



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Managing Congressional Constituent Service Inquiries

Committee on Administration and Management

Proposed Recommendation for Plenary | June 13, 2024

Commented [AMC1]: Proposed Amendment from the Committee on Administration & Management:

The Committee voted to replace the original title of this Recommendation (*Congressional Constituent Service Inquiries*).

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,"¹ 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.² 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.

Commented [CA2]: Proposed Amendment from Council #1:

This proposed amendment would move the statement that agencies "provide avenues for members to seek assistance or redress of grievances directly from the agency, such as through agency ombuds" from lines 28-29, where it does not appear to belong, to a new footnote following the statement that "resolution of an individual's issue should not require the assistance of the individual's elected representative or his staff."

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 [agencies](#) most

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.

² [Many agencies provide avenues for members of the public to seek assistance or redress of grievances directly from the agency, such as through agency ombuds. See Admin. Conf. of the U.S., Recommendation 2016-5, *The Use of Ombuds in Federal Agencies*, 81 Fed. Reg. 94316 \(Dec. 23, 2016\).](#)

DRAFT June 10, 2024



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18 frequently contacted include the Department of Veterans Affairs, Internal Revenue Service,
19 Social Security Administration, Department of State, and U.S. Citizenship and Immigration
20 Services.³

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

25 Organizationally, some agencies assign responsibility for managing casework requests
26 to a centralized congressional liaison office, while others assign that responsibility to regional
27 offices and staff that are empowered to work directly with caseworkers located in members' state
28 or district offices. Still others provide additional avenues for members of the public to seek
29 redress of grievances directly from the agency, such as through agency ombuds.⁴

30 Technologically, some agencies continue to use ad hoc, legacy systems to receive,
31 process, and respond to casework requests, while others employ new technologies like internal
32 electronic case management systems⁵ and public-facing, web-based portals⁶ to receive, process,
33 and respond to casework requests in a more accurate, efficient, transparent, and timely manner.

34 Proceduresally, many agencies have developed standard operating procedures (SOPs)
35 for 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 also produced

Commented [CA3]: Proposed Amendment from Council #2:

This proposed amendment is intended solely to clarify that agencies—not just agencies that receive a large volume of casework requests—have developed the practices described here.

Commented [CA4]: Proposed Amendment from Council #1:

See corresponding edit and explanation at line 8.

³ See Sean J. Kealy, Congressional Constituent Service Inquiries 20 (June 5, 2024) (report to the Admin. Conf. of the U.S.).

⁴ 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.).

⁵ 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).

⁶ 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 handbooks and other informational materials like flowcharts and plain-language summaries of
38 their SOPs to educate and assist caseworkers.

39 Agencies are also subject to differing legal requirements that affect when, how, and what
40 agency personnel can communicate to congressional caseworkers in responding to a casework
41 request. These legal requirements, including the Privacy Act of 1974, and the Health Insurance
42 Portability and Accountability Act of 1996, and agency-specific rules and guidance, typically bar
43 agencies from sharing records or information that contain protected or personally identifiable
44 information with congressional caseworkers unless the constituent provides an executed
45 expression of consent.⁷

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 receive, process, and respond to congressional casework
49 requests in an accurate, efficient, transparent, and timely manner. Of course, agencies differ with
50 respect to the volume of casework requests they receive, the communities they serve, their
51 operational needs, their statutory requirements, and the resources available to them. This
52 Recommendation recognizes that, when adopting or reviewing practices for receiving,
53 processing, and responding to casework requests and interacting with congressional caseworkers,
54 agencies may need to tailor these best practices to their unique circumstances.

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 [CA5]: Proposed Amendment from Council #3:

This proposed amendment would remove “agency-specific rules and guidance” since the “agency-specific rules and guidance” referenced here appear to refer only to agency-issued rules and guidance implementing generally applicable statutes such as the Privacy Act and HIPAA.

⁷ See Kealy *supra* note **Error! Bookmark not defined.**, 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 such 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 procedure by which agency personnel receive, process, and respond to
65 requests, including: (i) **any** intra-agency assignments of responsibility for the
66 preparation, review, and approval of draft responses; (ii) **any** constraints on
67 agency personnel’s ability to provide information in response to a casework
68 request; (iii) **any** circumstances in which a casework request should be elevated
69 for review by program or agency leadership; and (iv) the process by which agency
70 personnel responsible for handling casework requests communicate with other
71 agency personnel, including ombuds, when working to resolve a casework
72 request, consistent with ex parte rules;
73 d. The agency’s use of electronic case management or other systems employed for
74 managing casework requests and status updates, including the use of a trackable
75 unique identifier such as a docket number or case number (see Paragraph 6);
76 e. The agency’s procedures for monitoring the progress of responses to each
77 casework request (see Paragraphs 10–11);
78 f. The major legal requirements, if any, that may restrict the agency’s ability to
79 provide information to a congressional caseworker;
80 g. The types of communications that the agency provides to congressional
81 caseworkers upon receiving a casework request (e.g., a notice acknowledging
82 receipt), while processing a request (e.g., periodic status updates), and in
83 responding to a request (e.g., a letter, email, or other communication that explains
84 action taken by the agency to resolve the request);
85 h. **Common eCircumstances** in which agency personnel will prioritize certain
86 casework requests, including on a temporary basis to address emergencies, and

Commented [CA6]: Proposed Amendment from Council #4:
The proposed amendment is intended to clarify the “types of communications” that agencies might provide to congressional caseworkers in the course of receiving, processing, and responding to congressional casework requests.



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- 87 ~~why, as well as~~ how the agency's processing of prioritized requests differs from
88 its handling of non-prioritized requests ~~and any temporary changes in~~
89 ~~prioritization or procedures that are adopted to address emergency circumstances;~~
- 90 i. The kinds of assistance or relief that the agency can and cannot provide in
91 response to a casework request; and
 - 92 j. Performance goals and measures for responding to casework requests (see
93 Paragraph 9).
- 94 2. Agencies should make their SOPs on matters described in Paragraphs 1(a)–1(i) publicly
95 available on their websites as a single, consolidated document along with plain-language
96 materials that succinctly summarize them.
 - 97 3. Agencies should provide regular training⁴ for both new and experienced agency
98 personnel involved in receiving, processing, and responding to congressional casework
99 requests to ensure their familiarity and compliance with agency SOPs.

Managing Casework Requests

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

Using Technology to Streamline Request Management and Resolution

- 108 6. Consistent with their resources, agencies that receive a large volume of congressional
109 casework requests should adopt systems, such as electronic case management systems
110 and web-based portals, to receive, process, and respond to requests in an accurate,
111 efficient, transparent, and timely manner. Such systems should allow agency personnel to



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- 112 receive, process, and respond to casework requests consistent with established SOPs and
113 allow managers to monitor the status of requests and evaluate key performance goals and
114 measures.
- 115 7. When considering adoption or development of an electronic case management system or
116 web-based portal, agencies should consult with similarly situated agencies or units with
117 particular expertise that may be able to share lessons learned during the adoption or
118 development of similar systems.
- 119 8. In developing and modifying electronic case management systems and web-based
120 portals, agencies should solicit feedback and suggestions for improvement from agency
121 managers and personnel and, as appropriate, congressional caseworkers.

Measuring Agency Performance

- 122 9. Agencies should adopt performance goals for ~~the processing of~~ congressional casework
123 requests and, for each goal, objective measures that use data collected consistent with
124 Paragraph 10 to evaluate whether agency personnel are processing and responding to
125 congressional casework requests successfully.
- 126 10. Agencies should collect data (to the extent possible, in a structured format) to allow
127 managers to track and evaluate, as applicable:
- 128 a. Processing times for casework requests;
- 129 ~~b. The nature, timing, and substance of communications between agency~~
130 ~~personnel and members of Congress and their caseworkers regarding specific~~
131 ~~casework requests;~~
132 b. The congressional offices or caseworkers from which requests originate;
- 133 c. Agency actions taken in response to casework requests;
- 134 ~~d. The nature, timing, and substance of communications between agency~~
135 ~~personnel and members of Congress and their caseworkers regarding specific~~
136 ~~casework requests;~~
d. The nature, timing, and substance of communications between agency
personnel and members of Congress and their caseworkers regarding specific
casework requests;
- 137 ~~d.e.~~ The frequency with which members of Congress and their caseworkers
138 resubmit the same request, for example, because the agency prematurely closed



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139 a previous request without fully responding to the caseworker’s inquiry, and
140 the reason(s) for the resubmission;
141 e-f. Trainings and other assistance that agency personnel provide to members of
142 Congress and their caseworkers regarding casework generally;
143 f-g. ~~The congressional offices or caseworkers from which requests originate;~~
144 g-h. The identities and roles of agency personnel ~~that who~~ work on casework
145 requests; and
146 h-i. Any other data ~~the agency~~ determines to be helpful in assessing the
147 performance of their processes for receiving, processing, and responding to
148 casework requests.

149 11. Agencies should evaluate on an ongoing basis whether they are meeting performance
150 goals for ~~the processing of~~ congressional casework requests and, as appropriate, identify
151 internal or external factors affecting their performance, identify opportunities for
152 improvement, and predict future resource needs.

153 12. ~~Agencies should periodically~~ should reassess performance goals, ~~and measures, and~~
154 update them as needed, to ensure that they continue to serve as accurate indicators of
155 good performance consistent with available resources, agency priorities, and
156 congressional expectations. Additionally, agencies periodically should reassess their data
157 collection practices, and update them as needed, to ensure managers can track and
158 evaluate performance accurately over time and associated data collection practices to
159 ensure they continue to reflect operational realities, programmatic developments, and the
160 expectations of agency leaders and members of Congress and their caseworkers.

161 13. ~~Senior agency officials~~ regularly should ~~regularly~~ consider whether issues raised in
162 congressional casework requests ~~are indicators of~~ indicate broader policy issues or
163 procedural hurdles facing members of the public that the agency should address.

Communicating Effectively with Congress

164 14. Agencies should foster strong working relationships with congressional caseworkers and
165 maintain open lines of communication to provide information to and receive input from

Commented [CA7]: Proposed Amendment from Council #5:

The proposed amendment is intended to clarify the meaning of paragraph 12.

Commented [CA8]: Proposed Amendment from Council #6

The proposed amendment is intended to clarify the meaning of paragraph 13.



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166 caseworkers on agency procedures and facilitate efficient resolution of casework
167 requests. Options for fostering such relationships include:

- 168 a. Providing a point of contact to whom caseworkers can direct questions about
169 individual casework requests or casework generally;
- 170 b. Maintaining a centralized webpage on the agency’s website, consistent with
171 Paragraph 2, where caseworkers can access the agency’s SOPs; any plain
172 language materials that succinctly summarize the agency’s SOPs; and any
173 releases, waivers, or other documentation that caseworkers must submit with
174 requests;
- 175 c. Providing training or other events, in an appropriate format and with appropriate
176 frequency, to enable agency personnel to share information with congressional
177 caseworkers about the agency’s procedures for receiving, processing, and
178 responding to casework requests and obtain feedback on the agency’s
179 performance from caseworkers~~Providing training or other events — in person in~~
180 ~~Washington, D.C., or regionally, or online in a live or pre-recorded format —~~
181 ~~through which agency personnel can share information with congressional~~
182 ~~caseworkers about the agency’s procedures for receiving, processing, and~~
183 ~~responding to congressional casework requests (and, for agencies that frequently~~
184 ~~receive a high volume of casework requests, holding these events regularly and~~
185 ~~either in person or live online, to the extent practicable, in a manner that facilitates~~
186 ~~receipt of user experience feedback);~~
- 187 d. Participating in training or other casework-focused events organized by other
188 agencies and congressional offices, including the Office of the Chief
189 Administrative Officer of the House of Representatives and the Senate’s Office of
190 Education and Training; and
- 191 e. Organizing periodic, informal meetings with congressional offices and
192 caseworkers with whom the agency regularly interacts to answer questions and
193 solicit feedback.

Commented [CA9]: Proposed Amendment from Council #7:
This proposed amendment is intended to improve the clarity and readability of this paragraph.

Commented [CA10]: Proposed Amendment from Council #8
This proposed amendment is intended to remove the apparent redundancy between paragraph 14(e) and paragraph 15.



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- 194 15. Agencies ~~should~~ periodically ~~should~~ solicit input and user experience-related
195 feedback from congressional caseworkers on the timeliness and accuracy of agencies'
196 responses to casework requests.
- 197 16. When communicating with congressional caseworkers in the course of receiving,
198 processing, or responding to casework requests, agencies should ensure that each
199 communication identifies, as appropriate, any applicable legal constraints on the
200 agency's ability to provide the information or assistance requested.
- 201 17. Congress should consider directing its training or administrative offices, such as the
202 Office of the Chief Administrative Officer of the House of Representatives and the
203 Senate's Office of Education and Training, to create a webpage that consolidates
204 links to agencies' SOPs in one place for ready access by congressional caseworkers.
205 Agencies should cooperate with any such effort, including by alerting the designated
206 offices to any changes to the webpage at which their SOPs may be accessed.