

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

S. 3050

To improve executive agency digital services, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. PORTMAN

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “21st Century Inte-

5 grated Digital Experience Act” or the “21st Century

6 IDEA”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) DIRECTOR.—The term “Director” means

10 the Director of the Office of Management and Budg-

11 et.

1 (2) EXECUTIVE AGENCY.—The term “executive
2 agency” has the meaning given the term “Executive
3 agency” in section 105 of title 5, United States
4 Code.

5 **SEC. 3. WEBSITE MODERNIZATION.**

6 (a) REQUIREMENTS FOR NEW WEBSITES AND DIG-
7 ITAL SERVICES.—Not later than 180 days after the date
8 of enactment of this Act, an executive agency that creates
9 a website or digital service that is intended for use by the
10 public, or conducts a redesign of an existing legacy website
11 or digital service that is intended for use by the public,
12 shall ensure to the greatest extent practicable that any
13 new or redesigned website, web-based form, web-based ap-
14 plication, or digital service—

15 (1) is accessible to individuals with disabilities
16 in accordance with section 508 of the Rehabilitation
17 Act of 1973 (29 U.S.C. 794d);

18 (2) has a consistent appearance;

19 (3) does not overlap with or duplicate any leg-
20 acy websites and, if applicable, ensure that legacy
21 websites are regularly reviewed, eliminated, and con-
22 solidated;

23 (4) contains a search function that allows users
24 to easily search content intended for public use;

1 (5) is provided through an industry standard
2 secure connection;

3 (6) is designed around user needs with data-
4 driven analysis influencing management and develop-
5 ment decisions, using qualitative and quantitative
6 data to determine user goals, needs, and behaviors,
7 and continually test the website, web-based form,
8 web-based application, or digital service to ensure
9 that user needs are addressed;

10 (7) provides users of the new or redesigned
11 website, web-based form, web-based application, or
12 digital service with the option for a more customized
13 digital experience that allows users to complete digi-
14 tal transactions in an efficient and accurate man-
15 ner; and

16 (8) is fully functional and usable on common
17 mobile devices.

18 (b) REQUIREMENTS FOR EXISTING EXECUTIVE
19 AGENCY WEBSITES AND DIGITAL SERVICES.—Not later
20 than 1 year after the date of enactment of this Act, the
21 head of each executive agency that maintains a website
22 or digital service that is made available to the public
23 shall—

24 (1) review each website or digital service; and

25 (2) submit to Congress a report that includes—

1 (A) a list of the websites and digital serv-
2 ices maintained by the executive agency that
3 are most viewed or utilized by the public or are
4 otherwise important for public engagement;

5 (B) from among the websites and digital
6 services listed under subparagraph (A), a
7 prioritization of websites and digital services
8 that require modernization to meet the require-
9 ments under subsection (a); and

10 (C) an estimation of the cost and schedule
11 of modernizing the websites and digital services
12 prioritized under subparagraph (B).

13 (c) INTERNAL DIGITAL SERVICES.—The head of each
14 executive agency shall ensure, to the greatest extent prac-
15 ticable, that any Intranet established after the date of en-
16 actment of this Act conforms to the requirements de-
17 scribed in subsection (a).

18 (d) PUBLIC REPORTING.—Not later than 1 year after
19 the date of enactment of this Act and every year thereafter
20 for 4 years, the head of each executive agency shall—

21 (1) report annually to the Director on the
22 progress of the executive agency in implementing the
23 requirements described in this section for the pre-
24 vious year; and

1 (2) include the information described in para-
2 graph (1) in a publicly available report that is re-
3 quired under another provision of law.

4 (e) COMPLIANCE WITH UNITED STATES WEBSITE
5 STANDARDS.—Any website of an executive agency that is
6 made available to the public after the date of enactment
7 of this Act shall be in compliance with the website stand-
8 ards of the Technology Transformation Services of the
9 General Services Administration.

10 **SEC. 4. DIGITIZATION OF GOVERNMENT SERVICES AND**
11 **FORMS.**

12 (a) NON-DIGITAL SERVICES.—Not later than 180
13 days after the date of enactment of this Act, the Director
14 shall issue guidance to the head of each executive agency
15 that establishes a process for the executive agency to—

16 (1) identify public non-digital, paper-based, or
17 in-person Government services; and

18 (2) include in the budget request of the execu-
19 tive agency—

20 (A) a list of non-digital services with the
21 greatest impact that could be made available to
22 the public through an online, mobile-friendly,
23 digital service option in a manner that de-
24 creases cost, increases digital conversion rates,
25 and improves customer experience; and

1 (B) an estimation of the cost and schedule
2 associated with carrying out the modernization
3 described in subparagraph (A).

4 (b) SERVICES REQUIRED TO BE DIGITAL.—The head
5 of each executive agency shall regularly review public-fac-
6 ing applications and services to ensure that those applica-
7 tions and services are, to the greatest extent practicable,
8 made available to the public in a digital format.

9 (c) FORMS REQUIRED TO BE DIGITAL.—Not later
10 than 2 years after the enactment of this Act, the head
11 of each executive agency shall ensure that any paper based
12 form that is related to serving the public is made available
13 in a digital format that meets the requirements described
14 in section 3(a).

15 (d) NON-DIGITIZABLE PROCESSES.—If the head of
16 an executive agency cannot make available in a digital for-
17 mat under this section an in-person Government service,
18 form, or paper-based process, the head of the executive
19 agency shall document—

20 (1) the title of the in-person Government serv-
21 ice, form, or paper-based process;

22 (2) a description of the in-person Government
23 service, form, or paper-based process;

24 (3) each unit responsible for the in-person Gov-
25 ernment service, form, or paper-based process and

1 the location of each unit in the organizational hier-
2 archy of the executive agency;

3 (4) any reasons why the in-person Government
4 service, form, or paper-based process cannot be
5 made available under this section; and

6 (5) any potential solutions that could allow the
7 in-person Government service, form, or paper-based
8 process to be made available under this section, in-
9 cluding the implementation of existing technologies,
10 procedural changes, regulatory changes, and legisla-
11 tive changes.

12 (e) **PHYSICAL AVAILABILITY.**—Each executive agen-
13 cy shall maintain an accessible method of completing dig-
14 ital services through in-person, paper-based, or other
15 means, such that individuals without the ability to use dig-
16 ital services are not deprived of or impeded in access to
17 those digital services.

18 **SEC. 5. ELECTRONIC SIGNATURES.**

19 Not later than 180 days after the date of the enact-
20 ment of this Act, the head of each executive agency shall
21 submit to the Director and the appropriate congressional
22 committees a plan to accelerate the use of electronic signa-
23 tures standards established under the Electronic Signa-
24 tures in Global and National Commerce Act (15 U.S.C.
25 7001 et seq.).

1 **SEC. 6. CUSTOMER EXPERIENCE AND DIGITAL SERVICE DE-**
2 **LIVERY.**

3 The Chief Information Officer of each executive agen-
4 cy, or a designee, shall—

5 (1) coordinate and ensure alignment of the in-
6 ternal and external customer experience programs
7 and strategy of the executive agency;

8 (2) coordinate with the management leaders of
9 the executive agency, including the head of the execu-
10 tive agency, the Chief Financial Officer, and any
11 program manager, to ensure proper funding to sup-
12 port the implementation of this Act;

13 (3) continually examine the digital service deliv-
14 ery strategy of the executive agency to the public
15 and submit recommendations to the head of the ex-
16 ecutive agency providing guidance and best practices
17 suitable to the mission of the executive agency;

18 (4) using qualitative and quantitative data ob-
19 tained from across the executive agency relating to
20 the experience and satisfaction of customers, identify
21 areas of concern that need improvement and im-
22 prove the delivery of customer service;

23 (5) coordinate and ensure, with the approval of
24 the head of the executive agency, compliance by the
25 executive agency with section 3559 of title 44,
26 United States Code; and

1 (6) to the extent practicable, coordinate with
2 other agencies and seek to maintain as much stand-
3 ardization and commonality with other agencies as
4 practicable in implementing the requirements of this
5 Act, to best enable future transitions to centralized
6 shared services.

7 **SEC. 7. STANDARDIZATION.**

8 (a) DESIGN AND IMPLEMENTATION.—Each executive
9 agency shall, to the extent practicable, seek to maintain
10 as much standardization and commonality with other execu-
11 tive agencies as practicable in implementing the require-
12 ments of this Act to best enable future transitions to cen-
13 tralized shared services.

14 (b) COORDINATION.—The Chief Information Officer
15 of each executive agency, or a designee, shall coordinate
16 the implementation of the requirements of this Act, includ-
17 ing the development of standards and commonalities.

18 (c) FEDERAL SUPPLY SCHEDULE.—

19 (1) IN GENERAL.—The General Services Ad-
20 ministration shall make available under a Federal
21 Supply Schedule the systems and services necessary
22 to fulfill the requirements of this Act.

23 (2) REQUIREMENTS.—The Federal Supply
24 Schedule described in paragraph (1) shall, to the ex-
25 tent practicable, ensure interoperability between ex-

1 executive agencies, compliance with industry stand-
2 ards, and adherence to best practices for design, ac-
3 cessibility, and information security.