

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.

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## 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

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## 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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