

THE GENERAL SERVICES ADMINISTRATION'S PRIORITIES FOR 2021 AND BEYOND

(117-31)

REMOTE HEARING

BEFORE THE
SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT

OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

NOVEMBER 2, 2021

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[†]Nina Albert, Commissioner, Public Buildings Service, U.S. General Services Administration, did not submit a prepared statement.



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

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Ranking Member

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NOVEMBER 2, 2021

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Economic Development, Public Buildings, and Emergency Management
FROM: Staff, Subcommittee on Economic Development, Public Buildings, and Emergency Management
RE: Hearing on “The General Services Administration’s Priorities for 2021 and Beyond.”

PURPOSE

The Subcommittee on Economic Development, Public Buildings, and Emergency Management will meet on Tuesday, November 2, 2021, at 10:00 am EDT in 2167 Rayburn House Office Building and virtually via Zoom to hold a hearing titled, “The General Services Administration’s Priorities for 2021 and Beyond.” At the hearing, Members will receive testimony from the Administrator of General Services and the General Services Administration’s Public Buildings Commissioner.

BACKGROUND

The General Services Administration (GSA) provides workspace for 1.2 million federal employees across more than 50 federal agencies.¹ GSA’s Public Building Service (PBS) owns over 1,500 federal buildings.² Approximately 53 percent of PBS’s portfolio is over 50 years old, and 28 percent is over 75 years old.³

GSA’s PBS leases approximately 8,100 office buildings, courthouses, land ports of entry, data processing centers, laboratories, and specialized space around the country for federal agencies.⁴ During the period from fiscal year (FY) 2019 through FY 2023, 60 percent of PBS leases will expire.⁵ GSA’s PBS portfolio is projected to include 183.4 million square feet of owned space and 183.5 million square feet of leased space in FY 2021.⁶

THE FEDERAL BUILDINGS FUND

GSA’s PBS and its activities are funded through GSA’s Federal Buildings Fund (FBF).⁷ GSA enters into occupancy agreements with its federal agency tenants and

¹ <https://crsreports.congress.gov/product/pdf/R/R46410>

² <https://www.gsa.gov/cdnstatic/GSA%20FY%202021%20Congressional%20Justification.pdf>

³ <https://www.gsa.gov/cdnstatic/GSA%20FY%202021%20Congressional%20Justification.pdf>

⁴ <https://www.gsa.gov/real-estate/gsa-properties>

⁵ <https://www.gsa.gov/cdnstatic/GSA%20FY%202021%20Congressional%20Justification.pdf>

⁶ <https://www.gsa.gov/cdnstatic/GSA%20FY%202021%20Congressional%20Justification.pdf>

⁷ 40 U.S.C. § 592

charges commercially equivalent rent.⁸ Those rents fund the FBF.⁹ In turn, the FBF funds the operations of PBS, new construction, repairs and alterations, and payments for commercial leases. The availability of funds in the FBF are subject to annual appropriations.¹⁰

GSA has raised concerns that because Congress has not appropriated \$10.3 billion in FBF rent collections over the last ten years, “GSA is collecting commercially equivalent rent from its occupant agencies but is precluded from reinvesting all of these funds in the aging federal facilities occupied by those rent-paying agencies.”¹¹

GSA’s FY 22 budget requested:

“... positive net budget authority to adequately preserve and invest in the Federal Government’s real estate assets. Providing positive net budget authority in FY 2022 will allow GSA to begin addressing the liabilities resulting from the \$10.3 billion in unappropriated FBF [New Obligational Authority] (NOA) over the last decade. Reduced budget authority impedes PBS’s ability to fund critical repairs and improvements to the Federal inventory, resulting in avoidable increased costs due to delayed repairs and missed opportunities to consolidate space.”¹²

GSA’S PROCESS

The Administrator of General Services (GSA) is authorized by 40 U.S.C. § 585 to enter into lease agreements (of no more than 20 years) to secure space for federal agencies.¹³ GSA also acquires space through new construction or purchase.¹⁴

GSA’s leasing process begins with the development of space requirements. Typically, GSA begins reaching out to expiring lease tenants approximately 24 months in advance of the expiration to determine whether a continuing need exists, and to notify the agency of the need to provide GSA with a request for space and begin development of the program of requirements. After the space requirements are developed and GSA agrees with and finalizes the documentation for the lease, if the lease cost is below the “prospectus” threshold currently at \$3.095 million, GSA begins the process of lease acquisition.¹⁵ If the lease costs is above the prospectus level, GSA develops a prospectus pursuant to 40 U.S.C. § 3307 that includes details on the purpose, need, size, scope of the leased space.¹⁶ The prospectus is submitted in the House to the Committee on Transportation and Infrastructure and in the Senate to the Committee on Environment and Public Works. Both committees must approve via resolution each prospectus prior to GSA executing the lease.¹⁷

Similarly, for new construction, alteration, or purchase projects, GSA works with its tenant agencies on a program of requirements and committee action on a prospectus is required if the costs are above the prospectus threshold.

PROPOSED ALTERNATIVES TO ADDRESS FUNDING CHALLENGES

Since 2011, the amount of funds available in the FBF for new construction and repairs and alternations has decreased below receipts received by GSA from its tenant agencies.¹⁸ In addition, reductions, consolidations, and reconfigurations of space to improve efficiency and decrease real estate costs often require capital upfront to execute such plans.¹⁹ Given this, a number of solutions have been proposed for alternative ways of funding projects, including public-private partnerships (P3s), discounted purchase options, and the creation of a new fund outside of GSA’s FBF.

While GSA has the legal authorities to carry out public-private partnerships (P3s) and discounted purchase options, the Office of Management and Budget’s (OMB) interpretation of budgetary scoring rules effectively prohibits GSA from using these alternatives.²⁰ Specifically, OMB’s interpretation of the budgetary scoring rules ef-

⁸ 40 U.S.C. § 586

⁹ 40 U.S.C. § 592

¹⁰ 40 U.S.C. § 3307

¹¹ https://www.gsa.gov/cdnstatic/02_FY_2022_CJ_FBF_Narrative_Final_2.pdf FBF-11

¹² Id.

¹³ [https://www.gsa.gov/cdnstatic/LDG-CHAPTER_INTRODUCTION-FINAL_9-30-](https://www.gsa.gov/cdnstatic/LDG-CHAPTER_INTRODUCTION-FINAL_9-30-11final_508C.pdf)

¹⁴ final_508C.pdf

¹⁴ 40 U.S.C. §§ 3304, 3305

¹⁵ <https://www.gsa.gov/real-estate/design-construction/gsa-annual-prospectus-thresholds>. FY22 threshold will increase to \$3.375 million, Letter dated January 4, 2021 from the General Services Administration to the Committee on Transportation and Infrastructure.

¹⁶ 40 U.S.C. § 3307.

¹⁷ Id.

¹⁸ See appropriations acts beginning in FY2011

¹⁹ See, for example, GSA’s Consolidations Activities Program, Prospectus No. PCA-0001-MU21

²⁰ OMB Circular A-11, Appendix B

fectively would require GSA to have the full amount of budgetary authority for a project up front.²¹

GSA CLIMATE RESILIENCE STRATEGY

President Biden's Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, directed federal agencies to develop a climate resilience strategy.²² In response, GSA published a Climate Change Risk Management Plan in September 2021.²³ The plan identifies GSA's vulnerabilities to climate change and priorities for action.²⁴

GSA guidelines require it only lease properties outside of floodplains to mitigate the risk posed to its property.²⁵ As floodplain maps are updated to account for climate change, GSA anticipates the availability of suitable leasing space will be restricted and higher rental costs more expensive as a result.²⁶ GSA will also incorporate updated floodplain data into its Building Assessment Tool Survey to ensure owned property has service life of thirty years at minimum.²⁷

Historic buildings within GSA's portfolio are vulnerable to climate change and natural disasters.²⁸ Historic buildings were constructed using flood maps that do not reflect updates to 100-year and 500-year flood risks.²⁹ The age and architecture of the buildings limit opportunities to make modifications that enhance resilience.³⁰ Additionally, GSA's repair backlog has left properties within the federal real estate portfolio at greater risk to extreme weather events.³¹

In September 2021, the Government Accountability Office (GAO) noted that the federal government has not made measurable progress to reduce its fiscal exposure to climate change.³² GSA filed a prospectus (PCR-0001-MU22) requesting one-hundred million dollars to make investments that will mitigate their financial losses in the long-term.³³ The proposed use of these funds is to, "conduct formal agency-wide vulnerability assessments to align with the climate science from the latest National Climate Assessment (NCA) and to fortify agency risk management efforts."³⁴ Funds will also be used to execute projects which enhance GSA's access and use of data to determine vulnerabilities, update agency guidelines to account for climate change, train agency professionals to consider climate vulnerability, identify and map at-risk assets, and execute capital projects that new data and vulnerability assessments determine to be the highest priority.³⁵

THE FEDERAL ASSETS SALE AND TRANSFER ACT

The Federal Assets Sale and Transfer Act of 2016 (FASTA) (P.L. 114-287) established a new process for disposing of unneeded federal space. Under FASTA, federal agencies (except for the Department of Defense, the National Park Service, Coast Guard properties, properties located outside the United States that are operated or maintained by the Department of State or the Agency for International Development, properties controlled by Indian and Native Alaskan tribes, the USPS, and the Tennessee Valley Authority³⁶) are required to develop a list of disposal recommendations, which could include the sale, transfer, conveyance, consolidation, or outlease of any unneeded space.³⁷

²¹ Id.

²² 86 FR 7619, pg. 7619-7633

²³ GSA. Climate Change Risk Management Plan. September 2021. Available at: Climate Change Risk Management Plan (sustainability.gov)

²⁴ Id.

²⁵ Id.

²⁶ Id.

²⁷ Id.

²⁸ Id.

²⁹ GSA. Climate Change Risk Management Plan. September 2021. Available at: Climate Change Risk Management Plan (sustainability.gov)

³⁰ Id.

³¹ Id.

³² GAO. *Federal Real Property Asset Management: Additional Direction in Government-Wide Guidance Could Enhance Natural Disaster Resilience*. September 2021. Available at: GAO-21-596, Accessible Version, FEDERAL REAL PROPERTY ASSET MANAGEMENT: Additional Direction in Government-Wide Guidance Could Enhance Natural Disaster Resilience

³³ GSA. *Prospectus—Alteration, Climate and Resilience Program, Various Buildings* (PCR-0001-MU22).

³⁴ Id.

³⁵ Id.

³⁶ <https://www.crs.gov/Reports/R44999?source=search&guid=ca749e38e3594abfbea82839c8844c6c&index=0>

³⁷ See P.L. 114-287.

The disposal of unneeded federal real property has been a long-standing management challenge for GSA and the federal government.³⁸ In 2011, the Committee on Transportation and Infrastructure and the Obama Administration both proposed creating an independent board of experts to develop recommendations on specific properties to be disposed of or redeveloped for better use.³⁹ The Committee, on a bipartisan basis, worked on crafting legislation culminating in the passage of FASTA in 2016.⁴⁰ FASTA also made other changes in law, including codifying and clarifying requirements for the Federal Real Property Profile (FRPP) which is the government's database detailing all federal real estate assets.⁴¹

The recommendations of the board pursuant to FASTA are submitted to the GSA Administrator, the OMB Director, and the newly established Public Buildings Reform Board (PBRB), an independent agency established by FASTA to identify opportunities for the federal government to significantly reduce its inventory of civilian real property. The revised list of recommendations is then vetted by the Public Buildings Reform Board and returned to the OMB Director for final approval or disapproval.⁴²

If the OMB Director approves a set of board recommendations, federal agencies must begin implementation of all recommendations within two years from the date Congress received them, and complete implementation within six years.⁴³ Agencies must work in consultation with GSA, and within their existing authorities to implement board recommendations, although they may contract with real estate companies for assistance.⁴⁴ The OMB director has the authority to exclude a property from the board's recommendations if the director determines the property is suitable for use as a public park or recreation area by a state or local government.⁴⁵

In addition, several sections of the U.S. Code that pertain to real and personal property conveyances, particularly those for public benefit, would not apply to recommended disposals. The McKinney-Vento Homeless Assistance Act still applies to properties that are included in the approved set of recommendations but which the HUD Secretary determines are suitable for use providing services to the homeless.⁴⁶

FASTA was enacted at the end of the Obama administration and its implementation during a transition of administrations was delayed and, as a result, Congress passed legislation extending the term of the PBRB to allow for additional time for such transition.⁴⁷ At the same time, Congress also passed legislation to provide GSA more flexibility in leasing back property to facilitate certain sales.⁴⁸ However, according to a recent New York Times article, there has been challenges to the implementation of FASTA. As the article notes:

“... [i]t took three years for the five existing board members to be sworn in, and two empty seats remain, including that of the chairman. The Government Accountability Office reported that the board did not adequately document how it went about selecting properties for sale. The board was sued when it sought to sell a Seattle building that is a repository of important tribal records. The General Services Administration, the agency that disposes of most federal properties, has flouted the board's advice.”⁴⁹

GSA'S WORKPLACE 2030

Early in 2020, because of COVID-19, GSA began a process to consult with its key tenant agencies and the private sector to identify the impacts and trends on federal office space which GSA developed into its Workplace (WP) 2030 initiative.⁵⁰ The initiative examined the potential of increased teleworking beyond COVID, the opportu-

³⁸ <https://www.gao.gov/highrisk/managing-federal-real-property>

³⁹ See Hearing on “Sitting on Our Assets: Cutting Spending and Private Redevelopment of Underperforming Buildings,” Subcommittee on Economic Development, Public Buildings, and Emergency Management, February 10, 2011 and Section 735, President's Budget Request for Fiscal Year 2012.

⁴⁰ See H.R. 1734, 112th Congress; H.R. 695, 113th Congress; H.R. 4465, 114th Congress.

⁴¹ <https://www.gsa.gov/policy-regulations/policy/real-property-policy/asset-management/federal-real-property-profile-frpp/frpp-frequently-asked-questions>

⁴² <https://crsreports.congress.gov/product/pdf/R/R44999>

⁴³ P.L. 114–287.

⁴⁴ Id.

⁴⁵ <https://www.crs.gov/Reports/R44999?source=search&guid=ca749e38e3594abfbea82839c8844c6c&index=0>

⁴⁶ <https://www.crs.gov/Reports/R44999?source=search&guid=ca749e38e3594abfbea82839c8844c6c&index=0>

⁴⁷ P.L. 115–437.

⁴⁸ P.L. 115–438.

⁴⁹ <https://www.nytimes.com/2021/09/14/business/sale-surplus-federal-buildings.html>

⁵⁰ Workplace 2030: Envisioning the Future of Federal Work, General Services Administration

nities it may present to improve efficiency and reduce space needs and costs, and the potential savings to the taxpayer.⁵¹

PERFORMANCE GOALS

According to GSA's 2020 Agency Financial Report,

"GSA is meeting its targets to negotiate leases below average market rates, reduce energy costs, and deliver capital projects on schedule and on budget. GSA's Lease Cost Avoidance Plan, which was implemented in FY 2018 and focuses on renegotiating longer leases where favorable terms can be obtained, continues to yield favorable results; in FY 2020, aggregate lease costs are 12.6 percent below average market value. GSA also realized a sharp reduction in energy use in FY 2020 that can be attributed to warmer winter temperatures and reduced building occupancy due to COVID-19.

GSA will likely miss its performance targets for vacancy rates and operating costs associated with cleaning and maintenance. Vacant space in inventory remains slightly higher than the target of 3 percent, due in part to the Reduce the Footprint and workspace consolidation initiatives, which can result in GSA holding on to vacant space in order to implement longer-term strategic plans with customers. While GSA is slightly above its target, GSA's vacant space rate still compares favorably to the private sector.

Cleaning and maintenance costs fell short of the 80 percent target for staying within market range. GSA is undertaking a nationwide effort to examine the methods and tools used to procure building maintenance and custodial services in order to lower operating costs without affecting service levels to GSA's federal tenants.

GSA realized an increase of 1.6 million rentable square feet (RSF) in FY 2020. In FY 2020, GSA continued to carry 1.9 million RSF of temporary leased space associated with the 2020 Census. In addition, the federally-owned inventory saw increases from the addition of the Department of Transportation headquarters in Washington DC (1.5 million RSF), the transfer of 11 assets totaling 600 thousand RSF from the Department of State for their National Foreign Affairs Training Center, and the activation of building modernization projects."⁵²

WITNESS LIST

- The Honorable Robin Carnahan, Administrator, General Services Administration
- Ms. Nina Albert, Commissioner, Public Buildings Service, General Services Administration

⁵¹ Id.

⁵² <https://www.gsa.gov/reference/reports/budget-performance/annual-reports/2020-agency-financial-report/managements-discussion-and-analysis/performance-summary>

THE GENERAL SERVICES ADMINISTRATION'S PRIORITIES FOR 2021 AND BEYOND

TUESDAY, NOVEMBER 2, 2021

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC
BUILDINGS, AND EMERGENCY MANAGEMENT,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2167 Rayburn House Office Building and via Zoom, Hon. Dina Titus (Chair of the subcommittee) presiding.

Members present in person: Mr. Webster.

Members present remotely: Ms. Titus, Mr. DeFazio, Ms. Norton, Ms. Davids of Kansas, Mrs. Napolitano, Mr. Massie, Miss González-Colón, Mr. Guest, Ms. Van Duyne, and Mr. Gimenez.

Ms. TITUS. The subcommittee will come to order.

I ask unanimous consent that the chair be authorized to declare a recess at any time during today's hearing.

Without objection, so ordered.

I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions.

Without objection, so ordered.

As a reminder, please keep your microphone muted unless speaking, and should I hear any inadvertent background noise, I will request that the Member please mute their microphone.

To insert a document into the record, please have your staff email it to DocumentsT&I@mail.house.gov.

This morning, I would like to welcome our special guests and witnesses. We have the Honorable Robin Carnahan, who is the Administrator of the GSA, and we have Ms. Nina Albert, who is the Commissioner for the Public Buildings Service of the GSA. We look forward to hearing their testimony.

The GSA provides workspace for so many people who have been impacted by the pandemic and beyond that we are anxious to hear their testimony. In fact, it is 1.2 million Federal employees across more than 50 Federal agencies and over 1,500 Federal buildings.

Approximately 53 percent of the Public Buildings' portfolio is over 50 years old, and 28 percent of it is over 75 years old.

GSA leases approximately 8,100 office buildings, courthouses, land ports of entry, data processing centers, laboratories, and specialized spaces all across the country for our Federal agencies' use and occupation. During the period from fiscal year 2019 through 2023, 60 percent of those leases will expire. The portfolio is pro-

jected to include 183.4 million square feet of owned space and 183.5 million square feet of leased space in fiscal year 2021.

With that kind of portfolio, you can see why we are interested in how the agency is doing, what it projects its needs will be, and what some of the problems are that we can help them to address.

We also know that 25 leases are expiring between January 2022 and December 2025, and so, with the new working conditions and post-COVID, we would like to know what the plans are for those leases, because we haven't seen any information about what is going to happen with them.

In the past, this committee has addressed a number of issues that I hope our witnesses will at least provide some information today and then perhaps can bring back other information. But these are issues that have been important to me and to the other members of the committee. And if I could just list them briefly, you can see what our challenges are.

We are always concerned about taxpayer dollars and that they are being used most efficiently and most effectively, so we need information on the lease versus build alternatives, as well as deferred maintenance for the buildings that we already have.

We want to know what the plans are now that the employment has shifted to so many people working at home and a need for less space, how do we need to rethink our inventory.

Also, as we build buildings, we have several things that we want to consider. One is how to make them sustainable, how to make them healthy, how to make them perhaps fit some of the LEED standards so we know that they are energy efficient. We can't just build back better; we have to include resiliency considerations in the buildings that we construct in the future.

Other issues related to that construction include making them bird friendly. Some of our buildings have reflecting glass that cause birds to crash into them. We want to see how we can address that.

Also, parking and access to other modes of transportation that are available as we locate some of these buildings.

And in addition to that, the design of the buildings themselves. We have been fighting an old Executive order from the last administration that wanted all the buildings to look like the Parthenon. Well, this is not the Federal design code. This is not the way they should be. They should fit with the geography, they should fit with the culture, and they should take into account input from the local artistic community.

We also want to talk about what happened with the hotel, the Old Post Office that was leased by Donald Trump in the last administration.

Now, I don't plan to relitigate everything that happened before. We want to move forward, but we do want to know how some of those things happened and how we can prevent making the same mistakes going forward.

So that is kind of the agenda that we have. We are anxious to hear what your plans are, how we can be helpful.

And I will now turn it over to our ranking member, Mr. Webster, for a comment.

[Ms. Titus' prepared statement follows:]

Prepared Statement of Hon. Dina Titus, a Representative in Congress from the State of Nevada, and Chair, Subcommittee on Economic Development, Public Buildings, and Emergency Management

I'd like to welcome everyone to today's hearing to examine the General Services Administration's priorities for 2021 and beyond.

Joining us today are the Honorable Robin Carnahan, the Administrator of the GSA, and Nina Albert, the Public Buildings Services Commissioner.

Administrator Carnahan and Commissioner Albert, I want to first congratulate you on your confirmations and welcome you to the subcommittee.

I am hopeful that our relationship is remarkably different than we had with your predecessors given the important role this subcommittee plays in your responsibilities.

Chief among our duties is the authorization of GSA's acquisition of real property.

This does not include all transactions GSA engages in as the agency owns over 1,500 federal buildings and leases approximately 8,100 office buildings, courthouses, land ports of entry, data processing centers, laboratories, and specialized space—but it does include those construction, repair, and alteration projects that exceed \$3.3 million, and lease transactions that exceed \$1.6 million in annual rent.

In fiscal year 2022, GSA requested committee consideration of 32 repair, alteration, and construction projects.

As of last week, we have authorized 25 of those projects.

I will note however, that you have not submitted a single lease transaction for the committee's consideration.

It would be helpful to have clarity around this as there are about 25 leases expiring between January of 2022 and December of 2025, and with sixty percent of Public Building Service leases expiring in the next few years, it is my hope that the government is reimagining and modernizing its real estate portfolio to address evolving worker and constituent needs post-COVID, as well as reducing the impact on the budget.

The federal government's leasing program is often a focus of this subcommittee, and one particular outlease of a federal property is probably the highest profile is the Old Post Office Building here in Washington, DC.

The lease is currently held by the Trump Organization in an arrangement that has been fraught with legal and ethical questions the moment Donald Trump took the oath of office, and according to media reports and confirmed by GSA may be in the process of being sold to a new lessor.

I hope that the transaction will not only benefit the American public but protects the sensitive law enforcement and national security assets that neighbor this property, and does not repeat the same substantial mistakes made by GSA in the management of the current lease as outlined by GSA's Inspector General.

It was this subcommittee that directed GSA to redevelop this property and given the unique nature of this major outlease of one of the most prized pieces of federal real estate in the nation, it will remain a point of interest for me and this committee.

I ask for your commitment to ensure that we are kept abreast of any changes that may occur with the lease ownership and provide regular updates on the financials and other details of its operations, which your predecessors failed to do.

I know that we previously discussed draft legislation our staff has prepared and shared with your staff to reexamine the management of these major outleases and set parameters for GSA's outleasing program moving forward.

I want to stress for you and for my colleagues on both sides of the aisle that I am not here to relitigate the decisions of the past which I found unethical and borderline illegal, and I know you both were not responsible for signing the lease or the decisions made when Donald Trump became president, but you do have a responsibility to manage this lease moving forward.

My goal, and I hope this is shared with all my colleagues, is to ensure that we do not make the same mistakes again.

I look forward to receiving feedback on this initial draft and I encourage your staff to respond expeditiously.

Thank you, Administrator Carnahan and Commissioner Albert, for being with us today and thank you in advance for answering our questions.

With that I recognize Ranking Member Webster for five minutes for an opening statement.

Mr. WEBSTER. Thank you, Chair Titus, and thank you for who you have invited today, the Administrator and the Commissioner.

Prior to COVID–19, we made significant progress on right-sizing Federal office space. Through the reduction and consolidations of space approved by the committee in GSA’s prospectus process, we saved taxpayers over \$4 billion. Following COVID, we are facing new opportunities, given this shift in workspace needs due to increased remote work, as well as indications that teleworking may continue at higher levels post-pandemic.

But right-sizing the Federal real estate portfolio is not only about shrinking space. It is about ensuring that there is reduction in cost, and that the agencies have the right place, and that they get rid of unneeded properties as quickly as possible.

The goal, for example, for the Federal Assets Sale and Transfer Act, is not just to simply streamline the disposal process but to get agencies to look more strategically at their assets. This helps produce financially sound and operationally efficient results from sales, redevelopments, outleases, and other activities.

To achieve significant changes, as we saw during the “freeze and reduce the footprint” efforts, it takes the administration, including GSA and OMB, working together with Congress, to spur agencies to make better decisions about their space. It also means alternative financing options should be on the table. It makes no sense for taxpayers to effectively pay for a building, sometimes many times over, through the lease and then have to pay fair-market value on top of that just to purchase it.

Although the GSA has the legal authorities to negotiate discounted purchase options and enter into public-private partnerships, it has not been able to take advantage of those authorities. GSA should be free to use these authorities where appropriate to facilitate the right-sizing of the portfolio and reduce the cost to the taxpayer. I hope we can work together to ensure that we achieve that, and I look forward to hearing from our witnesses today.

Thank you, Chair Titus. I yield back.

[Mr. Webster’s prepared statement follows:]

Prepared Statement of Hon. Daniel Webster, a Representative in Congress from the State of Florida, and Ranking Member, Subcommittee on Economic Development, Public Buildings, and Emergency Management

Thank you, Chair Titus. I want to thank the GSA Administrator and Public Buildings Commissioner for being here today.

Prior to COVID–19, we made significant progress on right-sizing federal office space. Through reductions and consolidations in space approved by the Committee in GSA’s prospectus process, we saved taxpayers over \$4 billion dollars. Following COVID, we are facing new opportunities given the shift in workplace needs due to increased remote work, as well as indications that teleworking may continue at higher levels post-pandemic.

But right-sizing the federal real estate portfolio is not only about shrinking space, it’s about ensuring we reduce costs, that agencies have the right space, and that we get rid of unneeded properties as quickly as possible.

The goal, for example, for the Federal Assets Sale and Transfer Act (FASTA) is not just to simply streamline the disposal process, but to get agencies to look more strategically at their assets. This helps produce financially sound and operationally efficient results from sales, redevelopments, outleases, and other activities.

To achieve significant changes, as we saw during the “freeze-and-reduce-the-footprint” efforts, it takes the Administration, including GSA and OMB, working together with Congress to spur agencies to make better decisions about their space.

It also means alternative financing options should be on the table. It makes no sense for the taxpayer to effectively pay for a building, sometimes many times over, through a lease, and then have to pay fair-market value on top of that to purchase it. Although the GSA has the legal authorities to negotiate discounted purchase options and enter into public-private partnerships, it has not been able to take advantage of those authorities. GSA should be free to use these authorities where appropriate to facilitate the right-sizing of the portfolio and reduce costs to the taxpayer. I hope we can work together to ensure we achieve that.

I look forward to hearing from our witnesses today on GSA’s priorities.

Ms. TITUS. Thank you, Mr. Webster.

I now recognize the chairman of the T&I full committee, Mr. DeFazio.

Mr. DEFazio. Thanks, Madam Chair. Thanks for holding this hearing.

Administrator Carnahan, Commissioner Albert, welcome to the committee.

We want to be a good partner with GSA. So far in fiscal year 2022, you asked for 32 repair, alteration, and construction projects. As of last week, we have authorized 25.

The Infrastructure Investment and Jobs Act has \$3.4 billion for land ports of entry, which need a tremendous amount of work. And the Build Back Better Act includes \$500 million to help make Federal buildings more energy efficient. And then outside of our jurisdiction, of course, although it was part of the INVEST Act in the last Congress, is the purchase of zero-emission vehicles for the Postal Service, which will be a tremendous boost to the EV industry and also tremendously reduce pollution. I am looking forward to that acquisition.

I really want to work with GSA to make it easier, and I would agree with a number of things the ranking member just said. In particular, I have heard about how frustrating it is that you can’t access—I understand now there is \$10 billion of rent that you have collected. Now, like a good landlord, you put aside funds, and then you use that to make repairs or new acquisitions. Unfortunately, Congress has not allowed you full access, or easy access, to those funds, and I hope that is something that we can find a way to correct in the future, and would look forward to working with you and your staff on ways to figure how to do that and have you make the case that if you had access to those funds, how you could actually save money in the end, because of not deferring maintenance to the point where buildings are basically on the verge of demolition and other issues with deferred maintenance.

But, I have got to say that I think your agency is a little bit Congress-shy, should I say. Our requests for technical assistance take too long. We are not getting answers about questions about your post-COVID space requirements. And that makes it difficult for us to help you, and you have got to help us work on that culture.

I am hoping for transformational changes under your leadership so that we can address some of these issues. Should you have more space than you can afford to maintain? What does it mean if Congress allocates less money than you request every year? What

about the rent structure? How many courthouses does the Federal judiciary really need? And how big do those things need to be?

The robing area for the judges in the new Federal courthouse in Eugene where my office is housed—their robing areas are bigger than my office. There are real questions and scrutiny that needs to be applied. I realize they are a third and independent branch, but that doesn't mean they have to have excess space.

And to put it mildly, your predecessor was challenging to work with. I won't go beyond that. I will just leave it there.

But we still don't have answers about GSA's failure to properly consider the Emoluments Clause of the U.S. Constitution when it came to the Old Post Office Building. It was pretty darn clear when I read it, and we never, ever got clear answers to how that was actually constitutional.

And no clarity at all about the very sudden decision to cancel the decade-long effort to get the FBI a new and secure headquarters outside of downtown Washington, DC. That was a very long effort, very, very suspiciously and abruptly canceled. We still don't have good answers to that. We would like answers to that.

So, I am looking for new transparency under your leadership, and I look forward to your testimony today and working with you in the future.

Thank you, Madam Chair.

[Mr. DeFazio's prepared statement follows:]

Prepared Statement of Hon. Peter A. DeFazio, a Representative in Congress from the State of Oregon, and Chair, Committee on Transportation and Infrastructure

Thank you, Chair Titus. Administrator Carnahan, Commissioner Albert, welcome to the Committee on Transportation and Infrastructure.

The bread and butter of your work with this committee is securing the authorization of GSA construction, alteration, and leasing requests. In FY22 GSA requested consideration of 32 repair, alteration, and construction projects. As of last week, this committee had authorized 25 of those projects—proof of our good-faith effort to work with GSA.

This committee has also supported many of GSA's infrastructure requests, which will provide significant new resources to assist the agency. The Infrastructure Investment and Jobs Act includes \$3.4 billion for land ports of entry, and the Build Back Better Act includes \$500 million to help green federal buildings.

Outside of T&I's jurisdiction, the Build Back Better Act includes significant funding for GSA for the procurement of zero-emission and electric vehicles, for emerging and sustainable technologies, and for the purchase of goods, services, and systems to improve energy efficiency, promote the purchase of lower-carbon materials, and reduce the carbon footprint.

And I, personally, want to work with GSA to make it easier to finance new construction projects. I've heard from previous Administrators about how frustrating it is that GSA is unable to use all the rent it has collected in the Federal Building Fund and reinvest it in our public assets. If we want to fix the growing backlog of deferred maintenance, GSA needs access to more of the funds it is collecting.

I believe that the new infrastructure funding and easier access to construction funding could really transform the Public Buildings Service. But Administrator Carnahan, we need GSA staff to be more responsive. Requests for technical assistance are taking too long, questions about agency space needs post-Covid have not been addressed. There is a culture within PBS of hiding from Congress, but that makes it difficult for us to help you.

I am hoping for transformational leadership under your guidance. Ask the big questions. Should GSA own more space that it can't afford to maintain? What does it mean if Congress gives you less money than you request every year? What needs to change about GSA's rent structure? How many courthouses does the federal judi-

ciary really need? And how are you going to make 100 percent of the owned portfolio a high-performing green building?

Administrator Carnahan, your predecessor was challenging to work with. We still have unanswered questions about GSA's failure to properly consider the Emoluments Clauses to the U.S. Constitution when evaluating the Old Post Office lease. No clarity about the cancellation of the decade-long effort to build a new headquarters for the FBI.

I hope for and expect more transparency under your leadership. Thank you, Chair Titus. I yield back the balance of my time.

Ms. TITUS. Thank you, Mr. DeFazio.

I don't think Mr. Graves is here, so we will move on with our witnesses.

I want to welcome you both. And thank you, Ms. Carnahan, for talking to me on the phone before we had this hearing. I feel like we have started off on a better foot than with your predecessor, and I appreciate that.

So, our witnesses, for the record, are the Honorable Robin Carnahan, Administrator of the General Services Administration; and Ms. Nina Albert, Commissioner of the Public Buildings Service, General Services Administration.

Thank you both for being here.

Without objection, our witnesses' full statements will be included in the record.

Since your written testimony will be made part of the record, the committee requests that you limit your oral testimony to 5 minutes.

We can now proceed with that testimony. Administrator Carnahan, you are up.

**TESTIMONY OF HON. ROBIN CARNAHAN, ADMINISTRATOR,
U.S. GENERAL SERVICES ADMINISTRATION; AND NINA ALBERT,
COMMISSIONER, PUBLIC BUILDINGS SERVICE, U.S.
GENERAL SERVICES ADMINISTRATION**

Ms. CARNAHAN. Well, thank you, Chairwoman Titus, Ranking Member Webster, Chairman DeFazio, and members of the subcommittee. It is a great honor to be with you here today. I am pleased to be here as GSA's Administrator, and on behalf of our employees, talk about our mission, which I think has never been more important.

Now, I know this committee has been very interested in GSA's efforts to keep our buildings safe and operational throughout the pandemic. So, I want to start by thanking everyone on the committee for your support, but also acknowledging the tireless work of the GSA team to respond to the pandemic.

I can tell you that the work from the Public Buildings Service, as well as our Federal Acquisition Service, has been heroic over the past 2 years. They have acquired and distributed huge amounts of supplies; amended thousands of service contracts to ensure more cleaning; helped many, many Federal, State, and local partners meet their emergency needs.

My written testimony goes into more details, and Commissioner Albert and I will be happy to discuss any of this important work later today.

Like me, I know the committee is very interested in what comes next. So, I appreciate the chance to be here to talk to you and out-

line what I see as the biggest priorities and opportunities for GSA in the months ahead.

First, I want to acknowledge that President Truman's original purpose for creating GSA in the first place remains our North Star, and that is to streamline Government so it works better for the people we serve and to save money doing it. That mission hasn't changed, but especially coming out of the pandemic, in which all of us have had to adapt to new ways of working, the way GSA delivers on that mission certainly has and will continue to change.

In our real estate portfolio, that means finding ways to both right-size in light of our partners' changing needs and rebalance our portfolio so that we can consolidate, whenever possible, into owned Government buildings that offer customers the type of workspaces they need going forward.

A number of those kind of new offerings are already in progress, like an office-in-a-box concept, and also pilot projects that will allow agency staff to access Federal and private coworking spaces that can offer both shorter commuting times and secure work environments.

In governmentwide acquisition, this means becoming the marketplace of choice for our partners by making it so easy and so fast and so cost effective to buy through GSA that it just wouldn't make sense for agencies to look anywhere else. We know that in order to create that kind of marketplace, it is going to require us to make it easier, faster, and cheaper for businesses, especially small businesses from underserved communities, to access and sell to Government buyers.

And when it comes to technology, it means making smart bets on creating a suite of shared, secure services that all agencies at every level of Government can access to improve the way they deliver services to the public and save money.

We all witnessed how outdated and hard-to-use Government technology through the pandemic took a toll on so many families across the country. And we know that when we make Government websites work better for people at their time of need, it isn't just about a website; it is about showing that our Government can and does work effectively for the people it serves.

Of course, to accomplish all of this, we need Congress' support and partnership, and that is why the President's budget request, the Infrastructure Investment and Jobs Act, and the reconciliation package is so important. Those are funds that will allow us to repair and upgrade public assets, providing an historic opportunity to consolidate agencies from this costly leased space into federally owned space; make our buildings safe, sustainable, and resilient to future emergencies; and create adaptive, flexible spaces better suited for the workforce of the future.

All this also includes, as the chairman said, modernizing more than 30 land ports of entry, supporting border security, and promoting trade and commerce.

With this funding, we can also do our part to combat climate change. We can reduce greenhouse gas emissions in Federal facilities by fully 95 percent. We can put more than 150,000 zero-emission vehicles on the road, along with charging infrastructure at our

public buildings, and we can help the Government lead by example and dramatically reduce its carbon footprint.

We can also make long deferred and sorely needed investments in our digital infrastructure so that we can provide better, secure, accessible services to the public and our agency partners.

Overall, these investments will allow GSA to make critical upgrades, the ones we need to ensure our Government can effectively and efficiently deliver for the public now and be better prepared for the future. Whether you are a teacher, a construction worker, a small business owner, or a Member of Congress, these are smart investments.

I look forward to partnering with the committee in the years ahead, and I look forward to your questions today.

[Ms. Carnahan's prepared statement follows:]

Prepared Statement of Hon. Robin Carnahan, Administrator, U.S. General Services Administration

Good afternoon Chairwoman Titus, Ranking Member Webster, and Members of the Subcommittee. My name is Robin Carnahan, and I am the Administrator of the U.S. General Services Administration (GSA). I am joined today by Public Buildings Service (PBS) Commissioner Nina Albert. We appreciate the opportunity to speak with the Subcommittee about GSA's priorities under the Biden-Harris Administration.

Today, we want to briefly touch on GSA's pandemic response—which has been a critical effort and for which we have appreciated Congress's continued support. Primarily, though, we want to outline what we see as this incredible moment of opportunity for the government and the country—a chance to dramatically cut long-term costs, better enable mission execution for our partner agencies, and better serve the public. We'll touch on a few of the key programs and initiatives that are part of how we think we can seize this opportunity. The most important of these are the President's Fiscal Year 2022 Budget Request, the Infrastructure Investment and Jobs Act, and the reconciliation package.

Especially at this critical moment, I am honored and humbled to serve GSA in my new role, and to work alongside proven leaders like Commissioner Albert to fulfill our mission.

GSA'S RESPONSE TO THE COVID-19 PANDEMIC

GSA is a vital partner of other Federal departments and agencies in their response to State- or Federally-declared emergencies, including assisting agencies in responding to COVID-19. Since the beginning of the pandemic, GSA has supported agencies by keeping buildings open, providing clean facilities for all occupants and the visiting public, and providing technology and services to support the mobile work environment. We have amended and updated all of our custodial contracts to clean and disinfect Federal workplaces in accordance with the Centers for Disease Control and Prevention (CDC), the Occupational Safety and Health Administration, and the Safer Federal Workforce Task Force guidance. GSA has also adjusted air ventilation and filtration systems in buildings in accordance with CDC guidance.

GSA helped Federal, State, and local partners respond to the COVID-19 pandemic by procuring and delivering 51 million pairs of protective gloves, more than 983 gallons of disinfectant and cleaning solutions, more than 662,000 gallons of hand sanitizer, 1.3 million masks and face shields, more than 208,000 Meals Ready to Eat, 18,000 laptops for agency partners, and 15,000 beds and cots for medical needs, providing support to the USNS Comfort and USNS Mercy in preparation for their deployment to New York City and Los Angeles, and helping to convert Lumen Field in Seattle into a field hospital.

With additional resources from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) in March 2020, GSA has executed and delivered enhanced cleaning in GSA-controlled Federally owned and leased space, in accordance with CDC guidance for cleaning and disinfection. Furthermore, GSA has invested CARES Act funding into FY 2022 to make our buildings safer, increasing ventilation and

improving air filtration within existing heating, ventilation, and air conditioning systems to improve indoor air quality and better protect building occupants.

GSA amended more than 4,500 leases to include disinfection requirements consistent with CDC guidelines. GSA also secured emergency leases to support agencies in responding to the pandemic, including four for the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), and for the U.S. Small Business Administration to support its efforts working with FEMA.

GSA is also working with the U.S. Office of Personnel and Management, the Office of Management and Budget (OMB), and other agencies on the Safer Federal Workforce Task Force, providing Federal Executive Branch agencies with ongoing guidance to keep Federal employees safe, enable agencies to continue operating during the pandemic, and plan for a safe and effective reentry.

It was an honor for GSA to support the national response during this global crisis, and I am focused on ensuring that GSA will continue to be a part of the solution as we move forward together.

NAVIGATING THE POST-PANDEMIC LANDSCAPE

Our country is at a critical juncture as we re-emerge from one of the most disruptive pandemics and pivot to opportunities to provide a more resilient environment for the future.

Right-Sizing the Real Estate Portfolio—Government-wide adoption of telework as a result of the pandemic presents GSA with a unique opportunity to right-size its real estate portfolio. With more than 50 percent of PBS's total annual appropriated budget paying for leased space, GSA has the opportunity to reinvest in its existing buildings and reduce costly leases to save taxpayers money over the long-term. We plan to capitalize on increased telework across the Federal Government to work with agencies to consolidate into Federally owned buildings and reduce costly leases. GSA has demonstrated its ability to succeed in this area. Since FY 2018, GSA has achieved over \$4.5 billion in lease cost avoidance by negotiating leases below market costs, reducing rentable square feet and moving from leased space to Federally owned space. GSA's actions led to the U.S. Government Accountability Office (GAO) removing costly leasing from its High Risk Report for the first time in 17 years. GAO credited GSA's progress made in reducing leasing costs and improving monitoring efforts.

Future Space Needs—Of course, as a provider of space to partner agencies, we also recognize that we need to enhance our engagement to help them plan for our "new normal." We have expanded communications with Federal agencies through targeted outreach; this effort includes quarterly surveys that gauge the real estate, telework, and technology needs of GSA's customer agencies. While agencies are still considering what a new post-pandemic will look like, including the level and frequency of telework, GSA will work alongside agencies to help them make data-driven space decisions that factor in future telework postures.

Providing Agencies with a Vision for the Future—GSA has been partnering with agencies to define what future workspace will look like for the Federal Government. Through an on-going engagement called "Workspace 2030" with more than 100 experts across 18 Federal agencies, GSA is leading efforts to develop an integrated solution set that includes real estate, technology, and human capital solutions. The future of work will include the full range of options, from in-office to remote working environments to the hybrid work model—whereby employees work part of the week in the office and part of the week teleworking—most likely deploying all three of these models at the same time. It will be important for GSA to make it as easy as possible for agencies to operationalize all of these workplace models, depending on their mission needs as well as their employees' needs.

GSA launched Workplace 2030 to learn from the COVID-19 pandemic to address future workspace needs. Workplace 2030 is not a one-size-fits-all solution, but rather a process that results in the creation of work solutions through conversation with our agency partners. Through this initiative, agencies have positively responded to new and innovative ways of working that have transformed the way the Federal Government will work, long into the future. We are positioning ourselves to be agile and flexible to this changing environment.

Through Workplace 2030, GSA is offering numerous services and options for agencies to test and try. For example, GSA is piloting a space solution called "FlexHub," which is a Federal co-working space, as well as home office technology equipment and furniture packages, and finally the "Workplace Innovation Lab," which allows GSA to try new and emerging office furniture, technology, and other industry innovations. GSA recently awarded an Indefinite Delivery, Indefinite Quantity contract to five private, co-working companies whereby agencies can access short-term, turn-

key office space to meet temporary space needs. By offering and testing a variety of workspace options, GSA is proactively engaging agencies to help them make decisions about their longer-term workspace needs.

As we navigate out of the pandemic, GSA is committed to developing the new offerings that agencies will need to embrace new ways of working—and proactively engaging with partner agencies to ensure we don't just snap back to the way things were before.

BUILDING BACK BETTER

GSA is putting together the programs, initiatives, and outreach strategy that will allow agencies to adapt to new ways of working, and save money in the process. However, for us to be able to effectively pursue this opportunity, we will need to make smart and strategic investments—and will need the resources to do so. That's why we are so excited about the possibilities presented by the Infrastructure Investment and Jobs Act, the reconciliation package, and the President's Fiscal Year 2022 request.

Infrastructure Investment and Jobs Act—The Infrastructure Investment and Jobs Act (IIJA) includes over \$3.4 billion to modernize and upgrade more than 30 land ports of entry (LPOEs) along the northern and southern borders. These resources will allow us to modernize these ports for the future—improving our nation's border security while also making these facilities more sustainable. These projects will also provide the Federal inspection agencies with the facilities they need to better promote trade, tourism and commerce. These are mission-critical gateways for commerce that need to be secure, efficient, and functional.

Reconciliation Package—We recognize that what ends up in the final reconciliation package, as of the moment of putting together this testimony, is still up in the air. But let us tell you some of the critical opportunities we have through this infrastructure package as well. The President's initial proposal included \$5 billion to invest in Federal buildings. We have the opportunity to use these funds for facilities in up to 34 states, the District of Columbia and the Commonwealth of Puerto Rico. This work would help to address the growing backlog of needed repairs in our public assets, as well as make key investments to make these buildings more habitable, resilient and sustainable. With these improvements, we can consolidate agencies into federally-owned space, with the potential to save billions of dollars in annual lease costs. We can also dramatically reduce our carbon footprint by increasing efficiency and electrifying many of these buildings and incorporating solar, geothermal, and carbon free sources of energy wherever possible. These resources can also be utilized to catalyze emerging markets; for instance, GSA has established a working group within our Green Building Advisory Council¹ to look at issues of embodied carbon in construction materials. We can leverage these funds to buy lower-carbon materials as we work to modernize our existing facilities. These investments will also create thousands of good-paying American jobs, many of them union.

The President's proposal also included \$5 billion to electrify the federal fleet. With this money, depending on market conditions, we can convert between 164,000 and 269,000 vehicles in the federal fleet to zero-emission vehicles, and install 82,000 to 269,000 charging stations across the country at federal facilities. This is an important signal of the government's commitment to lead by example in achieving the President's goal of supporting electrification of our country's vehicles. It also is in line with the direction of the market, where we have seen major American automakers pledge to go all-electric in the years ahead.

As Congress has moved forward with consideration of the reconciliation package, some Committees have also proposed making critical investments in our digital infrastructure. As the agency sitting at the nexus of partner agency needs, GSA strongly agrees with making investments in this area as well. As we saw coming out of the CARES Act, the ability of the public to access the resources they need—and to limit bad actors from engaging in fraud—is heavily dependent on having effective and secure digital services. Moreover, as agencies embrace the opportunity to more effectively utilize and share their physical infrastructure, they will need to make upgrades to their digital infrastructure. This will have substantial benefits to the delivery of services to the public; to the productivity of the federal workforce; and will also allow the federal government to further reduce its carbon impacts. I know that Committees in both the Senate and House have proposed funding for the

¹The Green Building Advisory Committee was established by Congress in the Energy Independence and Security Act of 2007, and operates under the provisions of the Federal Advisory Committee Act (FACA).

Technology Modernization Fund, and the Federal Citizen Services Fund, and GSA is also supportive of those investments.

Fiscal Year 2022 Budget Request—The President’s FY 2022 budget request is the final component that will allow us to achieve this transformation of the federal workspace. The budget includes net positive budget authority for the Federal Buildings Fund (FBF). This is key to our ability to seize the opportunity before us to “right-size” the federal real estate portfolio.

As background, to sustainably care for and modernize our public assets, the FBF was designed with the assumption that GSA would be able to reinvest the rent that agencies pay into the fund back into our public assets—much like a private sector landlord. Yet, for the past decade, GSA’s ability to access this rent has been statutorily limited—and this has resulted in an inability to address the growing backlog of deferred maintenance and to keep facilities in a good state of repair. GSA must address these deferred maintenance needs to continue to provide safe, functional, and healthy workspace for Federal employees, and to manage capital costs responsibly. Without safe and efficient facilities, we can’t take advantage of this opportunity to consolidate agencies out of costly leased space. This is the year to get this done.

Moreover, we are leaving savings on the table from smart new investments, like the ongoing consolidation of the Department of Homeland Security at St. Elizabeths. This project will consolidate DHS from more than 40 locations around the District to a modern, secure, and sustainable campus. We have already made significant investments at this facility and can continue to reap greater and greater value from those investments in the future; we stand to save half a billion dollars in real estate costs once we complete the project. Our FY 2022 request includes \$257 million to continue this project. DHS is a great example of the kind of mission that will always require a robust in-person presence, and the surrounding physical infrastructure to support it.

Finally, access to the FBF will allow GSA to take the steps necessary to reduce the carbon impact of the federal government’s real estate portfolio, as well as make our assets more resilient to future climate events. This year, the Biden-Harris Administration has included \$100 million for a new Climate Resilience and Mitigation Fund. With these resources, we can bolster our risk profile data and make targeted investments in facilities across the country that are likely to be impacted by severe climate-related events. Again, this is the time to make our buildings more resilient and reduce their climate impacts. This is just one example from our budget request, but every project on our list will incorporate a robust plan to reduce carbon impacts.

GSA looks forward to working with this Committee to address our critical infrastructure repair needs, address the challenges of real estate needs after the pandemic, and seize the opportunity in front of us to make smart investments that will right-size the portfolio, cut real estate costs, and deliver a more effective and sustainable federal footprint.

CLOSING

In closing, I want to thank the Committee for its support of so many of GSA’s critical investments, and I would ask that Members of this Committee continue to support GSA’s FY 2022 budget request, the Infrastructure Investment & Jobs Act, and the reconciliation package. Every dollar we invest today will have outsized savings in the future—allowing us to consolidate agencies and cut long-term real estate costs, address our repair backlog, promote economic activity in communities across the country, reduce our carbon footprint, and make our public assets more resilient to future climate impacts. In our view, this is the moment to build back better.

With that, we again appreciate the opportunity to be here, and would be happy to answer any questions you have.

Ms. TITUS. Thank you very much, Administrator.

Now we will go to Ms. Nina Albert, who is the Commissioner for the Public Buildings Service.

Ms. ALBERT. Good morning, Chairwoman Titus, Ranking Member Webster, and members of the subcommittee. My name is Nina Albert, and I am the Commissioner of the Public Buildings Service, or PBS, representing more than 5,500 employees.

I am happy to join Administrator Carnahan this morning to discuss with you PBS’ priorities.

I come to GSA with experience in real estate and economic development, most recently serving as the vice president of real estate and parking at the Washington Metropolitan Area Transit Authority. I led WMATA's headquarters consolidation and accelerated transit-oriented development throughout the Washington region.

I also served in the DC government, where I oversaw major waterfront revitalization projects and served as the Department of Environment's chief of green economy, where I developed commercial property incentives for energy and water efficiency. I am pleased to bring these and my other experiences to GSA.

Since the start of the COVID pandemic, GSA has proudly supported agencies by keeping buildings open for mission support, providing enhanced facilities cleaning, and providing technology and other services to support remote work. As a result of greater rates of telework throughout the Federal Government, GSA desires to seize this opportunity to optimize the Federal real estate footprint and is partnering with our customers in the executive and judiciary branches to understand how their space needs may change in the future.

GSA is using what we are learning from these discussions to develop an integrated hybrid workplace that will likely combine human capital, technology, and real estate solutions. To get there, we need to capture space utilization data, design workspaces for enhanced mobility and collaboration, advance smart buildings, and support employee productivity and well-being.

One of my primary focuses will also be to develop the strategies and plans for consolidating more agencies into federally owned facilities and reduce our dependence on leases. Already since fiscal year 2018, GSA has renegotiated more than 1,100 leases at below-market rates, moved more than 200 leases into federally owned space, and avoided more than \$4.5 billion in lease costs.

The coming 5 years promise to achieve even greater space and cost savings, and reinvesting in federally owned facilities will be key to this strategy.

Unfortunately, we are coming from behind, and too many Federal buildings have fallen into a state of disrepair due to lack of consistent funding for maintenance. To gain the full benefit of building ownership and to be the best stewards of the American taxpayer dollar, we must address the growing list of deferred maintenance projects.

By the way, replacing antiquated building systems with high-performance electrical, mechanical, plumbing, and envelope systems, as well as managing our buildings using real-time utilization data, we can significantly reduce greenhouse gas emissions, conserve water and energy use, and promote climate resilience.

GSA's goal is to supply 100 percent of our electricity needs from renewable energy sources by 2025 and achieve carbon pollution-free electricity by 2035.

Looking forward, the Infrastructure Investment and Jobs Act and the Build Back Better initiative will help America continue to make smart investments in federally owned facilities. Specifically, these two bills will help PBS complete nearly 100 projects across 34 States, the District of Columbia, and Puerto Rico. The goal is to modernize and consolidate our footprint, to make it more effi-

cient and resilient, all the while creating good-paying American jobs.

In closing, I would ask that this subcommittee support and advocate for GSA's fiscal year 2022 budget request, the bipartisan infrastructure deal, and the Build Back Better initiative. These programs will all enable GSA to make critical investments in building infrastructure and allow the Federal Government to better serve the American people.

Thank you.

[Commissioner Nina Albert did not submit a prepared statement.]

Ms. TITUS. Thank you.

We will now move on to our Members' questions. Each Member will be recognized for 5 minutes, and I will start by recognizing Mr. DeFazio.

Mr. DEFAZIO. Thank you, Madam Chair.

The 2025 figure that you just put out, Ms. Albert, could you just repeat that again? You expect to be, what did you say, carbon neutral by 2025, and then sustainably supplied by 2035? Was that it?

Ms. ALBERT. Our commitment is to source our power purchases from 100 percent renewable energy sources by 2025, and then by 2035, get to carbon pollution-free electricity.

Mr. DEFAZIO. OK. I am trying to understand the difference between—

Ms. ALBERT. Sure.

Mr. DEFAZIO [continuing]. Sustainable and carbon-free, because—

Ms. ALBERT. Yes. The difference is that buildings—so there is power purchasing which powers buildings, but there is a whole variety of other fuel uses for a building, primarily to heat the building. And so, most buildings run on natural gas or some other—mainly natural gas. And so, to get to—to alleviate our reliance on natural gas, that is what will take us to 2035.

Mr. DEFAZIO. OK. So, I get, you have got, over here we are talking about lights—or in parts of the country where you might heat with electricity, that will be sustainable, but other places where you are using natural gas or heating oil or whatever, those will be till 2035. OK, I get that. Well, I hope you can meet those goals, and that will be great.

Do you know what the deferred maintenance backlog is on our—I mentioned already that apparently there is \$10 billion in collected rent which is difficult to access. Do you know what the deferred maintenance backlog is? Is it less than or more than \$10 billion?

Ms. ALBERT. Well, of the collected rent that we receive, typically about half of that goes to pay for our lease obligations. We collect approximately anywhere from between \$10 billion and \$11 billion in rent from our Federal agencies. About half of that goes to pay back lease obligations, which leaves approximately half to invest into our own facilities.

We have been awarded over the past 10 years, rather than the \$5 billion, closer to \$3.5 billion to \$4 billion. The limitation on access to that remaining \$1 billion has resulted now in what we estimate to be close to \$9.5 billion in deferred maintenance and liabilities.

Mr. DEFAZIO. Well, this is interesting. This so much echoes the Harbor Maintenance Trust Fund, where we were collecting an ad valorem tax, depositing it in a fund program created by Ronald Reagan, and Congress underspent that money for years.

We finally last year resolved that. It only took me 25 years. I hope it doesn't take us 25 years to access more sensibly your revenues and to keep up with your backlog. And we would be very interested in specifics or ideas that the agency could provide.

I guess I am not quite certain what the barrier is. I mean, you are making requests that are just not met. Is that correct?

Ms. CARNAHAN. I will jump in here for a second.

Mr. DEFAZIO. Sure.

Ms. CARNAHAN. OK. So, we understand that there has been traditionally a cap, a spending cap, that each of the appropriation subcommittees has to deal with, and they are able to do allocations within that subcommittee. And when those are limited, if it is a choice between spending money on Head Start or childcare or building deferred maintenance, the choice has gone to investing in kids.

So, what we are asking for is that this be treated as it should, which is a separate fund, that is used to maintain our buildings.

As you alluded to, we have a lot of leases coming up in the next few years. This is an opportunity to consolidate into more cost-effective, federally owned space. That is only going to happen if the space is maintained well, and agencies want to go there, and is the type of space that meets their mission needs.

So, this is just a unique confluence of events where we have deferred maintenance, we have leases coming up, we have agencies rethinking how much space they need. This is a smart time to invest. And if we do this, we are able to save \$2 billion a year of tax money—

Mr. DEFAZIO. Great.

Ms. CARNAHAN [continuing]. In lower lease costs. So that makes a lot of sense to me.

Mr. DEFAZIO. Sure. When do you expect—how many agencies have provided their future projections for space needs post-COVID? Well, we are still in COVID, I guess, but looking ahead to post-COVID, have any agencies provided that data to you? Or when would you expect to get some of that data so you can begin to make those future plans?

Ms. CARNAHAN. Yes. Workplace 2030 is talking about this all the time with agencies across the Government. I think Nina might have, if you want to address this more specifically, but these are ongoing conversations we are having with every agency.

As can you imagine, all of them are rethinking how much telework is going to impact their space needs. And this is not going to be something that is resolved in the next few weeks but definitely something over the next year or so.

Nina?

Ms. ALBERT. Absolutely.

Ms. TITUS. You might want to wrap this up. We are way over time.

Mr. DEFAZIO. OK. All right. Well, thank you, Madam Chair.

Ms. TITUS. Well, I was going to let Nina finish. I am sorry.

Mr. DEFAZIO. Oh, OK, good. All right.

Nina, please proceed.

Ms. ALBERT. Well, thank you so much. We have been already engaging our customers. No one is prepared to make a hard-line decision right now because many customers are waiting to get back into full reentry mode, see how employees are starting to use space, and what the hybridized model looks like for their agency and for their people. But we are hearing back from people, anywhere between 20 percent reductions all the way up to 50 percent reductions, which is in line with what GSA's own expectations are.

So, it will depend agency by agency. And as Administrator Carnahan said, it is going to be an ongoing conversation, but we do believe that overall for the Federal Government, we will be able to reduce the footprint, and there is a great opportunity to reposition our existing portfolio and reduce our reliance on leases.

Mr. DEFAZIO. Excellent.

Thank you, Madam Chair. I thank the witnesses.

Ms. TITUS. Thank you.

I now recognize Mr. Webster.

Mr. WEBSTER. Thank you, Madam Chair.

GSA has announced information on its implementation of the Biden administration's vaccine mandate. Can you describe the requirements for contractors and lessors of a public building site?

Ms. CARNAHAN. I will speak generally to the vaccine mandate, and, Commissioner Albert, if you would like to go into any further details.

As you know, Congressman, we are working hard to ensure that the pandemic is under control, that folks are able to get safely back into their everyday lives and their work schedules and higher vaccination rates. The higher they are, the faster we are going to get there. So, every step we are taking is to move forward that goal.

We are working closely with the contractors. The intent is not to punish anyone but to make sure that folks get vaccinated as soon as they possibly can. We understand that many of the contractors are having to deal with unions and employees and educating folks, and so, we are doing all we can to encourage them to make progress on this by the deadlines that are set.

Mr. WEBSTER. OK. And even the ones that rent the buildings, those too, you are doing the same thing there?

Ms. CARNAHAN. Right. This would apply to Federal employees and to Federal contractors.

Mr. WEBSTER. Yes. Do these requirements cover existing leases? If so, has there been any analysis on the impact of the mandate on leasing costs and competition?

Ms. CARNAHAN. They do apply to existing leases. I don't know about the second question.

Nina, do you have anything you want to add on that?

Ms. ALBERT. I don't. Right now, we have received a fair number of contract modifications that have been approved, both by contractors as well as lease amendments approved by our lessors. We are not at the deadline yet for their response to the lease amendments.

The concerns that have been raised to date have really just been around the deadlines and how tight they are, and so we are working with our contractors and lessors to make sure that they have

the time that they need to implement these mandates. And, candidly, we are working with lessors and contractors as they are sharing with us either their concerns around the deadlines or any other questions that they might have about the guidance that has been put out.

Mr. WEBSTER. Could you commit to providing the committee staff with some sort of briefing on this?

Ms. ALBERT. Absolutely.

Ms. CARNAHAN. Certainly. Yeah, certainly. Whatever would be helpful for you, we are happy to visit with you about it.

Mr. WEBSTER. OK. I had another thought as I was asking that question is, I heard the word “cleaning” a lot in your two presentations, about keeping the buildings clean. That is laudable. But on the other hand, since cleaning became an issue and now it is not as much because it has been determined, after 60 years, that the virus is an aerosol. It doesn’t fall to the ground even at a larger weight and so forth, or size. And so, the real problem is in the air.

I talked to the building engineer here at the Capitol and then another one who replaced him, gave them some information. And then also, I talked to the Speaker and to the minority leader about the issue and about what they needed to do as far as aerosol versus things falling to the ground which I believed over 2 years ago.

But my question would be, are you, in these new buildings, making provisions for some sort of air cleaning? I mean, there are ionizers, there are also UV lights. Are those being added to buildings that are under construction or being designed and so forth?

Ms. CARNAHAN. I am going to defer to the Commissioner on this one.

Ms. ALBERT. Well, Congressman, thank you for that question. I don’t want to overlook how important cleaning in the case—when there is a COVID case or a suspected COVID case comes up. We are still poised to respond and make sure that the building tenants are notified and that we are adequately and appropriately cleaning where the suspected case is found in the building and disinfecting high-touch surfaces. So, I just wanted to put that on the radar and let you know that that is still a high priority.

As it pertains to what we are learning now about how the virus spreads, which is through airborne means, we have surveyed all of the buildings—as you know, we have a very large portfolio—to understand what type of ventilation systems are in place, because one of the goals is to increase air ventilation in spaces, and then the other is air filtration.

So, many of our newest buildings already have the best or the recommended level of air filtration and options for ventilation. Where we are really focused, and CARES Act funding is going to allow us to implement this where we have—we have already implemented some, but we are looking at implementing more, which is to retrofit those older buildings, where applicable, with appropriate ventilation mitigations as well as air filtration mitigations.

So, I am hoping that that is answering your question. Like I said, the most modern buildings have what is recommended by the CDC for air filtration and ventilation. And where we are really focusing is dealing with retrofitting our older buildings.

Ms. TITUS. Thank you.

Mr. WEBSTER. I yield back.

Ms. TITUS. I will now recognize myself for 5 minutes.

Appreciate those detailed answers. But before we can very effectively move forward, we need to address the three elephants in the room.

The first is the Old Post Office. Now we know that that is being leased again, we don't want to make the same mistakes we made before, but GSA hasn't really complied with the inspector general's directive to review the definition of "Emoluments Clause."

Now, most of our buildings aren't 100 percent leased, we just lease a little part of them, but we like to get that in place and wonder what your plans are for that moving forward, and what are the responsibilities left for the Trump Organization, if it is leased, and how we ought to be handling that new lease.

Second one, the chairman mentioned the FBI building. Are they moving? Are they building? Are they staying? Tell us what is happening there.

And then third, what about that misguided decision to send the BLM out to Grand Junction? Some are coming back, some are staying. How is that affecting your public building decisions in the near term?

I would ask the Administrator and then Ms. Albert can weigh in.

Ms. CARNAHAN. Thanks. I will address a few of those, Congresswoman, and let Commissioner Albert respond to some of the others.

With respect to the Old Post Office, as we have talked about, I know that this is an important topic, I know that there is a lot of history about this that long predates my arrival 4 months ago at GSA, and I very much respect Congress' oversight role in all of this.

I have instructed the team to ensure that the tenant is fully compliant with all its lease obligations and that we at GSA are being as transparent as we possibly can be with the committee in its oversight request and always focused on doing everything we can to protect the public's interest in every way.

So, I cannot turn back the clock on things that have happened in the past, but I can commit that going forward, I am very interested in making sure we have the right procedures in place for these kind of outleases and that Congress' role in that is one that is appropriate. So, that is with respect to the Old Post Office.

On FBI, that, again, is a topic I know that is of great interest to the committee, and lots of Members that I talk to bring up this topic. What I can tell you is that I have reached out to Director Wray, that our teams are working closely together to sort of better understand what their needs are in light of the changed circumstances of the last few years, and we will welcome any kind of direction or input from Congress as we take this important project on.

I get that this is a matter of great urgency, but we also have to make sure that we are responding to the needs of the FBI and what they're looking for going forward, and that is what we are working on.

Commissioner, do you have anything you want to add on either of those or the BLM question?

Ms. ALBERT. I just wanted to make or ask a clarifying question. Chairwoman Titus, did you mean the Bureau of Labor Statistics, BLS, or BLM?

Ms. TITUS. I thought it was BLM that moved some of its folks out to the West and then had to move them back, and some are still left out there. Was it an old lease, a new lease, that sort of thing?

Ms. ALBERT. I am sorry, I don't have a lot of details about that, but I will make sure to get information back to this committee so I can appropriately answer that question.

Ms. TITUS. OK. Well, I would appreciate that. And it is Bureau of Land Management, not Labor Statistics.

Ms. ALBERT. Correct, right.

Ms. TITUS. That would have been even a worse decision to move them to Grand Junction. I can't imagine why that would have happened.

Well, before you leave, let me just ask you about the design of Federal buildings. Will you commit to working with me so that we can put those in place so that we don't go back to having every building follow the same pattern, but we can improve the program for allowing local input and consideration of the location of the building, whatever it may be, that we decide to construct?

Ms. CARNAHAN. Certainly, Congresswoman.

I will take this, Commissioner.

This is a topic I know is of great interest to you and the public. First, I just want to put out there that the President has revoked the previous administration's Executive order on the topic that you raised, so I think that should address immediate concerns.

Second, I couldn't agree more that the design of our public buildings should reflect the diversity of our communities. It should fit into those communities; part of our job is to ensure that that happens.

So, we are happy to work with you on whatever way you see appropriate to move that forward so that you can be confident that is happening going forward.

Ms. TITUS. Well, thank you, Administrator. There is a bipartisan bill that I introduced, H.R. 5291, that would do this, it is called the Democracy in Design Act. If you would take a look at that, I would appreciate it, give us any input so we can try to work to move that forward. That would be great.

Ms. CARNAHAN. Certainly will. Thanks, ma'am.

Ms. TITUS. And now I recognize Mr. Massie.

Mr. MASSIE. Thank you, Madam Chairwoman.

Ms. Carnahan, can you tell us what the deadline is for the vaccine mandate from the Biden administration for Federal employees?

Ms. CARNAHAN. I can tell you that there is a target date of December 8 that they have put out there, that they want there to be progress on vaccinations. So, that is the hard-and-fast date that I know of.

Mr. MASSIE. What will happen to employees who refuse to take the vaccine by December 8?

Ms. CARNAHAN. So, we are talking about contractors here?

Mr. MASSIE. Just Federal employees.

Ms. CARNAHAN. OK. So, the Federal employee date, I believe, is different. That is sometime in November. I think it is the 22nd. So, my understanding is that for those who choose not to be vaccinated, that is who you are speaking about—

Mr. MASSIE. Yes.

Ms. CARNAHAN [continuing]. There are going to be steps that they can take for reasonable accommodation where that is appropriate.

Mr. MASSIE. So, how many requests have you received for religious accommodations, given that the deadline is coming upon us, or medical accommodations or exemptions?

Ms. CARNAHAN. Yes. I don't have that number, Congressman, but certainly I can check on that and see what it is. The deadline is several weeks away. So, we can give you a rolling number or we can give you the one—

Mr. MASSIE. Right. How long do you think it will take you to process those requests for exemptions given that the deadline is 3 weeks away?

Ms. CARNAHAN. You know what, I don't know the answer to that question, Congressman. I know that is a thing that is ongoing right now, and I can get back to you about that.

Mr. MASSIE. OK. How many have been granted or requested? Do you know how many have been requested or granted at this point?

Ms. CARNAHAN. I do not.

Mr. MASSIE. Is there a form that Federal employees at the GSA can fill out right now and apply for a religious exemption or is that form not available yet?

Ms. CARNAHAN. So, my understanding is that folks have been asked to say their vaccination status and provide proof of their vaccination, that we have gotten very high-level number of responses to that. I don't have the number off the top of my head, but I can get that to you very quickly—

Mr. MASSIE. OK.

Ms. CARNAHAN [continuing]. And that a large number of those have provided proof of vaccination. So, I don't know what the number is. It is a relatively small number that we are going to be considering for religious and other kinds of health exemptions.

Mr. MASSIE. I hope you will consider them all, all of the requests. Attorney General Garland testified to me last week in the Judiciary Committee that the Religious Freedom Restoration Act requires the consideration and granting of religious accommodations in the context of vaccine mandates.

Have you received any guidance from the Biden administration on how to process these requests, given that the law requires that religious accommodations be made to the vaccine mandate?

Ms. CARNAHAN. Yes, thanks, Congressman. The team is working very hard on this. This is a matter of great interest to everybody across the administration, and I think it is important that there be as much consistency as possible so that there is predictability in it. So, yes, the team is working closely with the rest of the administration on this.

Mr. MASSIE. Can you provide us with the guidance that you have been given from the Biden administration? And I am not picking

on the GSA. You just happen to be in this committee today. This is a question that I asked the DOJ and other departments.

Ms. CARNAHAN. Yes. Whatever we can provide, we will provide. So, I will ask the team about that and to circle back with you and your staff.

Mr. MASSIE. Ma'am, I am trying to determine what kind of guidance has been given.

Ms. ALBERT, have you received any guidance or communication from the Biden administration regarding the possible implementation of vaccine passports or other proof of vaccination to enter Federal facilities or for contractors or the general public?

Ms. ALBERT. Well, as you probably are aware, GSA cochairs and is part of the Safer Federal Workforce Task Force, which is a multiagency group working on the vaccination mandate as well as others, and so making sure that the communications from the Federal Government to our contractors is clear.

Please—you know, we are obviously receiving feedback from contractors and questions, and we are processing those very quickly and continuing to evolve our guidance as we learn more.

Mr. MASSIE. Have there been any discussion of vaccine passports and requiring proof of vaccination to enter Federal buildings?

Ms. ALBERT. I have not heard anything about vaccine passports. In order to enter into a Federal building right now, you need to—and this is the current state of what the guidance says—is be able to provide either—you have to wear a mask if the locality requires mask-wearing indoors, so compliance with local guidance around mask-wearing, social distancing of course, and then just a provision or an attestation about vaccination status.

Mr. MASSIE. Thank you, Madam Chairwoman. My time is expired. I yield back.

Ms. TITUS. All right. Thank you, Mr. Massie.

We will now go to Ms. Holmes Norton.

Ms. NORTON. Thank you very much, Madam Chair, for this important hearing.

I have a question for Administrator Carnahan. We have had a running drama with the SEC building here in the Nation's Capital. On September 30, the GSA entered into a lease on the SEC's behalf for a new SEC headquarters building. I am pleased that GSA has prioritized cost effectiveness in this procurement process.

The SEC has wasted hundreds of millions of taxpayer dollars on leasing errors, including overestimating the amount of space needed for its headquarters by 300 percent at a cost of \$500 million. More recently, in 2019, the SEC effectively vetoed the GSA's entire procurement process, allowing a multimillion-dollar procurement funded by taxpayers simply to go to waste.

I introduced the Securities and Exchange Commission Real Estate Leasing Authority Revocation Act, that is H.R. 1468, to revoke the SEC's authority to independently lease general purpose office space and instead to provide for the GSA to lease such space for the SEC.

I am asking you, what is the administration's view of this bill?

Ms. CARNAHAN. Well, thanks for the question, Congresswoman. I am not familiar or have a position on the bill specifically. I can address generally the situation at the SEC.

Ms. NORTON. Please do that.

Ms. CARNAHAN. As you know, the facility that was delivered to the SEC was based on the needs and requirements that they laid out and that Congress approved. So that is what was done, that is the work GSA did.

You probably also are well aware that there has been a protest of the award by one of the losing bidders, which limits what I can go into in terms of the specifics.

The broader question that you raise, which is one about agencies and how much space they are going to need in the future, as we have been talking about, all of the agencies in this post-COVID environment are looking to what their space needs are going to be. And GSA is very focused on how we can consolidate and be good stewards of tax money by consolidating agencies into existing space. So that just—know that that is what we are thinking about all the time when it comes to these projects.

Ms. NORTON. You don't think that an agency should have independent authority to go out and lease whatever building it feels like leasing?

Ms. CARNAHAN. Well, I know different agencies have different authorities—and, Nina, I don't know if you can speak to any of that—but that is an issue that is better addressed by Congress than by GSA.

Ms. ALBERT. Just speak to and reaffirm what the Administrator just said. I mean, obviously, GSA has the authority to lease space. Some other agencies also have such authorities. In certain cases, we are able to delegate our authority to others, and we evaluate whether or not that is appropriate, as well as are a partner with that delegated agency when they do receive authority from us, to ensure that the leases that they enter into have oversight and have the benefit of GSA's expertise.

In all cases, when we are going through these consolidation opportunities or headquarters moves, GSA is in partnership with the organization and the agency it's looking to move. We are the ones with the authority and the real estate expertise to help them conceive and design their new space. But, ultimately, they are the end user, and they are a very, very important part of the discussion and the conception of what their needs are.

Ms. NORTON. OK. They are important—but I wanted to establish, in fact, agencies can independently go out and lease for themselves.

Final question to Commissioner Albert. What steps, if any, has GSA taken to jump-start the Southwest Ecodistrict, including selling the Department of Energy's four-star building?

Ms. ALBERT. Well, this is a personal area of interest of mine, being from Washington, DC. It is a great opportunity. I will look into that and have been interested in that. I don't have specific plans to share at this moment, but that is something that I would really look forward to working with you on.

Ms. NORTON. Madam Chair, I would like to, as you can see, get the answer on that question.

Ms. TITUS. OK. We will be sure to follow up with Ms. Albert. Thank you.

I now recognize Ms. Van Duyne for 5 minutes.

Ms. VAN DUYN. Thank you very much.

Administrator Carnahan, thank you for testifying today. As you know, outside of the DC region, the largest cluster of federally owned and operated real estate is the 47 land ports of entry along the southern border with Mexico. The vast majority of these ports are owned or leased by the GSA or with CBP involvement and are in dire need of modernization. These ports have a real impact on economic activity in border States.

In each State, thousands of Americans and Mexicans pass legally through the checkpoints to work, shop, or go to school. President Biden is finally allowing nonessential travel to resume between the U.S. and Mexico—

[Audio interruption.]

Ms. VAN DUYNE [continuing]. Not sure whose mic is on, but—

Ms. TITUS. Ms. Norton, I think your mic is on. Thank you.

Ms. VAN DUYNE [continuing]. So, you have been in office since July. Have you visited the southern border yet?

Ms. CARNAHAN. No, ma'am. I have not yet visited the southern border. I did visit a land port of entry in Vermont a month ago, and—

Ms. VAN DUYNE. Yes, that is definitely not on the southern border. And Texas is not as much interested in Vermont as we are about the ports along the Texas-Mexican border.

So, will you commit to visiting the ports of entry along the Texas-Mexican border soon?

Ms. CARNAHAN. I am very interested in getting to the southern border. I will tell you, I haven't been traveling that much in light of COVID but am very interested in getting out to all the places that we serve.

Ms. VAN DUYNE. Well, I would hope that this would be a priority, especially with all that is going on in our southern border, getting down there and seeing for yourself what needs to happen.

As we face critical supply chain crisis, combined with historic levels of illegal immigration, what is the impact of allowing land port of entries to deteriorate?

Ms. CARNAHAN. As you have already pointed out, these land ports of entry have all kinds of maintenance needs. It is about having security at our borders, but also about having openness for business and other kinds of transport. And so, this is the first entryway into the United States. We ought to be making those ones that are welcoming, secure, and appropriate for the services they provide.

Ms. VAN DUYNE. So, again, I would ask that you commit to actually going down there and visiting it firsthand.

Last month, you made comments on reimagining how people work and make sure that Federal Government employees have everything that they need to work, whether they are remote, in the office, or using a hybrid model. Unfortunately, what my constituents and I have seen is a nonresponsive Federal workforce. Wait times are out of control, and it is clear that agencies such as the IRS, Social Security, USCIS are not being effective while working remotely.

So, have you had conversations with agencies to see what is needed to get agencies back up and running so that the Government can be responsible for its constituents?

Ms. CARNAHAN. Yes, thanks for that question. This is a topic of great interest to me is how Government can work better for the people it serves and save money doing it. We have seen, certainly through the pandemic, over and over again, the failure of Government websites to be able to deliver for people at a really urgent time of need.

And so, while GSA is not in charge of every Government website, we do have the ability to help support agencies with what are called shared services. What I mean by that are things that every interaction with Government has to have. Right? So, there are login services, for example, that need to be secure. There are identity verification services that every—

Ms. VAN DUYNE. But my question—

Ms. CARNAHAN [continuing]. Agency would need.

Mr. VAN DUYNE. And I am sorry, but I have a very limited time. My question had to do with making sure that we are having our employees get back to work in their offices. So, have you had conversations with those agencies that I mentioned, specifically the ones that are not working well remotely? Have you had conversations with them to make sure that we are doing everything that we can to get those employees back in the office?

Ms. CARNAHAN. So, GSA has had people in offices across the country throughout the pandemic. We will continue to do that. We are ready to serve and stand up with any other of our agency partners who want to have their people come back to work. We are interested in supporting that, but we don't make the decision ultimately about when they are returning to their offices.

Ms. VAN DUYNE. OK. Well, I appreciate that.

One final quick question. I understand the GSA announced that there is a new diversity initiative. When the President announced the initiative, GSA said that "when we make policy, build buildings, buy supplies, and deploy technology, we will keep diversity, equity, inclusion, and accessibility at the top of the list." The mission of the GSA is to provide Federal agencies with buildings, leased office space, services, supplies, things like that.

So does the DEIA, which is what I just read, as President Biden defines it, trump GSA's main mission of providing office Government services?

Ms. CARNAHAN. Look, GSA's mission, as I have said from the outset, is to make Government work better for the people it serves and to save money doing it. That is going to continue to be our mission. That may change over time, how we deliver on that mission. And ensuring that we give access to everyone is an appropriate thing for Government to do. So, we will be focused on that, as well as looking out for taxpayer money.

Ms. VAN DUYNE. I appreciate that. Thank you.

I yield.

Ms. TITUS. Thank you. And I might just remind Ms. Van Duyne, since she is interested in the difficulties at the land ports of entry, there is \$3.4 billion in the Senate transportation bill. She might want to use some of that money for helping with those ports. And since the IRS is a concern not being able to help the people of this country, there is \$2 billion for taxpayer services in the reconciliation bill. So, she might want—

Ms. VAN DUYNE. I appreciate that, but we all know throwing money at something—

Ms. TITUS. Thank you.

We will now recognize Ms. Davids.

Ms. DAVIDS OF KANSAS. Thank you. Thank you, Chairwoman.

And thank you, Administrator Carnahan and Commissioner Albert, for taking the time to testify here today.

I represent the Kansas Third Congressional District, which is in the Kansas City metro area and is an area that has absolutely been impacted by some of the increasing severe effects of climate change and severe weather events.

I am curious about, though, the ways that GSA has taken a look at building codes and reviewing building codes and the ways that that cannot only help us better prepare for severe weather events, but also to actually make a dent in some of the climate change impacts that we are having. I am very curious if you could tell us a little bit about what you are doing. And either of you can speak to that.

Ms. CARNAHAN. Let me just say a few things at the outset and then defer to Commissioner Albert on this.

Look, the impacts of climate change are real. They are ones that present a risk to our portfolio. And we are spending time thinking about that, both the existing portfolio and what we need to do and what the major risks are and how we can mitigate those. But we are also thinking about how these changes should impact how we think about locating future Government facilities.

So that is really about doing better with data, understanding all of our portfolio, and doing the evaluations to figure out certainly things in flood zones or other kinds of climate risks to our systems, and then putting a price tag on what it would cost to do that mitigation.

So, Commissioner, do you have anything you want to add to that?

Ms. ALBERT. Yes. I would just like to respond to the specific question about building codes. As you know, building codes are set and which codes are used are set by the locality. We comply with all local codes. But in terms of what the Federal Government's own standards are, as the GSA sets them, we really incorporate into our design specifications and lease guidelines what codes are required for Federal buildings or for the Federal Government to lease space from other landlords.

And so, that is really how we set the standard for things like building resilience. It is really in how buildings are designed and the design standard that we bring it to, which in many cases is above what local codes mandate.

Ms. DAVIDS OF KANSAS. Yes. And I think, in all the research that I have seen, if we really took a strong, hard look at improving building codes, we could actually really make a dent on things like carbon emissions and that sort of thing. So, I appreciate the work you guys are doing over there to address that.

And then I think, since I just have like a short amount of time here, but I do think that, piggybacking off of the previous questions that we had, I know there is the—you know, the Federal Buildings Personnel Training Act of 2010, which actually coincidentally

enough was brought up by Congressman Russ Carnahan, our Administrator's brother. The Federal workforce is, of course, becoming more complex. The buildings, the systems, they are becoming more sophisticated. And the technology is progressing at a very quick pace.

I know that you all are working on smart buildings and trying to make sure that our smart employees are trained up in the way that they need to be. If you want to take this last minute or so to kind of talk about where you are at on implementing that plan and piece of legislation.

Ms. CARNAHAN. That is great. Thanks for the question. You are right, smart buildings and technologies make—they are just wise investments. They improve health. They improve energy efficiency. They save us money. And so, that is all good, but it does require training facility managers to be able to do all of those things.

We have identified a couple of courses, one in the cybersecurity area, which is particularly relevant for any kind of smart buildings, as well as public health. And so, we are doing trainings. And we are working with agency partners, including the State Department and the Corps of Engineers on doing this as well.

One of the consistent things we hear, frankly, from our partners is that training is really useful, but when push comes to shove, training budgets are often things that get cut. So just know that is something that is a challenge but something we think is a worthy investment.

Nina, do you have anything you want to add on that?

Ms. ALBERT. I will just add that smart buildings are part of the ecosystem of sustainable building design, and that is absolutely the direction that GSA is going in. We are really focused on upskilling our workforce. We have the fortunate position of not only having the Green Proving Ground which can test certain types of building, smart building technologies, but we are also putting into place and have evaluated what specific skills we need to concentrate on to upskill our workforce, to be able to respond to, manage, as well as analyze data that we are getting back as a result of the smart building system.

So, this is an area of focus. As we further green our buildings, make them more sustainable, this is a crucial aspect of being able to manage smart buildings, high-performance buildings into the future. And so, we are not taking our eye off of this ball.

Ms. DAVIDS OF KANSAS. Thank you so much. Appreciate you.

And thank you, Chairwoman. I yield back.

Ms. TITUS. Thank you. Maybe you will keep us updated as you move to more and more smart buildings. Thank you.

We now go to Mr. Gimenez.

Mr. GIMENEZ. Thank you, Madam Chair.

I have got a couple of questions for Ms. Carnahan. Have you started a process to begin the consolidation of Federal properties in order to reduce the amount of money that we spent as a Federal Government on all of our agencies? Have we started the process on that?

Ms. CARNAHAN. Well, we think about it all the time, Congressman. Leases come up on different cadences. That is why, as I mentioned before, the fact that we have got about over 40 percent of

our leases coming up in the next 4 years. That is the moment we should be investing in our own property so that the transitions can be easily made by agencies out of that leased space and into owned space. It will save \$2 billion a year in lease payments which, to me, is a very smart investment and payback of the American people.

Mr. GIMENEZ. I would probably think you would probably save a heck of a lot more.

Do you find in the Federal Government that agencies seem to silo themselves, that they consider themselves somewhat like independent of the Federal Government? Not really, but do they really think of themselves kind of as independent?

Ms. CARNAHAN. Well, look, I think that a lot of what drives agencies' decisionmaking when it comes to space is financial incentives. Right? And one of the challenges that we see over and over again is they are—because agencies are not able to have the proceeds of the money if they dispose of something, right, and they have to then come to get extra money to build out new space, there is just not a lot of incentive for them to make that change, because the budget process is set up in a way that sort of encourages the status quo.

So, I would be really interested in working with you and the committee on ways to create smart incentives to encourage these agencies to consolidate, and that means giving them the funds to do the build-outs to make that happen.

Mr. GIMENEZ. I doubt that is going to work. I was the mayor of Miami-Dade County, and I also was a department director. I know that when I was a department director, I wanted to get bigger. All right? And that I felt as, you know, my agency was the most important agency in the agency that I was working for, the city of Miami at the time when I was a director. And so, when I became the mayor, I said, no, we are going to centralize this thing, and we are going to make smart decisions based on what the greater good of the county is, not the agency, although—and they are not mutually exclusive.

So, have you talked to the President or somebody in charge and said, look, we need to do some kind of an Executive order that kind of forces agencies to work with GSA in order to start to consolidate a lot of these properties and to have a more holistic strategy of—it is what you need; it is not what you want. OK?

And so, I know with agencies, if you ask them what they want, they will ask for three times the number of square feet that they actually need, et cetera, et cetera. And so, have you thought about asking the President to issue some kind of an order that says, look, we need to start consolidating to save some real dollars here?

Ms. CARNAHAN. So, I have, Congressman, been talking to everyone I can talk to. I have not spoken to the President about this topic directly. But I have spoken to lots of people about the need to be able to take this unique moment where agencies are rethinking what their space needs are, because they have just spent 20 months with people teleworking, and they know that this is going to change going forward.

So, there are not a lot of times in Government, certainly, that there is a seismic shift in how people are thinking about how they deliver service, and we are at that moment. So, the question is

whether we are going to be smart and take advantage of it. The way we do that is we create incentives for people to move into shared space. The only way that happens—

Mr. GIMENEZ. Ma'am, but the only person that—

Ms. CARNAHAN [continuing]. Is if we invest in that.

Mr. GIMENEZ. Sorry. Sorry to interrupt you. But the only person that they all work for is the President. OK? So that is the one person that everybody—that is the head. That is the head. That is the top of the pyramid here. And so, the President is the one that has to issue the order to do that to get it moving along.

Incentives may work or they may not work. It is actually going to take some action and orders from the President to say, this is what we are going to do as a country. This is the way that we are moving forward.

Also, the other thing that I want to talk about is, I know the Federal Government has extensive properties all over the place. Some are being used, some are not. And some—the ones that are not being used are not productive. They are actually costing us money to maintain.

Do you have a plan to put forward so that we can start to release some of this unused, unnecessary Federal lands and make them productive instead of being an expense on the Federal Government?

Ms. CARNAHAN. Yes, it is a great question. I share your urgency about this. There is no reason why it should take such a long time to dispose of properties that folks have decided they don't need to use anymore, but it is a longer process than I like. In my home State in Missouri, I have learned about one in St. Louis that has taken many, many years. Everybody knows it needs to be disposed of, but it still hasn't been. There are often issues with getting that done. Sometimes those are environmental issues. Sometimes those are other, kind of, community issues.

The main thing we have got to sort of balance against speed is the impact on the community. Because you can imagine, if you are giving up a big Federal tenant in a space, that is going to have an impact on a community. And so, we don't want to make those decisions lightly, and we want to be in close consultation with the communities where they are located.

Mr. GIMENEZ. Thank you, ma'am. My time is up, and I yield back.

Ms. TITUS. Thank you.

I now recognize Miss González-Colón.

Miss GONZÁLEZ-COLÓN. Thank you, Madam Chair.

And thank you, Administrator, for being with us today. My question will be: Given the significant seismic activity impact in the island of Puerto Rico, how confident are you that the Degetau Federal Building remains structurally sound, and what efforts is the GSA taking while working toward the immediate seismic reinforcement to ensure my constituents that the facility is safe for occupancy?

Ms. CARNAHAN. Well, thanks for the question, Congresswoman. I know that this is a topic of great concern to you and your constituents. I have been only marginally briefed on this topic, but I

believe Commissioner Albert can speak more specifically to that building.

Ms. ALBERT. Thank you so much.

This is a priority for us. We have already obligated \$48 million in repairs and improvements to facilities in Puerto Rico following Hurricanes Irma and Maria. We are also continuing our work in various campuses that are ongoing right now. So, we are very pleased with the progress that we have made in the Build Back Better proposal. We can use about \$500-plus million to complete the projects of the Federal facilities that are in Puerto Rico, and in that design and construction work, seismic protections, as well as other protections, for other climate change events are being incorporated.

So, thank you for that question.

Miss GONZÁLEZ-COLÓN. Thank you, Commissioner, as well, and Administrator.

And the reason I make this question is that you already know that last week this committee passed a resolution for \$22 million for the phase of design and the construction of the new annex to the building, and I am happy with that. But I know as well that this is just the first phase of a long project.

And when do you think my constituents can see the whole project being built? I know the different phases are going up to—this phase is 2022 to 2024. And the construction for seismic retrofit is back in 2028 to the fiscal year 2031. So, do you say—how committed is the administration in terms of having the funds for all the phases in the future?

Ms. ALBERT. Well, this is part of—these projects will be part of the Build Back Better program for us. So, if that funding is approved, then we are well positioned and do have these projects in our priority list for completion.

As you know, the \$22 million that kicks off the design, we are absolutely prepared to execute on that as soon as the fiscal year 2022 budget is approved. And that is really what gets the entire process moving, and we are anxious to get started and to be able to deliver those projects for you.

Miss GONZÁLEZ-COLÓN. Thank you.

And my question, Administrator, right now will be: How will GSA use the lessons learned throughout the 2010 ARRA project in San Juan to ensure a high level of management, coordination, and oversight is provided to ensure the successful completion of this complex project can be done? We got a lot of experience with that project in the past, and I just want to know if GSA is taking into account all the mistakes and situations that happened during that process in 2010.

Ms. CARNAHAN. So, I appreciate your question. As you know, I was not around in 2010, so not familiar with all of the history, certainly not as much as you are.

Miss GONZÁLEZ-COLÓN. Me neither.

Ms. CARNAHAN. But I will say that our teams are committed to doing all they can to deliver these things on time, on budget, and meeting the mission needs of the team. That takes a lot of close collaboration with people that are on the ground, certainly with

people in your office. And so, we will look forward to collaborating going forward.

Miss GONZÁLEZ-COLÓN. Thank you, Administrator.

My last question will be just to let you know that Puerto Rico has an agency dedicated to the promotion and use of public-private partnerships to the benefit of the Government and to save taxpayers money for my constituents. And I think it will be beneficial for GSA to have the ability to use P3 partnerships.

My question to you is: Do you believe in P3 projects, and are you committed to work with my office and this committee to come up with solutions to ensure GSA can utilize P3 partnerships in the future?

Ms. CARNAHAN. Yes, thanks. I am a big fan of public-private partnerships. In fact, whenever we can do anything that is a smart, quicker way to speed up projects and also save money, it makes sense. But what we need to make sure of is those are set up in ways that do make sense and don't mean the Government is over-paying for something. So, they need to be financially appropriate and looking out for taxpayers.

One of the things that we have done a lot of when it comes to P3s is energy savings performance contracts. So that is one where we have a lot of experience where, as you know, that is where we enter into long-term contracts with companies that upgrade and improve the energy efficiency of facilities, and then they are paid back sort of over time as we pay for those utility costs.

There are plenty of ways we can expand those, and we would really look forward to working with you on how to do that.

Miss GONZÁLEZ-COLÓN. Thank you, Administrator. My time has expired. But I want to say thank you for coming today, and I invite you to come to the island whenever you are ready.

Thank you, Madam Chair.

Ms. TITUS. Thank you.

We will now recognize Mr. Guest for 5 minutes.

Mr. GUEST. Thank you, Madam Chairman.

Commissioner Albert, I want to speak with you a few minutes on flexible coworking space. We know, prior to the pandemic, that the GSA was reducing our real estate footprint because of excess capacity. We know because of COVID we have seen more individuals now teleworking, and that has created uncertainty about the amount of space that we need going forward in the future.

I know several weeks ago, there was a news release report by the Federal News Network, and it said: "The General Services Administration, building on lessons on workplace flexibility learned during the COVID-19 pandemic, is giving the Federal workforce new opportunities to keep working outside of their traditional offices."

It goes on to say: "GSA last week took the first major step in implementing its long-term future of work strategy by awarding a first-of-its-kind contract to provide flexible coworking spaces for Federal employees nationwide. The contract, whose total GSA estimates is \$50 million, harkens back to a similar concept the agency experimented with more than a decade ago."

And so, two things. First, I ask if you could kind of expand upon the flexible coworking spaces, how you see that going forward as we are looking to retool coming out of COVID-19? And then, also,

when can we expect to see task orders issued for competition under this contract?

Ms. ALBERT. Well, thank you so much for that question, Congressman Guest.

We have actually just last week hosted a virtual event with I think it was 40 different agency customers that were really interested in learning more about the coworking task, or IDIQ. So, we answered questions about the contract and what it allows them to do. This is the first-of-its-kind contract that the Federal Government has done.

Why we decided to offer it was just to give more opportunity and more options for agencies. And it is particularly well-suited to address short-term space needs. When you are entering into a longer term or a larger size lease, there is a process affiliated with that. And the flexible coworking contract allows us to offer space as a service.

So, it is a little bit more off the shelf. If an agency needs space for a month or up to a year, they can go ahead and get access to this space. And there is a whole variety of different spaces that most of these landlords or service providers offer, from conference room space to individual offices and everything in between.

So, it has been met with a lot of interest. We believe it gives us additional flexibility and broadens the services that we are able to provide to customers.

Ultimately, we will see, just like we are doing as—I mean, this is the great experiment, candidly, for both the private sector and the public sector. Everyone understands that the future of work will be more designed with flexibility and mobility in mind where different people are going to need different spaces but what they value when they come to an office is collaboration and other kinds of spaces.

So, we are going to have to evolve our own spaces, and having access to coworking space allows agencies to decide what kinds of spaces they think they need without the Federal Government making an upfront capital investment in delivering that kind of space. So, we can use this as an opportunity for agencies to come back to us, say, hey, I have been using a lot of this kind of space over that kind of space and that is what I want in the future.

So, we see a great advantage to it. There is a lot of interest from our agencies, and we look forward in the next year to learning more about how the space is going to be used.

Mr. GUEST. Thank you.

And kind of an unrelated question, Commissioner, while I have got you, is on page 7 of the written testimony, it talks about the proposed \$5 million investment in Federal buildings. Going on over onto page 8, it talks about some of the potential savings. And then it says: “We can leverage these funds to buy lower carbon materials as we work to modernize our existing facilities.”

And just curious, as it relates to low-carbon materials, what type of materials would you be referring to there?

Ms. ALBERT. Well, there is a variety, but the most common example is really embedded carbon in concrete. And so, we would be working with concrete manufacturers, for example, doing direct outreach with industry and industry groups to understand where

they see the opportunity. Carbon is also embedded in the production of a lot of different types of materials, steel among them, equipment, others.

This is going to be a long-term partnership with industry and equipment manufacturers, as well as material manufacturers, to figure out how we are going to reduce carbon in the production of these materials.

Mr. GUEST. And I know my time is up, but would mass timber products also be included in something that you would be looking at as far as a lower carbon material?

Ms. ALBERT. That is absolutely an option, yes. There is nothing that we have that precludes the use of that.

Mr. GUEST. Thank you. Madam Chairman, I am out of time, so I yield back.

Ms. TITUS. Thank you.

Well, that concludes the Members we have for questions.

Mr. Webster, do you have any closing comments before we adjourn?

Mr. WEBSTER. No. I just want to follow up on some of the things I was talking about, but I am going to do that in writing. Thank you, Chair.

Ms. TITUS. Well, thank you.

And thank you, Administrator and Commissioner. We really appreciate your commitment to transparency and cooperation. You can tell by the questions that there is a lot of interest from the Members on what you are doing and what you are planning to do.

I also appreciate your working with us, with the appropriators to get some of the money that you collect, that you need to then reinvest in our buildings to make them safer, make them healthier, make them greener. So, we want to work with you to do that.

You set the market in many places where you are located for commercial real estate, so we want you doing it the most efficient way possible. Always keep the taxpayer in mind but not building to look like the Parthenon.

So, thank you. Thank you very much. And we will appreciate you getting back with some of those questions. And I know that we will be in touch moving forward. We welcome your wise counsel on these issues.

So, that concludes our hearing. Your comments will go into the record. As I said, they have been very helpful.

I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted to them in writing.

I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or the witnesses to be included in the record of today's hearing.

Without objection, so ordered.

The subcommittee stands adjourned.

[Whereupon, at 11:34 a.m., the subcommittee was adjourned.]

SUBMISSIONS FOR THE RECORD

**Prepared Statement of Hon. Sam Graves, a Representative in Congress
from the State of Missouri, and Ranking Member, Committee on Transportation and Infrastructure**

Thank you, Chair Titus, and thank you to our witnesses for being here today.

This Subcommittee has a long, bipartisan history of taking a leading role in reforming federal real estate.

From pressing agencies to reduce their space footprint, to changing how we dispose of unneeded real estate, we have saved the taxpayer billions of dollars.

Now we are faced with a potential opportunity to realize more savings.

Understanding GSA's priorities, particularly in the public building space, is important to help the Committee work with GSA to continue to improve management of federal real estate.

I look forward to hearing from the GSA Administrator and Public Buildings Commissioner today and welcome them.

Thank you, Chair Titus. I yield back.

APPENDIX

QUESTIONS FROM HON. PETER A. DEFazio TO THE U.S. GENERAL SERVICES ADMINISTRATION

Sustainability:

Question 1. Does PBS know how many of its owned and leased spaces have sustained damage from weather-related natural disasters?

ANSWER. The U.S. General Services Administration (GSA) establishes priority codes for tracking projects resulting from natural disasters. These codes track damage to buildings from major weather events such as Hurricanes Irma, Harvey, Maria, and Florence. In addition, GSA has submitted emergency reprogramming requests to Congress for isolated weather events, such as a 2020 derecho in Cedar Rapids, IA and a hail storm in 2017 that damaged several buildings at the Denver Federal Center. Since 2017, GSA has tracked 59 buildings in GSA's inventory that have sustained damage due to weather-related natural disasters.

Question 2. Does GSA tally the cost of repairs needed due to weather related natural disasters?

ANSWER. Yes. As mentioned above, GSA establishes priority codes for tracking project costs and other financial activity resulting from natural disasters. This process allows GSA to tally the costs associated with these types of repairs.

Question 3. How has the COVID-19 pandemic's reduced building occupancy and utilization impacted GSA's energy consumption?

ANSWER. The average energy usage per gross square foot (BTU/GSF) across the portfolio at the onset of the pandemic (trailing 12-months through Feb. 2020) was about 54,120 BTU/GSF. Since having 12-full months of pandemic operations, energy usage has averaged about 49,760 BTU/GSF, or an -8.1% change, which is a significant decrease, particularly given the steps GSA has taken to increase ventilation and improve air filtration in its facilities consistent with guidelines promulgated by the Centers for Disease Control and Prevention (CDC). However, the changes weren't uniform throughout the portfolio. For example, land ports of entry—which have critical national security functions and 24/7 operations and implemented no telework—saw almost no change in energy usage during this time. Additionally, GSA facilities with very dense tenant populations (higher numbers of tenants per square foot) tended to reduce energy use more than buildings with lower tenant population densities.

Question 4. What does GSA need to transform its owned portfolio to healthier, sustainable, well-designed buildings that are smaller and more cost-effective?

ANSWER. GSA has one of the largest Federal sustainable building portfolios in the country. In FY 2020, GSA had 269 federally owned buildings that were identified as sustainable per the Guiding Principles for Sustainable Federal Buildings [https://www.sustainability.gov/pdfs/guiding_principles_for_sustainable_federal_buildings.pdf]. Those buildings comprise approximately 40% of GSA's federally owned square footage. We know how to design, build, and operate sustainable Federal buildings and are a recognized leader in the real property industry.

To transform to a climate resilient, more sustainable, and cost-effective portfolio, GSA needs sustained reinvestment to modernize and maintain efficient and high-performing buildings. With full access to the future annual revenues and collections deposited in the Federal Buildings Fund (FBF), GSA could convert more existing federally owned facilities to become sustainable, reducing their carbon impact; create and sustain thousands of good-paying jobs; and ensure newly constructed facilities are designed and built both in a sustainable, resilient and efficient manner.

While investments from appropriations such as the Infrastructure Investment and Jobs Act (Public Law 117-58) modernize and improve portions of GSA's portfolio, these types of appropriations are targeted to specific facilities (Land Ports of Entry

for this law) and not the entire GSA real estate portfolio. Access to all of the future annual revenues deposited into the FBF would have an even greater impact on the portfolio since it would provide a consistent source of funding to modernize, transform and maintain the entire inventory.

Repair Backlog:

Question 5. What is the current level of deferred maintenance on the Government's owned portfolio?

ANSWER. GSA does not track deferred maintenance needs for the entire owned Government portfolio, only those buildings under GSA's custody and control. Since 2010, GSA has received approximately 60% less than the requested funding to address repair and alteration needs for GSA-controlled federally owned facilities. The reduction in funding has led to an increase in both GSA's deferred maintenance and repair needs and the overall outyear liabilities within the owned portfolio. GSA's immediate deferred maintenance need has grown every year for the last 6 years and is now estimated to be approximately \$2.59 billion at the end of FY 2021. This deferred maintenance is categorized as work needing to be performed immediately or the next fiscal year to restore or maintain acceptable conditions within the building inventory.

Question 6. What plan is in place to address this backlog?

ANSWER. GSA is pursuing a multi-pronged approach to address our mounting deferred maintenance backlog. First and foremost, GSA hopes to work with Congress to restore the previous practice, maintained until 2010, of providing full authority to GSA to invest the annual revenues it collects from its agency tenants for facilities maintenance, rent payments and operations. In addition, GSA seeks to increase the pipeline for disposition of under-utilized real properties and to strategically prioritize investments in those buildings that will remain long-term holds for the Government.

COVID-19:

Question 7. How has the COVID-19 pandemic changed GSA's Public Buildings Service? What has PBS learned in the year and a half when so many federal employees have not been in their offices?

ANSWER. GSA continues to engage with its customer agencies to identify what their needs will be going forward. During the COVID-19 pandemic, the Public Buildings Service (PBS) has been working with its customer agencies to define what the future of work might look like for the Federal Government. Many agencies have seen the value in telework and are making plans to expand those programs. While our clients are awaiting the outcome of returning to facilities, they are indicating an initial desire, and capacity, to reduce their space needs.

Question 8. How is PBS determining how much real estate each tenant needs?

ANSWER. GSA is engaging with customer agencies to assess their future office space needs and reflect the changing needs of the post-pandemic Federal workforce. GSA is using this information to develop workspace strategies tailored to each customer agency. GSA uses a data-driven approach to gain insight into agencies' future operating postures and real estate needs, recognizing that each customer will have different requirements. As part of this effort, GSA will be engaging 24 CFO Act agencies to develop individual National Workspace Portfolio Plans that reflect the agencies Future of Work. These plans will define the customer's desired future real estate footprint, the steps necessary to reach that footprint, and strategies for supporting the customer's evolving workstyle needs through technology and services solutions. These efforts will help GSA and the agencies develop a more optimized, sustainable, and efficient real estate portfolio.

Question 9a. Looking at pre-Covid utilization data and agency requirements, what was PBS consuming and how will that change in the next five years and ten years?

ANSWER. Based on limited real-time building utilization data, pre-COVID GSA-controlled office buildings (32 owned and 3 GSA Regional Office Leased buildings) averaged a 69% utilization rate and decreased to an average of 29% utilization during the first year of COVID. Given that many agencies have not fully returned to GSA-controlled facilities and that the Future of Work is still being defined, it is difficult to exactly predict the rate of occupancy post-COVID. However, PBS is anticipating, based both on utilization trends and on anecdotal feedback, that there will be reduced office space demand in the next 5 to 10 years. Note: See Q3 for Average energy usage/Gross Square foot.

Question 9b. How much space will you need and for how long do you want to control it?

ANSWER. It is too early to provide an answer to this question. GSA is in the midst of customer engagements, as outlined in the answer to Q8.

QUESTIONS FROM HON. ELEANOR HOLMES NORTON TO THE U.S. GENERAL SERVICES ADMINISTRATION

Question 1. The General Services Administration (GSA) is administering public building contracts that were awarded before the COVID-19 pandemic but performed after its onset. Contractors and subcontractors performing these contracts subsequently implemented worker safety protocols issued by the Occupational Safety and Health Administration and the Centers for Disease Control and Prevention, which impacted costs and productivity in the performance of the contracts.

Is GSA allowing equitable adjustments for COVID-19-related direct and indirect costs, which could not have been anticipated at the time the parties entered into the contracts? If not, please explain why not.

ANSWER. Whenever a contract is modified, whether unilaterally or bilaterally, the contractor has an opportunity to seek an equitable adjustment. During the onset of the pandemic, GSA unilaterally amended leases and bilaterally modified contracts to require lessors and contractors to perform daily disinfection cleaning of high-contact surface areas. As this was a change to the lease and contract vehicles, GSA allowed lessors and contractors to seek an equitable adjustment so long as they were able to demonstrate an impact due to the requirements resulting in a price increase.

Question 2. If GSA is allowing equitable adjustments for COVID-19 related direct and indirect costs, is it dosing so for all project types, such as buildings in large urban areas and buildings outside of large urban areas?

ANSWER. GSA considers each request for equitable adjustment based on the terms and conditions of the contract, regardless of the project type or geographic location. GSA allows equitable adjustments where a contractor demonstrates how the requirement has increased costs and why the costs are allocable to the contract, and then determined fair and reasonable by a Contracting Officer.

Question 3. Please provide examples of GSA's evidence with Small Business Administration 8(a) firms, Minority Business Enterprises and Women Business Enterprises on the projects described in Question 2.

ANSWER. Equitable adjustments have been considered from all contractors, regardless of business size/socio-economic status. As an example, here is a listing of six equitable adjustments approved by PBS for small business contractors:

| Contract Number | Modification Number | Type of Work (Custodial, Construction, Etc.) | Equitable Adjustment Amount | Vendor Name | Socioeconomic Categories |
|----------------------|------------------------|--|-----------------------------|--------------------------------------|--------------------------------|
| 47PB0017D0008 | PS0012 | Custodial .. | \$18,349 | ACT SERVICES CORP. | 8(a), WOSB. |
| GS-P-04-15-EW-5089. | PS0027 | Custodial .. | \$21,060 | DAE SUNG, LLC ... | Minority Owned Business. |
| GS-05P-15-SV-D-0072. | PS0019 | Custodial .. | \$20,381 | AMERICLEAN JANITORIAL SERVICES CORP. | Minority Owned Business, 8(a). |
| 47PM0919C0009 | PS0009 | Custodial .. | \$15,010 | TILT UP CONSTRUCTION, INC. | Minority Owned Business, WOSB. |
| 47PK0220F0045 .. | Order for COVID scope. | Custodial .. | \$15,527 | M&M MANAGEMENT SERVICES, INC. | Minority Owned Business, 8(a). |

| Contract Number | Modification Number | Type of Work (Custodial, Construction, Etc.) | Equitable Adjustment Amount | Vendor Name | Socioeconomic Categories |
|-------------------|---------------------|--|-----------------------------|---------------------------------|--------------------------|
| 47PJ0019F0188 ... | PA0013 | Custodial .. | \$4,745 | Integrity National Corporation. | Minority Owned Business. |

Most of GSA's janitorial services contracts are awarded to Non-Profit Agencies in the Ability-One Program. GSA has modified all 458 janitorial contracts; these contracts are comprised of 208 small business contractors and 241 Ability-One Non-Profit Agencies. Overall, 98% of all janitorial contractors have a socioeconomic designation.

GSA has approved 275 contract modifications for equitable adjustments in response to the 458 COVID-19 cleaning modifications. Of the contractors that received equitable adjustments, 113 were small businesses and 155 were Ability One Non-Profit Agencies. Overall, 97% of the contractors that received equitable adjustments have a socioeconomic designation.

Question 4. Does GSA plan to include pandemic cost contingency recovery clauses in future contracts, similar to the labor, material and price escalation contingency clauses currently in the Federal Acquisition Regulations?

ANSWER. GSA will implement additional clauses as published and required in the Federal Acquisition Regulation.

QUESTIONS FROM HON. SHARICE DAVIDS TO HON. ROBIN CARNAHAN, ADMINISTRATOR, U.S. GENERAL SERVICES ADMINISTRATION

Question 1. I appreciate that the Biden-Harris Administration is currently engaged in a whole-of-government review and update of U.S. national biopreparedness policies as directed by the President in Executive Order 13987 and National Security Memorandum-1.

As the President's American Jobs Plan stated, the United States has the opportunity and need to fundamentally transform our capabilities to protect the nation. I am pleased that the President is directing Executive Branch agencies to lead the way in this regard to protect the hundreds of thousands of Americans employed by the Federal Government.

In Section 8.2 (Pathogen protection within the built environment) of the *American Pandemic Preparedness: Transforming Our Capabilities* report issued on September 21, 2021 (WH Pandemic Preparedness Plan: p. 14), Assistant to the President for Science and Technology Eric S. Lander and Assistant to the President for National Security Affairs Jacob J. Sullivan state that efforts will be made to "develop and deploy new technologies to improve indoor air quality, surface materials, and related aspects of transportation, buildings, and other infrastructure to suppress pathogen transmission among people."

Would you please provide to my office a detailed description of how the General Services Administration will implement this plan to protect those employed by the Federal Government by making Federal Government buildings, transportation, and infrastructure safer regarding improved indoor air quality? Thank you.

ANSWER. GSA has taken numerous steps to improve indoor air quality in its federally owned facilities throughout the COVID-19 pandemic. These steps have helped to mitigate risk for Federal employees, contractors, and visitors accessing GSA-controlled facilities.

In the "P100, Facilities Standards for the Public Buildings Service," the latest revision in 2021 added heating, ventilation, and air conditioning (HVAC) requirements to include a minimum of Minimum Efficiency Reporting Value-13 (MERV-13) filtration, and Ultraviolet-C (UV-C) for coil disinfection. The MERV-13 filtration in all air handlers will provide a significant improvement with respect to disease transmission.

Operationally, GSA has made the following changes to mitigate the risk of COVID-19 transmission, all of which comply with CDC recommendations:

- Increased ventilation rates, where feasible.
- Confirmed ventilation systems operate properly and provide acceptable indoor air quality for each space's current occupancy level.
- Increased outdoor air ventilation while using caution in highly polluted areas.

- Opened outdoor air dampers and windows as feasible, considering outdoor weather conditions.
- Improved central air filtration to MERV-13 or the highest compatible with the filter rack, and sealed edges of the filter to limit air bypass.
- Ran HVAC systems longer to increase air exchanges.

Additionally, GSA is working on the acquisition of Smart Sensor Technologies for installation/deployment of sensors. The national Smart Sensor technology contract would allow for deployment of occupancy sensors, indoor air quality (IAQ) and indoor environmental quality (IEQ) sensors for GSA-managed, federally owned facilities.

QUESTIONS FROM HON. DANIEL WEBSTER TO HON. ROBIN CARNAHAN,
ADMINISTRATOR, U.S. GENERAL SERVICES ADMINISTRATION

Question 1. Despite early confusion, since the Summer of 2020 we have known that SARS-CoV-2 spreads via airborne transmission, especially in indoor environments. Indeed, a major awaking occurred within the scientific community when the long-accepted “fact”, that virus particles larger than 5-microns could not be aerosolized, was upended thanks to research and persistence of a few diligent physicists.

Given that building environmental systems can play a significant role in reducing the risk of viral airborne transmission, has GSA made any changes in building systems designs or operations to mitigate the risk of SARS-CoV-2 transmission?

- a. If so, please describe some of the operational and/or design modifications that have been made.

ANSWER. In the “P100, Facilities Standards for the Public Buildings Service,” the latest revision in 2021 added HVAC requirements for a minimum of Minimum Efficiency Reporting Value-13 (MERV-13) filtration, and Ultraviolet-C (UV-C) for coil disinfection. The MERV-13 filtration in all air handlers will provide a significant improvement with respect to disease transmission.

Operationally, GSA has made the following changes to mitigate the risk of SARS-CoV-2 transmission, in compliance with CDC recommendations.

- Increased ventilation rates, where feasible.
- Confirmed ventilation systems operate properly and provide acceptable indoor air quality for each space’s current occupancy level.
- Increased outdoor air ventilation and using caution in highly polluted areas. With fewer people in the building, these measures increased the effective dilution ventilation per person even further.
- Opened outdoor air dampers/windows as feasible, considering outdoor weather conditions.
- Improved central air filtration to MERV-13 or the highest compatible with the filter rack, and sealed edges of the filter to limit air bypass.
- Kept systems running longer hours to increase air exchanges.

Additionally, GSA is working on the acquisition of Smart Sensor Technologies for installation/deployment of sensors. The national Smart Sensor technology contract would allow for deployment of occupancy sensors, indoor air quality (IAQ) and indoor environmental quality (IEQ) sensors for GSA-managed, federally owned facilities.

- b. If not, does GSA plan to incorporate these changes in future designs to allow greater flexibility in increasing fresh air supply or retrofitting systems with equipment that can neutralize or trap viral threats?

ANSWER. GSA is incorporating changes to operations and future designs, per Q1a.

- c. Additionally, what steps has GSA taken to provide information to, and ensure lessors are implementing best practices with regards to modification of operations or retrofit of existing systems to improve indoor air quality and reduce the risk of SARS-CoV-2 transmission?

ANSWER. On July 8–9, 2021, the PBS Office of Leasing issued letters to all lessors recommending that they follow “current industry practices by considering the application of the latest Centers for Disease Control and Prevention (CDC) guidance with respect to building ventilation and water systems” as set forth in the Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19), May 2020, under sections “Consider improving the engineering controls using the building ventilation system” and “Ensure the safety of your building water system and devices after a prolonged shutdown.” In addition, the PBS Office of Leasing and PBS Office of Facilities Management (OFM) partner to enforce lease contract terms. Lease Administration Managers (LAMs) from OFM act as contracting officer representatives and perform annual and ad hoc lease inspections and

respond to customer concerns at leased locations. They work with the Lease Contracting Officer to address any deficiencies and take any necessary corrective action.

Question 2. This Committee led the work in passing the Federal Assets Sale and Transfer Act (FASTA). The intent of this legislation was to cut red tape that plagued the federal government for decades in getting rid of unneeded properties. This law was intended to realize untapped value in federal real estate through leveraging the value in property to provide new space to address space needs. However, based on how GSA decided to implement the FASTA board's first round of recommendations, it seems GSA is treating FASTA as simply a streamlined disposal process. Could you elaborate on the process that GSA engages with the FASTA board and OMB? Further, will you commit to working with us to ensure FASTA's intent is carried out?

ANSWER. In accordance with FASTA, the Public Buildings Reform Board (PBRB) directed GSA to sell the final approved list of twelve (12) properties identified as the High Value Assets (HVA) (after one additional property was removed from the list). All the properties that were ready for conveyance have either been sold or are currently being actively marketed to be sold via competitive auction. As of January 20, 2022, GSA has sold six (6) properties for a total of \$65.5M; five (5) of which have closed with the 1 remaining property to close, and proceeds will be collected, by the end of January.

GSA meets with the PBRB staff weekly to coordinate FASTA implementation responsibilities. In addition, GSA has periodic meetings with the PBRB members to review progress on the HVA sales as well as potential future recommendations. GSA has also coordinated with OMB throughout this process.

GSA is committed to working with the Committee to ensure the intent of FASTA is carried out and exploring strategies to meet the objectives of the legislation based on agency experience and lessons learned through the implementation of FASTA thus far.

Question 3. In the past, the Government Accountability Office (GAO) and the Committee have found that often federal courthouses are overbuilt costing the taxpayer billions. Recently, the Judiciary updated the courthouse design guide.

a. Please confirm if GSA consulted during this process, and if so how (meeting, call, email) and whether GSA provided feedback?

ANSWER. GSA was provided a draft of the U.S. Courts Design Guide (USCDG) in November 2019 and provided comments and feedback to the Administrative Office of the U.S. Courts (AOUSC). GSA partnered with the AOUSC throughout the review and comment period and conveyed several impacts to the cost of new courthouses as a result of the proposed revisions. The Judicial Conference approved the USCDG in March 2021, and a copy was provided to GSA.

b. Additionally, with the new guide in place, what is GSA doing to ensure new courthouse projects are not overbuilt and how does GSA track this?

ANSWER. GSA is committed to delivering its capital construction projects within the size and scope authorized by Congress. New courthouse projects are based on the courthouse benchmark formula that creates consistent budget formulation. The benchmark is based on past completed projects, and GSA and occupant agency design guide requirements. GSA has policies and procedures in place to review projects for conformance with the approved prospectus. GSA is required to report to Congressional authorizing committees when the design of a new courthouse exceeds the authorized size by more than 10%. In addition, GSA must notify Congress if project costs exceed 10% of congressionally authorized appropriations.