

117TH CONGRESS
1ST SESSION

H. R. 1272

To require Federal agencies to conduct a benefit-cost analysis on relocations involving the movement of employment positions to different areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2021

Ms. WEXTON (for herself, Mr. BEYER, Ms. BONAMICI, Mr. BROWN, Mr. CONNOLLY, Mr. FOSTER, Ms. NORTON, Mr. RASKIN, Mr. SARBANES, and Ms. SCANLON) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To require Federal agencies to conduct a benefit-cost analysis on relocations involving the movement of employment positions to different areas, 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 “Congressional Over-
5 sight to Secure Transparency of Relocations Act” or the
6 “COST of Relocations Act”.

1 **SEC. 2. BENEFIT-COST ANALYSIS ON CERTAIN RELOCA-**
2 **TIONS.**

3 (a) IN GENERAL.—Except as provided in subsection
4 (d), a Federal agency may not carry out a covered reloca-
5 tion unless, prior to any submission to the Office of Man-
6 agement and Budget or other reviewing entity regarding
7 such relocation—

8 (1) such agency—

9 (A) conducts a benefit-cost analysis on the
10 covered relocation; and

11 (B) submits to the Office of Inspector
12 General for such agency a report on the find-
13 ings of the benefit-cost analysis and including
14 such other information such Office of Inspector
15 General determines necessary for compliance
16 with subsection (c); and

17 (2) such Office of Inspector General reviews the
18 report and submits to Congress the report described
19 in subsection (c).

20 (b) BENEFIT-COST ANALYSIS.—

21 (1) IN GENERAL.—The benefit-cost analysis de-
22 scribed in subsection (a)(1) shall be conducted in a
23 manner consistent with the economic and social
24 science principles articulated in the guidance appli-
25 cable to relocations in the Office of Management and

1 Budget Circular A-4, as in effect on September 17,
2 2003.

3 (2) ANALYSIS REPORT.—

4 (A) CONTENTS.—The report described in
5 subsection (a)(1)(B) shall include, at a min-
6 imum—

7 (i) the anticipated outcomes and im-
8 provements that will result from the pro-
9 posed relocation, quantified in monetary or
10 other appropriate measures to the extent
11 practicable;

12 (ii) an explanation of how the pro-
13 posed relocation will result in the antici-
14 pated outcomes and improvements;

15 (iii) the metrics for measuring wheth-
16 er the proposed relocation results in the
17 anticipated outcomes and improvements;

18 (iv) a detailed employee engagement
19 plan;

20 (v) a list of stakeholders;

21 (vi) a timeline of past and future en-
22 gagements with stakeholders regarding the
23 proposed relocation;

24 (vii) an assessment of how the pro-
25 posed relocation may affect stakeholders—

1 (I) served by the positions af-
2 fected by the relocation; and

3 (II) in the destination agency or
4 region;

5 (viii) a comprehensive strategy for ac-
6 complishing the proposed relocation that
7 includes—

8 (I) staffing, resourcing, and fi-
9 nancial needs;

10 (II) an implementation timeline
11 identifying milestones and the persons
12 accountable for meeting such mile-
13 stones;

14 (III) a risk assessment; and

15 (IV) a risk mitigation plan;

16 (ix) an analysis of the effect the pro-
17 posed relocation may have on the ability of
18 the Federal agency to carry out its mission
19 during the relocation and thereafter; and

20 (x) an assessment of the short- and
21 long-term effects of the relocation on the
22 mission of the Federal agency.

23 (B) PUBLICATION.—A Federal agency
24 shall make publicly available the report de-
25 scribed in subsection (a)(1)(B) in a form that

1 excludes any proprietary information or trade
2 secrets of any person and other confidential in-
3 formation.

4 (c) INSPECTOR GENERAL REPORT TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date on which a Federal agency submits a report
7 under subsection (a)(1)(B), the Office of Inspector
8 General for that agency shall submit to the Com-
9 mittee on Homeland Security and Governmental Af-
10 fairs of the Senate, the Committee on Environment
11 and Public Works of the Senate, the Committee on
12 Oversight and Reform of the House of Representa-
13 tives, and the Committee on Transportation and In-
14 frastructure of the House of Representatives a re-
15 port on the findings of the review conducted under
16 subsection (a)(2), including—

17 (A) detailed descriptions of the data used
18 in the benefit-cost analysis described in sub-
19 section (a)(1), including the types of data and
20 the time periods covered by the data;

21 (B) the conclusions of the benefit-cost
22 analysis and the analysis underlying such con-
23 clusions; and

24 (C) a comprehensive assessment of—

1 (i) the extent to which the Federal
2 agency adhered to the guidance in the Of-
3 fice of Management and Budget Circular
4 A-4, as in effect on September 17, 2003,
5 in conducting the benefit-cost analysis, in-
6 cluding a determination whether such ad-
7 herence is sufficient to justify the use of
8 Federal funds for the relocation involved;
9 and

10 (ii) if the relocation involves moving
11 positions from inside the National Capital
12 Region to outside the National Capital Re-
13 gion, the extent to which real estate op-
14 tions in the National Capital Region were
15 compared to those in the destination as
16 part of that analysis.

17 (2) EXCLUSIONS.—

18 (A) IN GENERAL.—The Office of Inspector
19 General for a Federal agency shall exclude from
20 any report described in this subsection any pro-
21 prietary information or trade secrets of any per-
22 son and other confidential information.

23 (B) EXPLANATION AND DESCRIPTION RE-
24 QUIRED.—For each exclusion under subpara-
25 graph (A), the Office of Inspector General shall

1 include an explanation of the reason for the ex-
2 clusion and a description of the information ex-
3 cluded in an appropriate location in the relevant
4 report.

5 (d) OTHER REQUIREMENTS NOT ABROGATED.—
6 Nothing in this Act shall be construed to abrogate, reduce,
7 or eliminate any requirements imposed by law pertaining
8 to any relocation of a Federal agency or component of a
9 Federal agency.

10 (e) DEFINITIONS.—In this Act:

11 (1) ADMINISTRATIVE REDELEGATION OF FUNC-
12 TION.—The term “administrative redelegation of
13 function” means a Federal agency establishing new
14 positions within the agency that replace existing po-
15 sitions within the agency and perform the functions
16 of the positions replaced.

17 (2) COVERED RELOCATION.—The term “cov-
18 ered relocation” means—

19 (A) an administrative redelegation of func-
20 tion which, by itself or in conjunction with
21 other related redelegations, involves replacing
22 the existing positions of more than the lesser of
23 5 percent or 100 of the employees of the rel-
24 evant Federal agency with new positions located
25 outside the commuting area of such employees;

1 (B) moving a Federal agency or any com-
2 ponent of a Federal agency if such move, by
3 itself or in conjunction with other related
4 moves, involves moving the positions of more
5 than the lesser of 5 percent or 100 of the em-
6 ployees of the Federal agency outside the com-
7 muting area of such employees or under the ju-
8 risdiction of another Federal agency; or

9 (C) a combination of related redelegations
10 and moves which together involve the positions
11 of more than the lesser of 5 percent or 100 of
12 the employees of the relevant Federal agency
13 being moved to or replaced with new positions
14 located outside the commuting area of such em-
15 ployees or moved under the jurisdiction of an-
16 other Federal agency.

17 (3) EMPLOYEE.—The term “employee” means
18 an employee or officer of a Federal agency.

19 (4) FEDERAL AGENCY.—The term “Federal
20 agency” has the meaning given the term “agency”
21 in section 902 of title 5, United States Code.

22 (5) NATIONAL CAPITAL REGION.—The term
23 “National Capital Region” has the meaning given

1 such term in section 8702 of title 40, United States
2 Code.

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