

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2846
OFFERED BY MR. FARENTHOLD OF TEXAS**

Strike all after the enacting clause and insert the following:

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, and high-quality services across multiple channels;

14 (3) many agencies, offices, programs, and Federal employees provide excellent service to individuals, however many parts of the Federal Government still fall short on delivering the customer serv-

1 ice experience that individuals have come to expect
2 from the private sector;

3 (4) according to the 2016 American Customer
4 Satisfaction Index, the Federal Government ranks
5 among the bottom of all industries in the United
6 States in customer satisfaction;

7 (5) providing quality services to individuals im-
8 proves the confidence of the people of the United
9 States in their government and helps agencies
10 achieve greater impact and fulfill their missions; and

11 (6) improving service to individuals requires
12 agencies to work across organizational boundaries,
13 leverage technology, collect and share standardized
14 data, and develop customer-centered mindsets and
15 service strategies.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that all agencies should strive to provide high-qual-
18 ity, courteous, effective, and efficient services to the people
19 of the United States and seek to measure, collect, report,
20 and utilize metrics relating to the experience of individuals
21 interacting with agencies to continually improve services
22 to the people of the United States.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

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

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

7 (3) COVERED AGENCY.—The term “covered
8 agency” means an agency or component of an agen-
9 cy that is designated as a “covered agency” pursu-
10 ant to section 5(a).

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

14 (5) VOLUNTARY CUSTOMER SERVICE FEED-
15 BACK.—The term “voluntary customer service feed-
16 back” means a response to a collection of informa-
17 tion conducted by a covered agency in accordance
18 with this Act.

19 **SEC. 4. APPLICATION OF CERTAIN PROVISIONS OF THE PA-**
20 **PERWORK REDUCTION ACT TO COLLECTION**
21 **OF VOLUNTARY CUSTOMER SERVICE FEED-**
22 **BACK.**

23 Sections 3506(c) and 3507 of title 44, United States
24 Code (provisions of what is commonly known as the “Pa-

1 perwork Reduction Act”) shall not apply to a collection
2 of voluntary customer service feedback.

3 **SEC. 5. GUIDELINES FOR VOLUNTARY CUSTOMER SERVICE**
4 **FEEDBACK.**

5 (a) EVALUATION AND DESIGNATION.—The Director
6 shall assess agencies, agency components, and agency pro-
7 grams to identify which have the highest impact on or
8 number of interactions with individuals or entities. Based
9 on the assessment, the Director shall designate agencies,
10 agency components, or programs as covered agencies for
11 purposes of this Act.

12 (b) GUIDANCE.—The Director shall issue guidance
13 that requires each covered agency that solicits voluntary
14 customer service feedback to ensure that—

15 (1) any response to the solicitation of voluntary
16 customer service feedback remains anonymous, the
17 collection method does not include a request for or
18 opportunity for the respondent to provide informa-
19 tion that could identify such respondent, and any re-
20 sponse is not traced to a specific individual or entity;

21 (2) any individual or entity who declines to par-
22 ticipate in the solicitation of voluntary customer
23 service feedback shall not be treated differently by
24 the agency for purposes of providing services or in-
25 formation;

1 (3) the solicitation does not include more than
2 10 questions;

3 (4) the voluntary nature of the solicitation is
4 clear;

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

8 (6) any solicitation of voluntary customer serv-
9 ice feedback is limited to 1 solicitation per inter-
10 action with an individual or entity;

11 (7) to the extent practicable, the solicitation of
12 voluntary customer service feedback is made at the
13 point of service with an individual or entity;

14 (8) any instrument for collecting voluntary cus-
15 tomer service feedback is accessible to individuals
16 with disabilities in accordance with section 508 of
17 the Rehabilitation Act of 1973 (29 U.S.C. 794d);
18 and

19 (9) internal agency data governance policies re-
20 main in effect with respect to the collection of vol-
21 untary customer service feedback from any indi-
22 vidual or entity.

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

24 (a) **COLLECTION OF RESPONSES.**—The head of each
25 covered agency (or a designee), assisted by and in con-

1 sultation with the Performance Improvement Officer or
2 other senior accountable official for customer service of
3 the covered agency, shall collect voluntary customer serv-
4 ice feedback with respect to any service of or transaction
5 with the covered agency that has been identified by the
6 Director, in consultation with the Administrator, in ac-
7 cordance with the guidance issued by the Director under
8 section 5.

9 (b) CONTENT OF QUESTIONS.—

10 (1) STANDARDIZED QUESTIONS.—The Director,
11 in consultation with the Administrator, shall develop
12 a set of standardized questions for use by each cov-
13 ered agency in collecting voluntary customer service
14 feedback under this section that address—

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

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

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

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

1 (E) any additional metrics as determined
2 by the Director, in consultation with the Ad-
3 ministrator.

4 (2) ADDITIONAL QUESTIONS.—In addition to
5 the questions developed pursuant to paragraph (1),
6 the Director shall consult with the Performance Im-
7 provement Council to develop additional questions
8 relevant to the operations or programs of covered
9 agencies.

10 (c) ADDITIONAL REQUIREMENTS.—To the extent
11 practicable—

12 (1) each covered agency shall collect voluntary
13 customer service feedback across all platforms or
14 channels through which the covered agency interacts
15 with individuals or other entities to deliver informa-
16 tion or services; and

17 (2) voluntary customer service feedback col-
18 lected under this section shall be tied to specific
19 transactions or interactions with customers of the
20 covered agency.

21 (d) REPORTS.—

22 (1) ANNUAL REPORT TO THE DIRECTOR.—

23 (A) IN GENERAL.—Not later than 1 year
24 after the date of the enactment of this Act, and
25 not less frequently than annually thereafter,

1 each covered agency shall publish on the
2 website of the covered agency and submit to the
3 Director, in a manner determined by the Direc-
4 tor—

5 (i) a report that includes—

6 (I) the voluntary customer serv-
7 ice feedback for the previous year; and

8 (II) descriptions of how the cov-
9 ered agency has used and plans to use
10 such feedback; and

11 (ii) a machine readable dataset that
12 includes—

13 (I) the the standardized ques-
14 tions or additional questions described
15 in subsection (b) and the response
16 choices for such questions; and

17 (II) the response rate for each
18 collection of voluntary customer serv-
19 ice feedback for the previous year.

20 (B) CENTRALIZED WEBSITE.—The Direc-
21 tor shall—

22 (i) include and maintain on a publicly
23 available website links to the information
24 provided on the websites of covered agen-
25 cies under subparagraph (A); and

1 (ii) for purposes of clause (i), estab-
2 lish a website or make use of an existing
3 website, such as the website required under
4 section 1122 of title 31, United States
5 Code.

6 (2) AGGREGATED REPORT.—Each covered
7 agency shall publish in an electronic format and up-
8 date on a regular basis an aggregated report on the
9 solicitation and use of voluntary customer service
10 feedback, which shall include—

11 (A) the intended purpose of each solicita-
12 tion of voluntary customer service feedback con-
13 ducted by the covered agency;

14 (B) the appropriate point of contact within
15 each covered agency for each solicitation of vol-
16 untary customer service feedback conducted;

17 (C) the questions or survey instrument
18 submitted to members of the public as part of
19 the solicitation of voluntary customer service
20 feedback; and

21 (D) a description of how the covered agen-
22 cy uses the voluntary customer service feedback
23 received by the covered agency to improve the
24 customer service of the covered agency.

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

2 (a) IN GENERAL.—Not later than 15 months after
3 the date on which all covered agencies have submitted the
4 first annual reports to the Director required under section
5 6(d)(1), and every 2 years thereafter until the date that
6 is 10 years after such date, the Comptroller General of
7 the United States shall make publicly available and submit
8 to the Committee on Homeland Security and Govern-
9 mental Affairs of the Senate and the Committee on Over-
10 sight and Government Reform of the House of Represent-
11 atives a scorecard report assessing the data collected and
12 reported by the covered agencies and each instrument used
13 to collect voluntary customer service feedback.

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

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

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

21 (3) an evaluation of each covered agency’s com-
22 pliance with this Act.

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.”.

