



## Managing Congressional Constituent Service Inquiries

### Committee on Administration and Management

#### Proposed Recommendation from Committee | May 3, 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 contact their  
3 elected representatives for help accessing federal programs or navigating adjudicative and other  
4 similar administrative processes. Elected representatives and their staff often submit requests to  
5 federal agencies on behalf of their constituents in such situations. This Recommendation refers to  
6 such requests as constituent service, or “casework,”<sup>1</sup> requests. In most circumstances, the  
7 resolution of an individual’s issue should not require the assistance of the individual’s elected  
8 representative or his or her staff. However, these casework requests often appear to be helpful in  
9 ensuring appropriate agency action. For agencies, congressional casework requests may reveal  
10 broader, systemic problems with their policies and procedures. For Congress, casework requests  
11 may also play an important role in oversight of executive-branch agencies, allowing members of  
12 Congress to gain greater awareness of the operation and performance of the programs Congress  
13 authorizes and funds.

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

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<sup>1</sup> 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.<sup>2</sup>

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, some agencies assign responsibility for managing casework requests to  
25 a centralized congressional liaison office, while others assign that responsibility to regional  
26 offices and staff that are empowered to work directly with caseworkers located in members' state  
27 or district offices. Still others provide additional avenues for members of the public to seek  
28 redress of grievances directly from the agency, such as through agency ombuds.<sup>3</sup>

29 Technologically, some agencies continue to use ad hoc, legacy systems to receive,  
30 process, and respond to casework requests, while others employ new technologies like internal  
31 electronic case management systems<sup>4</sup> and public-facing, web-based portals<sup>5</sup> to receive, process,  
32 and respond to casework requests in a more accurate, efficient, transparent, and timely manner.

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

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

<sup>3</sup> 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.).

<sup>4</sup> 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).

<sup>5</sup> 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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36 handbooks and other informational materials like flowcharts and plain-language summaries of  
37 their SOPs to educate and assist caseworkers.

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

45 Recognizing the unique and important role that constituent services play in agency-  
46 congressional relations and congressional oversight of federal programs, this Recommendation  
47 offers best practices to help agencies receive, process, and respond to congressional casework  
48 requests in an accurate, efficient, transparent, and timely manner. Of course, agencies differ with  
49 respect to the volume of casework requests they receive, the communities they serve, their  
50 operational needs, their statutory requirements, and the resources available to them. This  
51 Recommendation recognizes that, when adopting or reviewing practices for receiving,  
52 processing, and responding to casework requests and interacting with congressional caseworkers,  
53 agencies may need to tailor these best practices to their unique circumstances.

### RECOMMENDATION

#### **Adopting Standard Operating Procedures**

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

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<sup>6</sup> See Kealy *supra* note 2, at 10.



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- 57 a. The agency office(s) or title(s) of personnel responsible for receiving, processing,  
58 and responding to congressional casework requests and interacting with  
59 congressional caseworkers, and the responsibilities of such office(s) or personnel;
- 60 b. The procedure by which congressional caseworkers should submit casework  
61 requests to the agency, including any releases, waivers, or other documentation  
62 required by law;
- 63 c. The procedure by which agency personnel receive, process, and respond to  
64 requests, including: (i) any intra-agency assignments of responsibility for the  
65 preparation, review, and approval of draft responses; (ii) any constraints on  
66 agency personnel's ability to provide information in response to a casework  
67 request; (iii) any circumstances in which a casework request should be elevated  
68 for review by program or agency leadership; and (iv) the process by which agency  
69 personnel responsible for handling casework requests communicate with other  
70 agency personnel, including ombuds, when working to resolve a casework  
71 request, consistent with ex parte rules;
- 72 d. The agency's use of electronic case management or other systems employed for  
73 managing casework requests and status updates, including the use of a trackable  
74 unique identifier such as a docket number or case number (see Paragraph 6);
- 75 e. The agency's procedures for monitoring the progress of responses to each  
76 casework request (see Paragraphs 10–11);
- 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 a request;
- 82 h. Common circumstances in which agency personnel will prioritize certain  
83 casework requests and why, as well as how the agency's processing of prioritized  
84 requests differs from its handling of non-prioritized requests and any temporary



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- 85 changes in prioritization or procedures that are adopted to address emergency  
86 circumstances;
- 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 Paragraph 9).
- 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 along with plain-language  
93 materials that succinctly summarize them.
- 94 3. Agencies should provide regular trainings for both new and experienced agency  
95 personnel involved in receiving, processing, and responding to congressional casework  
96 requests to ensure their familiarity and compliance with agency SOPs.

### **Managing Casework Requests**

- 97 4. Agencies should not automatically close out incoming casework requests that do not  
98 include information or documentation required for the request to be processed. Instead,  
99 agency personnel should notify congressional caseworkers that their submissions are  
100 incomplete and cooperate with the congressional caseworkers' efforts to remedy the  
101 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 office has indicated that no  
104 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 systems, such as electronic case management systems  
107 and web-based portals, to receive, process, and respond to requests in an accurate,  
108 efficient, transparent, and timely manner. Such systems should allow agency personnel to  
109 receive, process, and respond to casework requests consistent with established SOPs and



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110 allow managers to monitor the status of requests and evaluate key performance goals and  
111 measures.

112 7. When considering adoption or development of an electronic case management system or  
113 web-based portal, agencies should consult with similarly situated agencies or units with  
114 particular expertise that may be able to share lessons learned during the adoption or  
115 development of similar systems.

116 8. In developing and modifying electronic case management systems and web-based  
117 portals, agencies should solicit feedback and suggestions for improvement from agency  
118 managers and personnel and, as appropriate, congressional caseworkers.

### **Measuring Agency Performance**

119 9. Agencies should adopt performance goals for the processing of congressional casework  
120 requests and, for each goal, objective measures that use data collected consistent with  
121 Paragraph 10 to evaluate whether agency personnel are processing and responding to  
122 congressional casework requests successfully.

123 10. Agencies should collect data (to the extent possible, in a structured format) to allow  
124 managers to track and evaluate, as applicable:

- 125 a. Processing times for casework requests;
- 126 b. The nature, timing, and substance of communications between agency  
127 personnel and members of Congress and their caseworkers regarding specific  
128 casework requests;
- 129 c. Agency actions taken in response to casework requests;
- 130 d. The frequency with which members of Congress and their caseworkers  
131 resubmit the same request, for example, because the agency prematurely closed  
132 a previous request without fully responding to the caseworker's inquiry, and  
133 the reason(s) for the resubmission;
- 134 e. Trainings and other assistance that agency personnel provide to members of  
135 Congress and their caseworkers regarding casework generally;
- 136 f. The congressional offices or caseworkers from which requests originate;



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- 137                   g. The identities and roles of agency personnel that work on casework requests;  
138                   and  
139                   h. Any other data agencies determine to be helpful in assessing the performance  
140                   of their processes for receiving, processing, and responding to casework  
141                   requests.
- 142       11. Agencies should evaluate on an ongoing basis whether they are meeting performance  
143           goals for the processing of congressional casework requests and, as appropriate, identify  
144           internal or external factors affecting their performance, identify opportunities for  
145           improvement, and predict future resource needs.
- 146       12. Agencies should periodically reassess performance goals, measures, and associated data  
147           collection practices to ensure they continue to reflect operational realities, programmatic  
148           developments, and the expectations of agency leaders and members of Congress and their  
149           caseworkers.
- 150       13. Senior agency officials should regularly consider whether congressional casework  
151           requests are indicators of broader policy issues or procedural hurdles that the agency  
152           should address.

### **Communicating Effectively with Congress**

- 153       14. Agencies should foster strong working relationships with congressional caseworkers and  
154           maintain open lines of communication to provide information to and receive input from  
155           caseworkers on agency procedures and facilitate efficient resolution of casework  
156           requests. Options for fostering such relationships include:
- 157           a. Providing a point of contact to whom caseworkers can direct questions about  
158           individual casework requests or casework generally;
- 159           b. Maintaining a centralized webpage on the agency's website, consistent with  
160           Paragraph 2, where caseworkers can access the agency's SOPs; any plain  
161           language materials that succinctly summarize the agency's SOPs; and any  
162           releases, waivers, or other documentation that caseworkers must submit with  
163           requests;



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- 164           c. Providing training or other events—in person in Washington, D.C., or regionally,  
165           or online in a live or pre-recorded format—through which agency personnel can  
166           share information with congressional caseworkers about the agency’s procedures  
167           for receiving, processing, and responding to congressional casework requests  
168           (and, for agencies that frequently receive a high volume of casework requests,  
169           holding such events regularly and either in person or live online, to the extent  
170           practicable, in a manner that facilitates receipt of user experience feedback);
- 171           d. Participating in trainings or other casework-focused events organized by other  
172           agencies and congressional offices, including the Office of the Chief  
173           Administrative Officer of the House of Representatives and the Senate’s Office of  
174           Education and Training; and
- 175           e. Organizing periodic, informal meetings with congressional offices and  
176           caseworkers with whom the agency regularly interacts to answer questions and  
177           solicit feedback.
- 178           15. Agencies should periodically solicit input and user experience-related feedback from  
179           congressional caseworkers on the timeliness and accuracy of agencies’ responses to  
180           casework requests.
- 181           16. When communicating with congressional caseworkers in the course of receiving,  
182           processing, or responding to casework requests, agencies should ensure that each  
183           communication identifies, as appropriate, any applicable legal constraints on the  
184           agency’s ability to provide the information or assistance requested.
- 185           17. Congress should consider directing its training or administrative offices, such as the  
186           Office of the Chief Administrative Officer of the House of Representatives and the  
187           Senate’s Office of Education and Training, to create a webpage that consolidates  
188           links to agencies’ SOPs in one place for ready access by congressional caseworkers.  
189           Agencies should cooperate with any such effort, including by alerting the designated  
190           offices to any changes to the webpage at which their SOPs may be accessed.