

118TH CONGRESS
1ST SESSION

H. R. 1106

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 17, 2023

Ms. WEXTON (for herself, Mr. BEYER, Mr. CONNOLLY, Mr. TRONE, Ms. NORTON, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on Oversight and Accountability

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 covered 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 covered relocation, quantified in
10 monetary or other appropriate measures to
11 the extent practicable;

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

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

19 (iv) a detailed employee engagement
20 plan;

21 (v) a list of stakeholders;

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

1 (vii) an assessment of how the pro-
2 posed covered relocation may affect stake-
3 holders—

4 (I) served by the positions af-
5 fected by the covered relocation; and

6 (II) in the destination agency or
7 region;

8 (viii) a comprehensive strategy for ac-
9 complishing the proposed covered reloca-
10 tion that includes—

11 (I) staffing, resourcing, and fi-
12 nancial needs;

13 (II) an implementation timeline
14 identifying milestones and the persons
15 accountable for meeting such mile-
16 stones;

17 (III) a risk assessment;

18 (IV) a risk mitigation plan; and

19 (V) a diversity management
20 strategy including—

21 (aa) a strategy for sus-
22 taining diversity and inclusion;

23 and

1 (bb) documentation of ongoing succession and recruiting
2 planning processes;

3 (ix) an analysis of the effect the proposed covered relocation may have on the
4 ability of the Federal agency to carry out
5 its mission during the covered relocation
6 and thereafter; and

7 (x) an assessment of the short- and
8 long-term effects of the covered relocation
9 on the mission of the Federal agency.

10 (B) PUBLICATION.—A Federal agency
11 shall make publicly available the report described in subsection (a)(1)(B) in a form that
12 excludes any proprietary information or trade
13 secrets of any person and other confidential information.
14

15 (c) INSPECTOR GENERAL REPORT TO CONGRESS.—

16 (1) IN GENERAL.—Not later than 90 days after
17 the date on which a Federal agency submits a report
18 under subsection (a)(1)(B), the Office of Inspector
19 General for that agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on

1 Oversight and Reform of the House of Representa-
2 tives, and the Committee on Transportation and In-
3 frastructure of the House of Representatives a re-
4 port on the findings of the review conducted under
5 subsection (a)(2), including—

6 (A) detailed descriptions of the data used
7 in the benefit-cost analysis described in sub-
8 section (a)(1), including the types of data and
9 the time periods covered by the data;

10 (B) the conclusions of the benefit-cost
11 analysis and the analysis underlying such con-
12 clusions; and

13 (C) a comprehensive assessment of—

14 (i) the extent to which the Federal
15 agency adhered to the guidance in the Of-
16 fice of Management and Budget Circular
17 A-4, as in effect on September 17, 2003,
18 in conducting the benefit-cost analysis, in-
19 cluding a determination whether such ad-
20 herence is sufficient to justify the use of
21 Federal funds for the proposed covered re-
22 location involved; and

23 (ii) if the proposed covered relocation
24 involves moving positions from inside the
25 National Capital Region to outside the Na-

1 tional Capital Region, the extent to which
2 real estate options in the National Capital
3 Region were compared to those in the des-
4 tination as part of that analysis.

5 (2) EXCLUSIONS.—

6 (A) IN GENERAL.—The Office of Inspector
7 General for a Federal agency shall exclude from
8 any report described in this subsection any pro-
9 prietary information or trade secrets of any per-
10 son and other confidential information.

11 (B) EXPLANATION AND DESCRIPTION RE-
12 QUIRED.—For each exclusion under subpara-
13 graph (A), the Office of Inspector General shall
14 include an explanation of the reason for the ex-
15 clusion and a description of the information ex-
16 cluded in an appropriate location in the relevant
17 report.

18 (d) OTHER REQUIREMENTS NOT ABROGATED.—
19 Nothing in this Act shall be construed to abrogate, reduce,
20 or eliminate any requirements imposed by law pertaining
21 to any covered relocation of a Federal agency or compo-
22 nent of a Federal agency.

23 (e) DEFINITIONS.—In this Act:

24 (1) ADMINISTRATIVE REDELEGATION OF FUNC-
25 TION.—The term “administrative redelegation of

1 function” means a Federal agency establishing new
2 positions within the agency that replace existing po-
3 sitions within the agency and perform the functions
4 of the positions replaced.

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

7 (A) an administrative redelegation of func-
8 tion which, by itself or in conjunction with
9 other related redelegations, involves replacing
10 the existing positions of more than the lesser of
11 5 percent or 100 of the employees of the rel-
12 evant Federal agency with new positions located
13 outside the commuting area of such employees;

14 (B) moving a Federal agency or any com-
15 ponent of a Federal agency if such move, by
16 itself or in conjunction with other related
17 moves, involves moving the positions of more
18 than the lesser of 5 percent or 100 of the em-
19 ployees of the Federal agency outside the com-
20 muting area of such employees or under the ju-
21 risdiction of another Federal agency; or

22 (C) a combination of related redelegations
23 and moves which together involve the positions
24 of more than the lesser of 5 percent or 100 of
25 the employees of the relevant Federal agency

1 being moved to or replaced with new positions
2 located outside the commuting area of such em-
3 ployees or moved under the jurisdiction of an-
4 other Federal agency.

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

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

10 (5) NATIONAL CAPITAL REGION.—The term
11 “National Capital Region” has the meaning given
12 such term in section 8702 of title 40, United States
13 Code.

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