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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To require the Administrator of the Small Business Administration to relocate 30 percent of the employees assigned to headquarters to duty stations outside the Washington metropolitan area, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**A BILL**

To require the Administrator of the Small Business Administration to relocate 30 percent of the employees assigned to headquarters to duty stations outside the Washington metropolitan area, 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 “Returning SBA to  
5 Main Street Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) ADMINISTRATION; ADMINISTRATOR.—The  
2 terms “Administration” and “Administrator” mean  
3 the Small Business Administration and the Adminis-  
4 trator thereof, respectively.

5           (2) BUDGET JUSTIFICATION MATERIALS.—The  
6 term “budget justification materials” has the mean-  
7 ing given that term in section 3(b)(2)(A) of the Fed-  
8 eral Funding Accountability and Transparency Act  
9 of 2006 (31 U.S.C. 6101 note).

10          (3) EMPLOYEE.—The term “employee” has the  
11 meaning given that term in section 2105 of title 5,  
12 United States Code.

13          (4) HEADQUARTERS EMPLOYEE OF THE ADMIN-  
14 ISTRATION.—The term “headquarters employee of  
15 the Administration” means—

16               (A) an employee of the Administration  
17 whose permanent duty station is at the head-  
18 quarters of the Administration; or

19               (B) an employee of the Administration—

20                     (i) who teleworks on a full-time basis;

21                     and

22                     (ii) whose rate of pay is calculated  
23 based on the Washington metropolitan  
24 area rate of pay.

1           (5) HEADQUARTERS OF THE ADMINISTRA-  
2           TION.—The term “headquarters of the Administra-  
3           tion” means the building serving as the principal  
4           managerial and administrative center of the Admin-  
5           istration, in accordance with section 4(a) of the  
6           Small Business Act (15 U.S.C. 633(a)).

7           (6) PAY LOCALITY.—The term “pay locality”  
8           has the meaning given that term in section 5302 of  
9           title 5, United States Code.

10          (7) RURAL.—The term “rural” means any area  
11          that is not designated as an urban area, based on  
12          the most recent data available from the Bureau of  
13          the Census.

14          (8) TELEWORK.—The term “telework” has the  
15          meaning given that term in section 6501 of title 5,  
16          United States Code.

17          (9) TELEWORK ON A FULL-TIME BASIS.—The  
18          term “telework on a full-time basis” means that an  
19          employee is authorized to telework for 100 percent  
20          of the work days of the employee per pay period.

21          (10) WASHINGTON METROPOLITAN AREA.—The  
22          term “Washington metropolitan area” means the ge-  
23          ographic area to which the Washington metropolitan  
24          area rate of pay applies.

1           (11) WASHINGTON METROPOLITAN AREA RATE  
2           OF PAY.—The term “Washington metropolitan area  
3           rate of pay” means the rate of pay in effect for the  
4           pay locality designated as “Washington-Baltimore-  
5           Arlington, DC-MD-VA-WV-PA”.

6   **SEC. 3. RELOCATION OF EMPLOYEE.**

7           (a) IN GENERAL.—Notwithstanding any other provi-  
8           sions of law, and not later than 1 year after the date of  
9           enactment of this Act, if the Administrator determines  
10          that implementing the requirements under paragraphs (1)  
11          and (2) of this subsection will reduce the cost to the Fed-  
12          eral Government (which determination the Administrator  
13          shall explain in detail in the report required under sub-  
14          section (d) of this section) the Administrator shall—

15                 (1) change the permanent duty station of not  
16                 less than 30 percent of the headquarters employees  
17                 of the Administration, as of the date of enactment  
18                 of this Act, to be at an office of the Administration  
19                 at a location outside the Washington metropolitan  
20                 area, which shall be at locations throughout the re-  
21                 gions of the Administration; and

22                 (2) for each employee of the Administration  
23                 whose permanent duty station is changed under  
24                 paragraph (1), ensure that—

1 (A) the rate of pay of the employee is cal-  
2 culated based on the pay locality for the perma-  
3 nent duty station of the employee; and

4 (B) the employee is not authorized to  
5 telework on a full-time basis.

6 (b) DETERMINATION OF NEW DUTY STATIONS.—In  
7 determining the permanent duty stations of headquarters  
8 employees of the Administration under subsection (a)(1),  
9 the Administrator shall—

10 (1) promote geographic diversity, including con-  
11 sideration of rural markets; and

12 (2) ensure adequate staffing throughout the re-  
13 gions of the Administration, to promote in-person  
14 customer service.

15 (c) DETERMINATION OF EMPLOYEES ELIGIBLE FOR  
16 A CHANGE IN DUTY STATION.—

17 (1) IN GENERAL.—Except as provided in para-  
18 graph (2), the Administrator shall include each  
19 headquarters employee of the Administration as eli-  
20 gible for a change in permanent duty station under  
21 subsection (a).

22 (2) EXCEPTION.—A headquarters employee of  
23 the Administration who is a qualified individual who  
24 receives an accommodation to telework on a full-time  
25 basis as a reasonable accommodation under title I of

1 the Americans with Disabilities Act of 1990 (42  
2 U.S.C. 12111 et seq.)—

3 (A) shall not be determined to be eligible  
4 for a change in permanent duty station under  
5 subsection (a); and

6 (B) shall be counted as a headquarters em-  
7 ployee of the Administration for purposes of  
8 complying with subsection (a)(1).

9 (3) NOTICE OF DETERMINATION OF ELIGI-  
10 BILITY.—Not later than the day before the date on  
11 which the Administrator submits the report required  
12 under subsection (d), the Administrator shall notify  
13 each headquarters employee of the Administration  
14 who the Administrator determines is eligible for a  
15 change in permanent duty station under subsection  
16 (a) of that determination.

17 (d) REPORT.—Not later than 180 days after the date  
18 of enactment of this Act, the Administrator shall submit  
19 to the Committee on Small Business and Entrepreneur-  
20 ship of the Senate and the Committee on Small Business  
21 of the House of Representatives a report that provides—

22 (1) the number of headquarters employees of  
23 the Administration, as of the date of enactment of  
24 this Act;

1           (2) the number of headquarters employees of  
2           the Administration identified as eligible for a change  
3           in permanent duty station, in accordance with sub-  
4           section (c);

5           (3) the number of headquarters employees of  
6           the Administration whose permanent duty station  
7           will be changed to be at an office of the Administra-  
8           tion at a location outside the Washington metropoli-  
9           tan area under subsection (a);

10          (4) the number of headquarters employees of  
11          the Administration subject to an exception under  
12          subsection (c)(2); and

13          (5) the plan of the Administrator to implement  
14          subsection (a).

15          (e) IMPLEMENTATION.—

16           (1) IN GENERAL.—Not earlier than 60 days,  
17           and not later than 90 days, after the date on which  
18           the Administrator submits the report required under  
19           subsection (d), the Administrator shall notify each  
20           headquarters employee of the Administration whose  
21           permanent duty station will be changed to be at an  
22           office of the Administration located outside the  
23           Washington metropolitan area under subsection  
24           (a)—

1 (A) that, effective 90 days after the date  
2 of the notification—

3 (i) the permanent duty station of the  
4 employee shall be changed;

5 (ii) the rate of pay of the employee  
6 shall be calculated based on the pay local-  
7 ity for such permanent duty station; and

8 (iii) the employee shall not be author-  
9 ized to telework on a full-time basis; and

10 (B) of the location of such permanent duty  
11 station.

12 (2) FULL-TIME TELEWORKERS REMAINING IN  
13 THE WASHINGTON METROPOLITAN AREA.—

14 (A) IN GENERAL.—For any employee de-  
15 scribed in subparagraph (B), effective on the  
16 date that is 180 days after the date on which  
17 the Administrator submits the report required  
18 under subsection (d), the employee shall not be  
19 authorized to telework on a full-time basis.

20 (B) EMPLOYEES COVERED.—An employee  
21 described in this subparagraph is a head-  
22 quarters employee of the Administration—

23 (i) who teleworks on a full-time basis,  
24 as of the date of enactment of this Act;



1 (ii) who is not subject to an exception  
2 under subsection (c)(2); and

3 (iii) whose permanent duty station is  
4 not changed to be an office of the Adminis-  
5 tration at a location outside the Wash-  
6 ington metropolitan area under subsection  
7 (a).

8 (3) NO RELOCATION INCENTIVES.—If, pursuant  
9 to this Act, the official worksite (as defined in sec-  
10 tion 531.602 of title 5, Code of Federal Regulations,  
11 or any successor regulation) of an employee changes  
12 from the residence of the employee to the head-  
13 quarters of the Administration, notwithstanding any  
14 other provision of law, the employee shall not be  
15 paid any relocation incentive.

16 **SEC. 4. REDUCTION IN HEADQUARTERS OFFICE SPACE.**

17 (a) IN GENERAL.—The Administrator shall reduce  
18 the amount of office space for the headquarters of the Ad-  
19 ministration by not less than 30 percent.

20 (b) IMPLEMENTATION.—The Administrator shall—

21 (1) begin reducing office space under subsection  
22 (a) not later than 180 days after the date of enact-  
23 ment of this Act; and

1           (2) complete the reduction of office space re-  
2           quired under subsection (a) not later than 2 years  
3           after the date of enactment of this Act.

4 **SEC. 5. INFORMATION INCLUDED IN BUDGET JUSTIFICA-**  
5 **TION MATERIALS PROVIDED TO CONGRESS.**

6           The Administrator shall include in the first budget  
7 justification materials of the Administration submitted  
8 after the date of enactment of this Act, and the budget  
9 justification materials of the Administration for each fiscal  
10 year thereafter—

11           (1) the number of headquarters employees of  
12 the Administration;

13           (2) the number of employees of the Administra-  
14 tion assigned to a permanent duty station in—

15                   (A) a field office of the Administration;

16                   (B) a district office of the Administration;

17           or

18                   (C) a regional office of the Administration;

19           (3) the number of employees of the Administra-  
20 tion who telework on a full-time basis; and

21           (4) the number of employees of the Administra-  
22 tion who are a qualified individual who receives an  
23 accommodation to telework on a full-time basis as a  
24 reasonable accommodation under title I of the Amer-

1       icans with Disabilities Act of 1990 (42 U.S.C.  
2       12111 et seq.).

3       **SEC. 6. SEVERABILITY.**

4       If any provision of this Act or the application of such  
5       provision to any person or circumstance is held to be un-  
6       constitutional, the remainder of this Act and the applica-  
7       tion of the provision to any other person or circumstance  
8       shall not be affected thereby.

9       **SEC. 7. SUPERSESION.**

10       This Act shall supersede any other provision of law  
11       and any provision of a collective bargaining agreement or  
12       master labor agreement.

13       **SEC. 8. NO PRIVATE CAUSE OF ACTION.**

14       Nothing in this Act shall be construed to establish  
15       a private cause of action, equitable or otherwise, to chal-  
16       lenge any selection, change, or decision made, or action  
17       taken, under this Act.