

116TH CONGRESS
1ST SESSION

S. 1616

To amend title VII of the Social Security Act to improve the Social Security Administration's procedures to close or reduce access to field offices, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2019

Ms. BALDWIN (for herself and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title VII of the Social Security Act to improve the Social Security Administration's procedures to close or reduce access to field offices, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Maintain Access to
5 Vital Social Security Services Act of 2019”.

6 **SEC. 2. FIELD OFFICES.**

7 (a) IN GENERAL.—Title VII of the Social Security
8 Act (42 U.S.C. 701 et seq.) is amended by adding at the
9 end the following:

1 **“SEC. 714. FIELD OFFICES.**

2 “(a) IN GENERAL.—The Commissioner shall operate
3 a sufficient number of field offices and employ an ade-
4 quate number of personnel at each field office to—

5 “(1) provide comprehensive, convenient, and ac-
6 cessible services to the public;

7 “(2) meet current and projected workloads, in-
8 cluding consideration of anticipated workload or
9 population changes identified through a service area
10 review; and

11 “(3) minimize wait times at each field office.

12 “(b) PROCEDURE TO CLOSE OR REDUCE ACCESS TO
13 A FIELD OFFICE.—

14 “(1) IN GENERAL.—

15 “(A) REQUIREMENT TO FOLLOW PROCE-
16 DURE.—The Commissioner may not take any
17 action described in subparagraph (B) with re-
18 spect to a field office except in accordance with
19 this subsection.

20 “(B) COVERED ACTIONS.—The actions de-
21 scribed in this subparagraph with respect to a
22 field office are the following:

23 “(i) Permanently closing a field office,
24 including by ending or electing not to
25 renew a lease for a field office.

1 “(ii) Ending, or electing not to renew,
2 a lease for any field office.

3 “(iii) Consolidating the field office
4 with one or more other field offices.

5 “(iv) Any other action that would im-
6 pose a new limitation on public access or
7 reduce in person services at a field office.

8 “(2) NOTIFICATION OF ANTICIPATED ACTION.—

9 “(A) IN GENERAL.—Not later than 90
10 days before the date on which the Commis-
11 sioner intends any action described in para-
12 graph (1)(B) with respect to a field office to
13 take effect, the Commissioner shall promulgate
14 a public notification of such action that includes
15 the following information:

16 “(i) An identification of the field of-
17 fice.

18 “(ii) The date on which such action is
19 intended to take effect.

20 “(iii) The reasons for taking such ac-
21 tion, including, if applicable, the reasons
22 for rejecting any available alternative ac-
23 tions such as relocation of the field office
24 and the role, if any, played by the General

1 Services Administration in contributing to
2 such decision.

3 “(iv) The date, time, and location of
4 the public hearings to be held pursuant to
5 paragraph (3).

6 “(v) Any alternative means of receiv-
7 ing assistance related to social security
8 which may be used by individuals served by
9 the field office.

10 “(vi) Contact information, including
11 by phone and internet, by which individ-
12 uals may inquire for more information re-
13 lated to such action.

14 In promulgating a notification under this para-
15 graph, the Commissioner shall post such notifi-
16 cation at the affected field office and other
17 nearby field offices, mail such notification to
18 residents in the area served by such field of-
19 fices, publish such notification in newspapers
20 printed in such area, or take such other actions
21 as the Commissioner determines to be nec-
22 essary.

23 “(B) CONGRESSIONAL NOTIFICATION.—As
24 soon as practicable and not later than 180 days
25 before the date on which the Commissioner in-

tends any action described in paragraph (1)(B) with respect to a field office to take effect, the Commissioner shall provide written notification to each member of Congress and Senator whose constituents are served by such field office.

“(C) LOCAL GOVERNMENT NOTIFICATION AND INVOLVEMENT.—As soon as practicable and not later than 180 days before the date on which the Commissioner intends any action described in paragraph (1) (B) with respect to a field office to take effect, the Commissioner shall provide written notification to any unit of local government within the service area of such field office and provide the opportunity for local governments to propose alternatives for such action.

“(3) OPPORTUNITY FOR PUBLIC COMMENT.—

“(A) PUBLIC HEARING.—Not earlier than 30 days and not later than 120 days after a notification is published under paragraph (2) with respect to any action described in paragraph (1)(B) with respect to a field office, the Commissioner shall hold not fewer than two public hearings in the geographic area served by the field office, at which the Commissioner shall—

1 “(i) present the reasons for taking
2 such action, including the criteria used to
3 select the field office for such action and,
4 if applicable, the reasons for rejecting any
5 available alternative actions such as reloca-
6 tion of the field office within the area
7 served;

8 “(ii) describe the Social Security Ad-
9 ministration’s plan to mitigate disruption
10 in service for the community served by the
11 field office, including any special needs of
12 the community and any anticipated impact
13 on vulnerable populations such as the el-
14 derly, individuals with disabilities, and
15 those with language or mobility challenges;
16 and

17 “(iii) provide an opportunity for pub-
18 lic comment, including an opportunity to
19 recommend alternatives to such action.

20 “(B) SUBMISSION OF WRITTEN COM-
21 MENTS.—The Commissioner shall accept writ-
22 ten comments from the public relating to such
23 action during the period described in subpara-
24 graph (A), which shall be posted on the website
25 of the Social Security Administration.

1 “(4) PUBLIC REPORT ON HEARING.—Not later
2 than 15 days before the date on which any action
3 described in paragraph (1)(B) with respect to a field
4 office takes effect, the Commissioner shall promi-
5 nently publish on the website of the Social Security
6 Administration a written report that describes the
7 action the Commissioner intends to take with re-
8 spect to the field office after giving full consideration
9 to, any alternatives proposed by local governments
10 pursuant to paragraph (2)(c) and any public com-
11 ments received during the period described in para-
12 graph (3)(A). Such report shall include a response
13 by the Commissioner to each unique written com-
14 ment received during such period. Not later than 3
15 days after such report has been published, the Com-
16 missioner shall notify each person who submitted
17 written comments under paragraph (3)(B). The
18 Commissioner shall submit a copy of such report to
19 each member of Congress identified pursuant to
20 paragraph (2)(B), the Committees on Appropria-
21 tions of the House of Representatives and the Sen-
22 ate, the Committee on Ways and Means of the
23 House of Representatives, and the Committee on Fi-
24 nance of the Senate.

1 “(5) APPROVAL BY INSPECTOR GENERAL OF
 2 THE SOCIAL SECURITY ADMINISTRATION.—No action
 3 described in paragraph (1)(B) may go into effect
 4 until the Inspector General of the Social Security
 5 Administration has determined that the Commis-
 6 sioner substantially and procedurally complied with
 7 all applicable laws, regulations, and guidelines with
 8 respect to such action.”.

9 (b) MORATORIUM.—The Commissioner may not take
 10 any action described in section 714(b)(1)(B) of the Social
 11 Security Act (42 U.S.C. 914(b)(1)(B)) with respect to a
 12 field office until the date that is 30 days after the date
 13 on which the Inspector General of the Social Security Ad-
 14 ministration provides a written determination that the
 15 amendments made by subsection (a) have been fully imple-
 16 mented by the Social Security Administration, except that
 17 in the case of such an action related to health and safety
 18 reviewed by the Inspector General, such action may take
 19 effect for a period not to exceed 30 days unless the Com-
 20 missioner provides public notice explaining the need to ex-
 21 tend such period.

22 **SEC. 3. ANNUAL BUDGET.**

23 (a) IN GENERAL.—Section 704(b)(1)(B) of the So-
 24 cial Security Act (42 U.S.C. 904(b)(1)(B)) is amended by

1 striking “subparagraph (A)” and all that follows through
 2 the end and inserting the following: “subparagraph (A)—

3 “(i) an itemization of the amount of funds required
 4 by the Social Security Administration for the fiscal year
 5 covered by the budget to support efforts to combat fraud
 6 committed by applicants and beneficiaries; and

7 “(ii) a list of any field offices with respect to which
 8 the Social Security Administration intends to take any ac-
 9 tion described in section 714(b)(1)(B) during the fiscal
 10 year covered by the budget.”.

11 (b) **DISPLAY ON WEBSITE.**—Section 704(b)(1) of the
 12 Social Security Act (42 U.S.C. 904(b)(1)) is amended by
 13 adding at the end the following:

14 “(C) Not later than 7 days after the submission of
 15 an annual budget prepared pursuant to subparagraph (A),
 16 the Commissioner shall make available on the website of
 17 the Social Security Administration the information de-
 18 scribed in clause (ii) of subparagraph (B).”.

19 **SEC. 4. RECOMMENDATIONS OF SOCIAL SECURITY ADVI-**
 20 **SORY BOARD.**

21 Section 703(b)(4) of title VII of the Social Security
 22 Act (42 U.S.C. 903(b)(4)) is amended by striking “public”
 23 and inserting “public, taking into account the impact of
 24 closing field offices on the quality of service to individuals

1 with disabilities or language barriers or other vulnerable
2 populations”.

3 **SEC. 5. REPORT TO CONGRESS.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Commissioner shall submit to the
6 Committee on Ways and Means of the House of Rep-
7 resentatives and the Committee on Finance of the Senate
8 a report that—

9 (1) includes a list of all field offices closed dur-
10 ing the 5-year period ending on the date of enact-
11 ment of this Act, the reason for each such closure,
12 and any impacts of each such closure on wait-times
13 and staffing at nearby affected field offices;

14 (2) describes the role played by the Government
15 Services Administration (GSA) in each of the field
16 office closings in identifying any available alternative
17 actions such as relocation of the field office, includ-
18 ing a detailed description of—

19 (A) the number of alternative locations
20 identified by the GSA during each closure pro-
21 cedure;

22 (B) whether the GSA sought input (and
23 the means by which that input was solicited) on
24 alternative locations from State or local public
25 officials or the public in the affected service

1 area (including how many days, weeks, months,
2 or years prior to the closing the GSA sought
3 such input) and the most common cited reasons
4 for not finding suitable alternative locations
5 prior to closing a field office; and

6 (C) any recommendations for how to im-
7 prove the transparency and adequacy of the
8 process for soliciting and determining the ap-
9 propriateness of alternative space for relocation
10 prior to closing a field office; and

11 (3) describes a plan—

12 (A) to ensure that field offices are receiv-
13 ing sufficient resources to maintain at least the
14 level of constituent services provided in the pre-
15 vious fiscal year; and

16 (B) to adequately address the increasing
17 number of individuals projected to use field of-
18 fices during the 10-year period beginning on the
19 date of enactment of this Act.

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