

112TH CONGRESS
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S. 3489

To protect senior citizens, disabled persons, veterans, and other beneficiaries and customers of the Social Security Administration by reforming the process for closure of field offices.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Mr. BROWN of Massachusetts introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To protect senior citizens, disabled persons, veterans, and other beneficiaries and customers of the Social Security Administration by reforming the process for closure of field offices.

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 “Good Neighbor Social
5 Security Office and Community Protection Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that:

1 (1) As of March 2012, more than 61,000,000
2 Americans received benefits from the Social Security
3 Administration.

4 (2) Americans depend upon convenient access
5 to Social Security Administration field offices.

6 (3) The Social Security Administration faces
7 growing financial constraints consistent with the fis-
8 cal emergency faced by the Nation.

9 (4) Americans rightly expect the Social Security
10 Administration to meet its financial objectives
11 through methods that preserve service standards to
12 the highest degree possible.

13 (5) The Social Security Administration is in the
14 process of closing large numbers of field offices in an
15 effort that is expected to last several years.

16 (6) The Social Security Administration is clos-
17 ing field offices without adequate community input
18 and process transparency.

19 (7) The shortcomings in the Social Security Ad-
20 ministration's process for closing field offices are
21 due in part to an absence of a statutorily defined
22 field office closure procedures that protect the inter-
23 ests of all interested parties.

24 (8) Social Security beneficiaries and the com-
25 munities surrounding Social Security field offices de-

1 serve notice of office closures, an opportunity to
2 offer comment and have those comments given due
3 consideration, and a clear plan to minimize service
4 disruption from an office closure.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) ADMINISTRATION.—The term “Administra-
8 tion” means the Social Security Administration.

9 (2) CLOSURE.—The term “closure” includes
10 any realignment, consolidation, or merger of an Ad-
11 ministration field office.

12 (3) COMMISSIONER.—The term “Commis-
13 sioner” means the Commissioner of Social Security.

14 (4) STATE.—The term “State” means each of
15 the 50 States, the District of Columbia, the Com-
16 monwealth of Puerto Rico, the United States Virgin
17 Islands, Guam, American Samoa, and the Common-
18 wealth of the Northern Mariana Islands.

19 **SEC. 4. GUIDELINES AND STANDARDIZED PROCEDURES**
20 **FOR CLOSURE OF SOCIAL SECURITY ADMIN-**
21 **ISTRATION FIELD OFFICES.**

22 (a) GUIDELINES FOR IDENTIFICATION OF OFFICES
23 FOR POSSIBLE CLOSURE.—Not later than 180 days after
24 the date of enactment of this Act, the Commissioner shall
25 develop and publish—

1 (1) financial guidelines that may be used to
2 identify Administration field offices for possible clo-
3 sure; and

4 (2) standardized closure procedures that meet
5 the requirements of section 5.

6 (b) NON-BINDING.—The financial guidelines and
7 standardized closure procedures developed under sub-
8 section (a) shall provide that identification of an Adminis-
9 tration field office for possible closure shall not require
10 the Commissioner to begin closure procedures for any field
11 office identified as a result of the application of such
12 guidelines or the initiation of such procedures.

13 **SEC. 5. REQUIREMENTS FOR CLOSURE OF SOCIAL SECUR-**
14 **ITY ADMINISTRATION FIELD OFFICES.**

15 (a) OFFICE CLOSURE AND SERVICE CONTINUITY
16 PROPOSAL.—In any case where the Commissioner has
17 identified an Administration field office for possible clo-
18 sure as a result of the application of the financial guide-
19 lines developed under section 4 and decides to initiate pro-
20 cedures to close that field office, the Commissioner shall
21 develop an office closure and service continuity proposal
22 for the office that contains the following information:

23 (1) The financial justification for the proposed
24 office closure, with estimated savings in costs relat-
25 ing to real estate, labor, and miscellaneous expenses.

1 (2) The estimated cost of the office closure.

2 (3) Data for monthly customer traffic at the of-
3 fice.

4 (4) The location of the two nearest Administra-
5 tion field offices that would remain open after the
6 office closure.

7 (5) The estimated travel time, by private vehicle
8 and public transit, from the Administration field of-
9 fice proposed for closure and the two nearest Admin-
10 istration field offices that would remain open after
11 the office closure.

12 (6) The steps the Administration plans to take
13 to mitigate any hardship created by the office clo-
14 sure.

15 (7) The names and addresses of governmental
16 agencies and community organizations to be notified
17 in accordance with subsection (b).

18 (8) The postal and electronic addresses for
19 which public comments may be sent in accordance
20 with subsection (c).

21 (b) NOTICES REQUIRED PRIOR TO FINAL CLOSURE

22 DECISION.—

23 (1) IN GENERAL.—Not less than 90 days prior
24 to the proposed closure date for an Administration
25 field office, the Commissioner shall—

1 (A) provide copies of the office closure and
2 service continuity proposal developed for the
3 Administration field office to—

4 (i) the chief executive office of the
5 State in which field office proposed for clo-
6 sure is located;

7 (ii) the chief executive officers for the
8 county and city government jurisdictions in
9 which the field office proposed for closure
10 is located; and

11 (iii) the head of the social services
12 agencies that receive Federal funds that
13 are located within a 10-mile radius of the
14 field office proposed for closure;

15 (B) publish the proposal in newspapers
16 whose circulation area includes areas served by
17 the field office proposed for closure; and

18 (C) broadcast the proposal over Federally
19 licensed radio stations whose broadcast area in-
20 cludes areas served by the field office proposed
21 for closure.

22 (2) RECORDS.—The Commissioner shall main-
23 tain records of the dates on which the notices, publi-
24 cations, and broadcasts required under paragraph
25 (1) are made.

1 (c) PUBLIC COMMENT REQUIRED PRIOR TO FINAL
2 CLOSURE DECISION.—

3 (1) IN GENERAL.—The Commissioner shall hold
4 at least 1 hearing at which public comments may be
5 made prior making any final decision to close an Ad-
6 ministration field office. The Commissioner also
7 shall provide postal and electronic addresses for
8 which written comments regarding the proposed clo-
9 sure may be submitted.

10 (2) NOTICE.—The date and time for the public
11 comment hearing on the proposed closure of an Ad-
12 ministration field office shall be included in the no-
13 tices, publications, and broadcasts required under
14 subsection (b).

15 (3) TIMING.—The public comment hearing shall
16 be held at least 21 days after notice of the date and
17 time for the hearing is made in accordance with
18 paragraph (2) and at least 60 days prior to the pro-
19 posed closure date for the Administration field of-
20 fice.

21 (4) ATTENDANCE.—The Regional Commis-
22 sioner for the region in which the Administration
23 field office proposed for closure is located shall at-
24 tend the public comment hearing. Only in cases
25 where Regional Commissioner is, in good faith, un-

1 able to attend the hearing, may a designated rep-
2 resentative attend the public comment hearing in
3 lieu of the Regional Commissioner.

4 (5) **FORMAT.**—The public comment hearing
5 shall be conducted as follows:

6 (A) The hearing shall begin with a presen-
7 tation by the Commissioner of the case for clo-
8 sure of the field office.

9 (B) The hearing shall then provide at least
10 1 hour following the conclusion of the presen-
11 tation of the case for closure for comments
12 from elected officials.

13 (C) Following the conclusion of the period
14 for comment from elected officials, the hearing
15 shall then provide at least 1 hour for comments
16 from the public.

17 (6) **RECORDS.**—The Commissioner shall main-
18 tain a record of the comments provided at the hear-
19 ing and shall include in the record any written com-
20 ments received regarding the proposed closure of the
21 field office. The Commissioner shall publish the
22 record on the Administration Web site within 5 days
23 after the conclusion of the public comment hearing.

24 (d) **FINAL CLOSURE DECISION.**—

1 (1) IN GENERAL.—The Commissioner shall
2 issue a final closure decision regarding an Adminis-
3 tration field office only after review of the comments
4 received regarding the closure and evaluation of any
5 alternatives to closing the office that are made at
6 the public comment hearing or through written sub-
7 mission.

8 (2) NOTICE.—Notice of the Commissioner’s
9 final closure decision with respect to an Administra-
10 tion field office shall be published on the Adminis-
11 tration Web site and shall be distributed, published,
12 and broadcast in the same manner as notice of the
13 office closure and service continuity proposal is made
14 under subsection (b).

15 (3) DECISION TO CLOSE.—If the Commis-
16 sioner’s final closure decision is to close a field of-
17 fice, the Commissioner shall amend the office closure
18 and service continuity proposal for the field office to
19 incorporate additional information obtained during
20 the public comment period.

21 (4) TIMING.—Notice of the Commissioner’s
22 final closing decision shall be provided at least 45
23 days prior to a closing date for a field office.

24 (e) ADDITIONAL REQUIREMENTS.—The Commis-
25 sioner shall continue to operate an Administration field

1 office proposed for closure in good faith and with the as-
2 sumption of continued service, until notice of the Commis-
3 sioner's final closure decision is made. The Commissioner
4 shall not take any action to close an Administration field
5 office prior to providing notice of the Commissioner's final
6 closure decision, including—

7 (1) terminating or providing notice to terminate
8 any real estate lease, rental, or similar arrangement;

9 (2) concluding agreements with collective bar-
10 gaining units related to the office closure;

11 (3) making expenditures related to the proposed
12 office closure, except those necessary to fulfill the re-
13 quirements of this Act; and

14 (4) entering into contracts related to the pro-
15 posed office closure, except those necessary to fulfill
16 the process requirements of this Act.

17 (f) EXTENSIONS OF TIME FOR CLOSURE.—The Com-
18 missioner may—

19 (1) toll any time periods for action established
20 by this Act, provided that an equivalent delay in the
21 proposed closing date is made; and

22 (2) delay the proposed closing date for an Ad-
23 ministration field office at any time in the closing
24 process, including, if the final closure decision is to
25 close the office, after making that decision.

1 **SEC. 6. NON-APPLICABILITY TO DISPOSAL OF REAL PROP-**
2 **ERTY RELATED TO CLOSED OFFICES.**

3 Nothing in this Act shall be construed to prevent or
4 delay the speedy disposal of surplus Government real
5 property, including any Administration field offices closed
6 in accordance with the requirements of this Act.

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