

115TH CONGRESS }
1st Session }

SENATE

{ REPORT
115-195

CONNECTED GOVERNMENT ACT

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 1769

TO REQUIRE A NEW OR UPDATED FEDERAL WEBSITE THAT IS
INTENDED FOR USE BY THE PUBLIC TO BE MOBILE FRIENDLY,
AND FOR OTHER PURPOSES



DECEMBER 14, 2017.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

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Mr. JOHNSON, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 1769]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 1769) to require a new or updated Federal website that is intended for use by the public to be mobile friendly, and for other purposes, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 1769, the Connected Government Act, requires agencies to ensure that, to the greatest extent practicable, new or redesigned Government websites that are intended for public use are mobile-friendly.

II. BACKGROUND AND THE NEED FOR LEGISLATION

As of 2015, 75 percent of households in the United States have a mobile device such as a phone or tablet, and 77 percent have a broadband Internet subscription.¹

While desktop Internet usage is high, utilization of desktops is trending negative due to more convenient and assessable devices such as mobile phones and tablets.² A recent study found that in 2015, 49 percent of U.S. households used a mobile device as their only means of accessing the Internet.³ In 2016, it was reported that mobile devices were used more often than desktop computers to access the Internet for the first time.⁴

Given the broad and growing use of mobile devices to access the Internet, it is important for the Federal Government to ensure that its public websites are easily accessible using a mobile device and have features that make the websites mobile-friendly. S. 1769 requires all new and redesigned Federal Government websites that are intended to be accessed by the public to be designed in a manner that makes them easily accessible by mobile devices. A substitute amendment was adopted to clarify that redesigned, in addition to new, websites must be mobile-friendly, and that agencies must ensure that websites are mobile-friendly “to the greatest extent practicable.”

The legislation also requires that the Office of Management and Budget (OMB) and the General Services Administration (GSA) issue a report assessing compliance with provisions of the bill 18 months after enactment.

III. LEGISLATIVE HISTORY

Senator Margaret Hassan (D–NH) introduced S. 1769, the Connected Government Act, on September 7, 2017, with Senator Cory Gardner (R–CO). The bill was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered S. 1769 at a business meeting on October 4, 2017. During the business meeting a substitute amendment was offered by Senator Hassan and accepted by unanimous consent. The bill, as amended, was ordered reported favorably *en bloc* by voice vote. Senators present for the vote were Johnson, Lankford, Daines, McCaskill, Tester, Heitkamp, Hassan, and Harris.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section establishes that the bill may be cited as the “Connected Government Act.”

¹ Camille Ryan & Jaime M. Lewis, United States Census Bureau, ACS–37, Computer and Internet Use in the United States: 2015 3 (2017).

² Adam Lella, *Smartphone Usage Has Doubled In The Past Three Years*, comScore (Jan. 27, 2017), <https://www.comscore.com/Insights/Blog/Smartphone-Usage-Has-Doubled-in-the-Past-Three-Years>.

³ Freddie Blicher, *2016/2017 Mobile Analysis: Mobile Device Trends on Government Websites*, DigitalGov (Aug. 14, 2017), <https://www.digitalgov.gov/2017/08/14/20162017-mobile-analysis-mobile-device-trends-on-government-websites/>.

⁴ Press Release, Statcounter GlobalStats, Mobile and tablet internet usage exceed desktop for first time worldwide (Nov. 1, 2016), <http://gs.statcounter.com/press/mobile-and-tablet-internet-usage-exceeds-desktop-for-first-time-worldwide>.

Section 2. Federal websites required to be mobile friendly

This section requires that if an agency creates or conducts a redesign of a website that is intended for public use, that the agency to the greatest extent practicable make the website mobile-friendly. This section also requires that the Director of OMB and the Administrator of GSA submit a report to Congress not later than 18 months after enactment that provides an update on the compliance of agencies with this bill.

This section also defines the terms “agency” and “mobile-friendly.”

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 12, 2017.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1769, the Connected Government Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

KEITH HALL,
Director.

Enclosure.

S. 1769—Connected Government Act

S. 1769 would require all federal agencies that create or update a website intended for use by the public to ensure that the website is mobile friendly. A mobile friendly website is defined as one that is configured in such a way that it may be easily navigated and viewed on a smartphone, tablet computer, or similar mobile device. In addition, the Office of Management and Budget (OMB) and the General Services Administration (GSA), would report on the implementation of these requirements within 18 months.

Under current executive branch guidance (see OMB Memorandum M-17-06, which was issued on November 8, 2016) all new or redesigned federal websites must allow for access by mobile devices. In addition, GSA’s Digital Government Division works with agencies to help them provide electronic information and services to the public in any digital form. Because of those ongoing efforts,

CBO estimates that implementing S. 1769 would have no significant cost.

Enacting S. 1769 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 1769 would not increase direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 1769 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On September 22, 2017, CBO transmitted a cost estimate for H.R. 2331, the Connected Government Act, as ordered reported by the House Committee on Oversight and Government Reform on September 13, 2017. The two pieces of legislation are similar, and CBO's estimates of the budgetary effects are the same.

The CBO staff contact for this estimate is Matthew Pickford. This estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

Because this legislation would not repeal or amend any provision of current law, it would not make changes in existing law within the meaning of clauses (a) and (b) of paragraph 12 of rule XXVI of the Standing Rules of the Senate.