  
10 nels;

11 (3) many agencies, offices, programs, and Fed-  
12 eral employees provide excellent service to individ-  
13 uals; however, many parts of the Federal Govern-  
14 ment still fall short on delivering the customer serv-  
15 ice experience that individuals have come to expect  
16 from the private sector;

17 (4) according to the 2018 American Customer  
18 Satisfaction Index, the Federal Government ranks  
19 among the bottom of all industries in the United  
20 States in customer satisfaction;

21 (5) providing quality services to individuals im-  
22 proves the confidence of the people of the United  
23 States in their ~~government~~ *Government* and helps  
24 agencies achieve greater impact and fulfill their mis-  
25 sions; and

1           (6) improving service to individuals requires  
2 agencies to work across organizational boundaries,  
3 leverage technology, collect and share standardized  
4 data, and develop customer-centered mindsets and  
5 service strategies.

6           (b) SENSE OF CONGRESS.—It is the sense of Con-  
7 gress that—

8           (1) all agencies should strive to provide high-  
9 quality, courteous, effective, and efficient services to  
10 the people of the United States and seek to measure,  
11 collect, report, and utilize metrics relating to the ex-  
12 perience of individuals interacting with agencies to  
13 continually improve services to the people of the  
14 United States; and

15           (2) adequate Federal funding is needed to en-  
16 sure agency staffing levels that can provide the pub-  
17 lic with appropriate customer service levels.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20           (1) ADMINISTRATOR.—The term “Adminis-  
21 trator” means the Administrator of General Serv-  
22 ices.

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

1           (3) COVERED AGENCY.—The term “covered  
2 agency” means an agency or component of an agen-  
3 cy that is required by the Director to collect vol-  
4 untary feedback for purposes of section 6, based on  
5 an assessment of the components and programs of  
6 the agency with the highest impact on or number of  
7 interactions with individuals or entities.

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

11           (5) VOLUNTARY FEEDBACK.—The term “vol-  
12 untary feedback” has the meaning given the term in  
13 section 3502 of title 44, United States Code, as  
14 added by section 4 of this Act.

15 **SEC. 4. APPLICATION OF THE PAPERWORK REDUCTION**  
16 **ACT TO COLLECTION OF VOLUNTARY FEED-**  
17 **BACK.**

18           Subchapter I of chapter 35 of title 44, United States  
19 Code (commonly known as the “Paperwork Reduction  
20 Act”), is amended—

21           (1) in section 3502, *as amended by section*  
22 *202(a) of the Foundations for Evidence-Based Policy-*  
23 *making Act of 2018 (Public Law 115–435)—*

24           (A) in paragraph ~~(13)(D)~~ (22), by striking  
25 “and” at the end;

1 (B) in paragraph ~~(14)~~ (23), by striking the  
2 period at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “~~(1524)~~ the term ‘voluntary feedback’ means  
5 any submission of information, opinion, or concern  
6 that is—

7 “(A) voluntarily made by a specific indi-  
8 vidual or other entity relating to a particular  
9 service of or transaction with an agency; and

10 “(B) specifically solicited by that agency.”;

11 and

12 (2) in section 3518(e)(1)—

13 (A) in subparagraph (C), by striking “or”  
14 at the end;

15 (B) in subparagraph (D), by striking the  
16 period at the end and inserting “; or”; and

17 (C) by adding at the end the following:

18 “(E) by an agency that is voluntary feedback.”.

19 **SEC. 5. GUIDELINES FOR VOLUNTARY FEEDBACK.**

20 Each agency that solicits voluntary feedback shall en-  
21 sure that—

22 (1) responses to the solicitation of voluntary  
23 feedback remain anonymous and shall not be traced  
24 to specific individuals or entities;

1           (2) individuals and entities who decline to par-  
2           ticipate in the solicitation of voluntary feedback shall  
3           not be treated differently by the agency for purposes  
4           of providing services or information;

5           (3) the solicitation does not include more than  
6           10 questions;

7           (4) the voluntary nature of the solicitation is  
8           clear;

9           (5) the proposed solicitation of voluntary feed-  
10          back will contribute to improved customer service;

11          (6) solicitations of voluntary feedback are lim-  
12          ited to 1 solicitation per interaction with an indi-  
13          vidual or entity;

14          (7) to the extent practicable, the solicitation of  
15          voluntary feedback is made at the point of service  
16          with an individual or entity;

17          (8) instruments for collecting voluntary feed-  
18          back are accessible to individuals with disabilities in  
19          accordance with section 508 of the Rehabilitation  
20          Act of 1973 (29 U.S.C. 794d); and

21          (9) internal agency data governance policies re-  
22          main in effect with respect to the collection of vol-  
23          untary feedback from individuals and entities.

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

2 (a) COLLECTION OF RESPONSES.—The head of each  
3 covered agency (or a designee), assisted by and in coordi-  
4 nation with the senior accountable official for customer  
5 service of the covered agency, shall collect voluntary feed-  
6 back with respect to services of or transactions with the  
7 covered agency.

8 (b) CONTENT OF QUESTIONS.—

9 (1) STANDARDIZED QUESTIONS.—The Director,  
10 in coordination with the Administrator, shall develop  
11 a set of standardized questions for use by covered  
12 agencies in collecting voluntary feedback under this  
13 section that address—

14 (A) overall satisfaction of individuals or  
15 entities with the specific interaction or service  
16 received;

17 (B) the extent to which individuals or enti-  
18 ties were able to accomplish their intended task  
19 or purpose;

20 (C) whether the individual or entity was  
21 treated with respect and professionalism;

22 (D) whether the individual or entity be-  
23 lieves they were served in a timely manner; and

24 (E) any additional metrics as determined  
25 by the Director, in coordination with the Ad-  
26 ministrator.

1           (2) ADDITIONAL QUESTIONS.—In addition to  
2 the questions developed under paragraph (1), the  
3 senior accountable official for customer service at a  
4 covered agency may develop questions relevant to the  
5 specific operations or programs of the covered agen-  
6 cy.

7           (c) ADDITIONAL REQUIREMENTS.—To the extent  
8 practicable—

9           (1) each covered agency shall collect voluntary  
10 feedback across all platforms or channels through  
11 which the covered agency interacts with individuals  
12 or other entities to deliver information or services;  
13 and

14           (2) voluntary feedback collected under this sec-  
15 tion shall be tied to specific transactions or inter-  
16 actions with customers of the covered agency.

17           (d) REPORTS.—

18           (1) ANNUAL REPORT TO THE DIRECTOR.—

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



1 port on the voluntary feedback required to be  
2 collected under this section that includes—

3 (i) the detailed results, including a  
4 summary of how individuals and entities  
5 responded to each question;

6 (ii) the total number of survey re-  
7 sponses; and

8 (iii) the response rate for each survey  
9 administered.

10 (B) CENTRALIZED WEBSITE.—The Direc-  
11 tor shall—

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

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

21 (2) AGGREGATED REPORT.—Each covered  
22 agency shall publish, on a regular basis, an aggre-  
23 gated report on the solicitation of voluntary feedback  
24 sent to individuals or entities, which shall include—

1 (A) the intended purpose of each sollicita-  
2 tion of voluntary feedback conducted by the  
3 covered agency;

4 (B) the appropriate point of contact within  
5 each covered agency for each solicitation of vol-  
6 untary feedback conducted;

7 (C) the questions or survey instrument  
8 submitted to members of the public as part of  
9 the solicitation of voluntary information; and

10 (D) a description of how the covered agen-  
11 cy uses the voluntary feedback received by the  
12 covered agency to improve the customer service  
13 of the covered agency.

14 **SEC. 7. CUSTOMER EXPERIENCE REPORT.**

15 (a) IN GENERAL.—Not later than 15 months after  
16 the date on which all covered agencies have submitted the  
17 first annual reports to the Director required under section  
18 6(d)(1), and every 2 years thereafter until the date that  
19 is 10 years after such date, the Comptroller General of  
20 the United States shall make publicly available and submit  
21 to the Committee on Homeland Security and Govern-  
22 mental Affairs of the Senate and the Committee on Over-  
23 sight and Reform of the House of Representatives a report  
24 assessing the data collected and reported by the covered  
25 agencies.

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

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

6 (2) a description of how each covered agency  
7 will use the voluntary feedback received by the cov-  
8 ered agency to improve service delivery.

9 **SEC. 8. RESTRICTION ON USE OF INFORMATION.**

10 Any information collected pursuant to this Act, or  
11 any amendment made by this Act, may not be used in  
12 any appraisal of job performance of a Federal employee  
13 under chapter 43 of title 5, United States Code, or any  
14 other provision of law.

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