



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Managing Congressional Constituent Service Inquiries

Committee on Administration and Management

Draft Recommendation for Committee | March 28, 2024

1 Since the country’s earliest years, constituent services have been a cornerstone of the
2 representational activities of members of Congress. Thousands of people each year ~~turn to~~contact
3 their elected representatives for help while interacting with federal agencies and the programs
4 they administer in accessing federal programs and navigating administrative processes. These
5 ~~Constituent services~~, or “casework,”¹ requests—that is, requests submitted to an agency by
6 congressional staff on behalf of constituents seeking assistance with accessing federal programs
7 or navigating adjudicative and other similar administrative processes—also plays an important
8 role in congressional oversight of executive-branch agencies, allowing members to gain greater
9 awareness of the operation and performance of ~~federal~~the programs they authorize and fund.
10 Ideally, however, the resolution of an individual’s request for agency action and the explanation
11 provided for failure to grant the request in whole or in part should be roughly equivalent whether
12 that individual seeks assistance from a congressional caseworker or instead seeks assistance from
13 an agency ombud or a knowledgeable private representative or seeks no assistance at all.

14 Today, every member of Congress employs “caseworkers,” both in Washington, D.C.,
15 and in local offices, who help constituents with requests ranging from the simple, such as
16 assistance with government forms, to the complex, such as correcting errors in veterans’ service
17 records. While nearly all agencies receive congressional casework requests, the most frequently

Commented [CD1]: Preamble language and footnote added to implement Comment AMC-M15R3 [in draft rec as amended by the Committee on 3/28]: “Add footnote to preamble that clearly delineates the scope of the recommendation (i.e., that it only speaks to agency constituent service assistance, not cong. policy oversight).”

Commented [BB2]: Proposed Revision from Public Member Bernard Bell
Explanation: This sets out the principle that a member of the public should not need to go to their Senator or Representative to receive an appropriate resolution of a request for agency action and/or a reasonable explanation of any failure to grant the request for agency action.
Question: Do state and local officials (like state legislators or mayors) make requests on behalf of constituents and are they handled in a similar manner as requests from congressional staff?

¹ This Recommendation and the best practices it identifies are intended to assist agencies with improving their management and resolution of congressional casework requests. Agency management of congressional requests directed towards programmatic or policy oversight is beyond the scope of this Recommendation.



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18 contacted include the Department of Veterans Affairs, Internal Revenue Service, Social Security
19 Administration, Department of State, and U.S. Citizenship and Immigration Services.²

20 Agencies, especially those that receive a large volume of casework requests, have
21 developed practices for receiving, processing, and responding to requests and interacting with
22 congressional caseworkers. There is significant variation in these practices across a number of
23 dimensions.

24 Organizationally, for example, some agencies assign responsibility for managing
25 casework requests to a centralized congressional liaison office, while others assign that
26 responsibility to regional offices and staff that are empowered to work directly with caseworkers
27 located in members' state or district offices. Still others provide alternative avenues for members
28 of the public to seek redress of grievances directly from the agency, as through an Office of the
29 Ombudsman, without the assistance of their elected representatives.³

30 Technologically, some agencies continue to use ad hoc, legacy systems to manage
31 casework requests, while others are adopting new technologies like internal electronic case
32 management systems⁴ and public-facing, web-based portals⁵ to improve the efficiency, accuracy,
33 and transparency of their management and resolution of requests.

34 Procedurally, many agencies have developed standard operating procedures (SOPs) for
35 managing casework requests and made them available to caseworkers and the public. These
36 SOPs vary widely in their content, scope, and level of detail. Some agencies have further

Commented [CD3]: Language and footnote added here to implement comment AMC-M17R3 [in draft rec as amended by the Committee on 3/28]: "Include language in preamble that acknowledges existence of alternative avenues for assistance (e.g., ombuds) and noting that these processes differ both in terms of mechanisms and equities (and reference relevant ACUS recs)."

² See Sean Kealy, Congressional Constituent Service Inquiries 23 (Mar. 25, 2024) (draft report to the Admin. Conf. of the U.S.).

³ Cf. Admin. Conf. of the U.S., Recommendation 2016-5, *The Use of Ombuds in Federal Agencies*, 81 Fed. Reg. 94316 (Dec. 23, 2016). See also Carol S. Houk *et al.*, *A Reappraisal: The Nature and Value of Ombudsmen in Federal Agencies* (Nov. 14, 2016) (report to the Admin. Conf. of the U.S.).

⁴ Cf. Admin. Conf. of the U.S., Recommendation 2018-3, *Electronic Case Management in Federal Administrative Adjudication*, 83 Fed. Reg. 30,686 (June 29, 2018).

⁵ Cf. Admin. Conf. of the U.S., Recommendation 2023-4, *Online Process in Agency Adjudication*, 88 Fed. Reg. 42,682 (July 3, 2023).



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37 produced handbooks and other informational materials like flowcharts and plain language
38 summaries of their SOPs to educate and assist caseworkers.

39 Agencies are also subject to differing legal and regulatory requirements that affect when,
40 how, and what agency staff can communicate to congressional caseworkers in furtherance of a
41 constituent request. These legal and regulatory requirements, including the Privacy Act of 1974,
42 the Health Insurance Portability and Accountability Act of 1996, and agency-specific rules and
43 guidance, typically bar agencies from sharing records or information that contain protected or
44 personally identifiable information with congressional caseworkers unless the constituent
45 provides an executed expression of consent.⁶

46 Recognizing the unique and important role that constituent services play in agency-
47 congressional relations and congressional oversight of federal programs, this Recommendation
48 offers best practices to help agencies promote quality, efficiency, transparency, and timeliness in
49 their management and resolution of congressional casework requests. Of course, agencies
50 receive different volumes of casework requests, serve different communities, have different
51 operational needs, and different resources available to them. This Recommendation recognizes
52 that, when adopting or reviewing practices for receiving, managing, and responding to requests
53 and interacting with congressional caseworkers, agencies ~~should~~ may need to tailor these best
54 practices to the unique circumstances of the programs they administer.

RECOMMENDATION

Adopting Standard Operating Procedures

- 55 1. Agencies, especially those that receive a large volume of congressional casework
56 requests, should develop standard operating procedures (SOPs) for tracking and
57 managing such requests. Topics that SOPs should address include, as appropriate:

Commented [BB4]: Proposed Revision from Public Member Bernard Bell
Explanation: This softens the admonition to signal that consistency among agency SOP is an important value (see comment of Senior Fellow John Kamensky) and that variations from best practices should occur because of a perceived need to adapt to the particular circumstances of the agency.

Commented [JK5]: Comment from Senior Fellow John Kamensky:
My general comment would be: how can the Executive Branch create a relatively standardized response system from the perspective of the Hill staffers, so they can focus on on constituent needs vs. learning different agency response/correspondence systems? . . . Has the study team consulted with the OMB Customer Experience staff on potential design options, e.g., use of journey mapping?

Commented [AMC-M16R5]: Prior to next meeting, secure feedback from OMB (including whether there should be a rec directed towards OMB).

Commented [CD7R5]: Contact made with OMB through email to Steph Tatham, ACUS OMB Govt. Member. [See exchange attached to email transmitting this revised draft].

⁶ See Kealy *supra* note 1, at 10.



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- 58 a. The agency office(s) or title(s) of personnel responsible for receiving, processing,
59 and responding to congressional casework requests and interacting with
60 congressional caseworkers, and the responsibilities of the office(s) or personnel;
61 b. The procedure by which congressional caseworkers should submit casework
62 requests to the agency, including any releases, waivers, or other documentation
63 required by law;
64 c. The structure and operation of casework request workflows employed by agency
65 personnel while receiving, processing, and responding to requests, including any
66 intra-agency assignments of responsibility for the preparation, review, and
67 approval of draft responses, consistent with ex parte rules; Aany constraints on
68 front-line official agency personnel's ability to provide information in response to
69 a casework request respond; and when a casework request should be elevated for
70 review by program or agency leadership; and how agency personnel responsible
71 for handling casework requests communicate with other agency personnel,
72 including ombuds, when working to resolve a casework request;
73 d. The agency's use of electronic case management or other systems employed for
74 managing casework requests and status updates (see Paragraph 7);
75 e. The agency's procedures for monitoring the progress of responses to each
76 casework request (see Paragraph 10);
77 f. The major legal requirements, if any, that may restrict the agency's ability to
78 provide information to a congressional caseworker;
79 g. The types of communications that the agency provides to congressional
80 caseworkers upon receiving a casework request, while processing a request, and
81 in responding to the request. (making sure that each communication includes, as
82 appropriate, any applicable legal constraints on the agency's ability to provide the
83 requested information);
84 h. Common or emergency circumstances in which certain casework requests will be
85 prioritized and why, as well as how the agency's management of prioritized
86 requests differs from its handling of non-prioritized requests;

Commented [AMC-M18]: COS to wordsmith

Commented [CD9R8]: See in-line revisions.

Commented [CD10]: Language added to implement Comment AMC-M16R3 [in draft rec as amended by the Committee on 3/28]: "Include language in Para 1 that addresses how intra-agency communications should be addressed (both in context of ombuds and casework-program staff interactions)."

Commented [CD11]: Content shifted into a new Para 13, *infra*.



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- 87 i. The kinds of assistance or relief that the agency can and cannot provide in
88 response to a casework request, and
89 j. Performance goals and measures for responding to casework requests (see
90 Paragraphs 10–12).
- 91 2. Agencies should make their SOPs on matters described in Paragraphs 1(a)–1(i) publicly
92 available on their websites as a single, consolidated document and produce plain
93 language materials that succinctly summarize them, whether by way of written text,
94 flowchart, table, or some other simplified format.
- 95 3. Agencies should provide regular, internal trainings for both new and experienced staff
96 involved in the management and resolution of congressional casework requests to ensure
97 their familiarity and compliance with agency SOPs.

Managing Casework Requests

- 98 4. Agencies should not automatically close out incoming casework requests that do not
99 include required information or documentation. Instead, the agency should notify
100 congressional caseworkers that their submissions are incomplete and cooperate with the
101 congressional caseworkers' efforts to remedy the deficiency.
- 102 5. When agencies complete a casework request, they should provide a written notice to the
103 congressional caseworker or office, unless the caseworker or congressional office has
104 indicated that no written response is necessary.

Using Technology to Streamline Request Management and Resolution

- 105 6. Consistent with their resources, agencies that receive a large volume of congressional
106 casework requests should adopt electronic case management systems or web-based
107 portals to improve the accuracy, efficiency, and timeliness of their management and
108 resolution of requests. Such systems or portals should allow agency personnel to manage
109 casework requests consistent with established SOPs and allow managers to monitor the
110 status of requests and evaluate key performance goals and measures.

Commented [AMC-M112]: Placeholder: add language re: creating procedure whereby issues submitted by Cong. offices can be elevated to leadership to identify systemic issues

Commented [CD13R12]: See language added at lines 69–71, above.

Commented [AMC-M114]: CoS - ensure usage here matches usage in second clause and throughout rec.

Commented [CD15R14]: Change made here and in Para 9 to ensure consistent usage.



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- 111 7. In developing and modifying electronic case management systems and web-based
112 portals, agencies should solicit feedback and suggestions for improvement from agency
113 managers and staff and, as appropriate, congressional caseworkers.
- 114 8. When considering adoption or development of an electronic case management system or
115 web-based portal, agencies should also consult with similarly situated agencies that may
116 be able to share the code underlying comparable systems that are already in use and any
117 lessons learned during their development or deployment.

Commented [CD16]: For Committee Discussion: Should the recommendation encourage any entity (e.g., GSA) to coordinate information sharing?

Measuring Agency Performance

- 118 9. Agencies should collect structured data that allows managers to track and evaluate, as
119 applicable:
- 120 a. Processing times for casework requests;
 - 121 b. The nature, timing, and substance of communications between agency
122 personnel and members of Congress and their staffs-caseworkers regarding
123 specific casework requests;
 - 124 c. Agency actions taken in response to casework requests;
 - 125 d. The frequency with which members of Congress and their staffs-caseworkers
126 resubmit casework requests;
 - 127 e. Trainings and other assistance that agency personnel provide to members of
128 Congress and their staffs-caseworkers regarding casework generally;
 - 129 f. The congressional offices or caseworkers from which requests originate;
 - 130 g. The identities and roles of agency personnel that work on casework requests;
131 and
 - 132 h. Any other data agencies determine to be helpful in assessing the performance
133 of their casework management processes.
- 134 10. Agencies should adopt performance goals and, for each goal, objective measures that
135 leverage data collected consistent with Recommendation 9 to evaluate whether
136 congressional casework requests have been successfully managed and resolved. Agencies
137 periodically should reassess performance goals, measures, and associated data collection

Commented [BB17]: Comment from Public Member Bernard Bell

All of the items listed from “a” to “g” may be helpful, but it’s not clear that all, such as “e” and “g” are necessary to maintain in structured data form. And while more information is almost always more helpful than less, there is a cost to coding information in structured data format. Items “a” through “d” seem to me fairly essential, items “e” through “g” seem to me ones that the agency should consider keeping track of in structured data form, but agencies should be free to balance the burden of keeping track of such information against the usefulness of such information.



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138 practices to ensure they continue to reflect operational realities, programmatic
139 developments, and the expectations of agency leaders and members of Congress and their
140 staffs.

141 11. Agencies should evaluate on an ongoing basis whether they are meeting performance
142 goals and, as appropriate, identify internal or external factors affecting their performance,
143 identify opportunities for improvement, and predict future resource needs.

144 ~~11.~~12. Congressional casework requests may reveal systematic problems with agency
145 policies or with agency procedures. Revising policies or procedures might provide relief
146 to those inclined to seek help from member of Congress more quickly (resulting in a
147 satisfactory response without needing to seeking congressional help), reduce the volume
148 of congressional casework requests made to the agency, and provide appropriate relief for
149 those who will not invoke the assistance of members of Congress. Agencies should
150 regularly consider whether congressional constituent inquiries are indicators of broader
151 policy issues or procedural hurdles that the agency should resolve or address at a higher
152 policy level. Analysis of the data collected in paragraph 10 to measure agency
153 performance with regard to congressional constituent inquiries may be helpful in such an
154 endeavor, and could be used to prompt a reconsideration of agency policies and
155 procedures.

Communicating Effectively with Congress

156 13. When communicating with congressional caseworkers in the course of receiving,
157 processing, or responding to casework requests, agencies should ensure that each
158 communication identifies, as appropriate, any applicable legal constraints on the agency's
159 ability to provide the information or assistance requested.

160 ~~12.~~14. Agencies should foster strong working relationships with congressional
161 caseworkers and maintain open lines of communication to provide information to and
162 receive input from caseworkers on agency procedures and facilitate efficient resolution of
163 constituent requests. Options for fostering such relationships include:

- 164 a. Providing a point of contact to whom caseworkers can direct questions about
165 individual casework requests or casework generally;

Commented [BB18]: Proposed Revision from Public Member Bernard Bell.

Commented [CD19]: The Committee originally proposed to add language to this effect as a parenthetical at the end of Para 1(g), above. Para 1, however, is intended to encourage agencies to adopt SOPs and provide a list of the topics that such SOPs should address. Because this language urges agencies to engage in specific behavior beyond adoption of SOPs—and that behavior relates to effective communication with Congress—it's been rehomed here.



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- 166 b. Maintaining a webpage on the agency’s website where caseworkers can access
167 SOPs; any simplified, plain language summaries or flowcharts that summarize
168 their SOPs; and any releases, waivers, or other documentation that caseworkers
169 must submit with requests;
- 170 c. Organizing trainings or events—held virtually or in person in Washington, D.C.,
171 and regionally—at which caseworkers can interact with agency personnel, learn
172 about agency procedures for managing casework requests, learn to use and
173 provide user experience feedback on any web-based portal the agency maintains
174 for submitting and managing requests, and receive information about the kinds of
175 assistance the agency can and cannot provide in response to requests;
- 176 d. Participating in trainings or other casework-focused events organized by other
177 agencies, the House’s Office of the Chief Administrative Officer, the Senate’s
178 Office of Education and Training, or other appropriate congressional entities; and
- 179 e. Organizing periodic, informal meetings with congressional offices and
180 caseworkers with whom the agency regularly interacts to answer questions and
181 solicit feedback.

182 15. Agencies should periodically solicit input and user experience-related feedback from
183 Congressional caseworkers on the timeliness and quality of responses to
184 congressional inquiries.

185 ~~13.~~ 16. The House’s Office of the Chief Administrative Officer, the Senate’s Office of
186 Education and Training, or another similarly situated congressional entity should
187 create a webpage that consolidates agencies’ SOPs in one place for ready access by
188 congressional caseworkers.

Commented [JK20]: Amendment proposed during Committee Meeting on 3/28/24. Consideration postponed.