

DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS
CONSOLIDATION ACCOUNTABILITY ACT OF 2015

JUNE 17, 2015.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. McCAUL, from the Committee on Homeland Security,
submitted the following

R E P O R T

[To accompany H.R. 1640]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 1640) to direct the Secretary of Homeland Security to submit to Congress a report on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Homeland Security Headquarters Consolidation Accountability Act of 2015”.

SEC. 2. REPORT ON DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS CONSOLIDATION PROJECT.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the Administrator of General Services, shall submit to the appropriate committees of Congress a report on the Department of Homeland Security headquarters consolidation project within the National Capital Region. Such report shall include each of the following:

(1) A proposed occupancy plan for the consolidation project that includes specific information about which Department-wide operations, component operations, and support offices will be located at the site, the aggregate number of full time equivalent employees projected to occupy the site, and schedule estimates for migrating operations to the site.

(2) A comprehensive assessment of the current and future real property needed by the Department in the National Capital Region in order to carry out the mission of the Department to secure the homeland and defend the Nation against future acts of terrorism.

(3) An analysis of the difference between the current and needed capital assets and facilities of the Department.

(4) A current plan for construction of the headquarters consolidation at the St. Elizabeths campus that includes—

(A) the estimated costs and schedule for the current plan; and

(B) any estimated costs savings associated with reducing the scope of the consolidation project and increasing the use of existing capacity developed under the project.

(5) A current plan for the leased portfolio of the Department in the National Capital Region that includes—

(A) the total rentable square feet, number of personnel, and proposed utilization rates;

(B) the replacement and consolidation plan, including—

(i) an end-state vision that identifies which Department-wide operations, component operations, and support offices do not migrate to the St. Elizabeths campus and continue to operate at a property in the leased portfolio;

(ii) the number of full time equivalent employees who are expected to operate at each property, component, or office; and

(iii) timing and anticipated leased terms, for leased space under the plan referred to in paragraph (4); and

(C) the costs and benefits of leasing and construction alternatives for the headquarters consolidation project.

(6) A detailed list of alternatives considered by the Department during the development of the plan referred to in paragraph (4), including the costs and benefits of alternatives to such plan.

(b) **UPDATE OF COST AND SCHEDULE ESTIMATES.**—Not later than 180 days after date of the submittal of the report required by subsection (a), the Secretary, in coordination with the Administrator of General Services, shall complete the update of the cost and schedule estimates for the portions of the consolidation project that are not yet complete as of such date based on the information contained in the report. Consistent with the recommendation of the Government Accountability Office in GAO-14-648, such estimates shall conform to relevant Federal guidance for cost and schedule estimates.

(c) **COMPTROLLER GENERAL REVIEW.**—

(1) **REVIEW REQUIRED.**—The Comptroller General of the United States shall review the update of the cost and schedule estimates under subsection (b) to evaluate the quality and reliability of such estimates.

(2) **ASSESSMENT.**—Not later than 60 days after the completion of the update of the cost and schedule estimates under subsection (b), the Comptroller General shall report to the appropriate congressional committees on the results of the review required by paragraph (1).

(d) **DEFINITIONS.**—In this Act:

(1) The term “National Capital Region” has the meaning given such term under section 2674(f)(2) of title 10, United States Code.

(2) The term “appropriate committees of Congress” means the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate.

PURPOSE AND SUMMARY

The purpose of H.R. 1640 is to direct the Secretary of Homeland Security to submit to Congress a report on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Department of Homeland Security’s (DHS) headquarters consolidation project at the St. Elizabeths Campus has experienced schedule delays and cost overruns, funding shortfalls, and will cost more, be narrower in scope, and take longer to complete than DHS originally estimated. This bill codifies recommendations made by the Government Accountability Office (GAO) to ensure the Department uses best practices for capital decision-making as they continue with the consolidation project. This legislation is important because comprehensive plans, project costs, and schedule estimates inform Congress’s funding decisions and affect the agencies’ abilities to effectively allocate resources.

HEARINGS

No hearings were held on H.R. 1640; however the Committee held an oversight hearing listed below:

113th Congress

On September 19, 2014, the Subcommittee held a hearing entitled “Oversight of the DHS Headquarters Project at St. Elizabeths: Impact on the Taxpayer.” The Subcommittee received testimony from Mr. David Maurer, Director, Homeland Security and Justice, U.S. Government Accountability Office; Hon. Chris Cumiskey, Acting Under Secretary, Management Directorate, U.S. Department of Homeland Security; and Mr. Norman Dong, Commissioner, Public Buildings Service, U.S. General Services Administration.

COMMITTEE CONSIDERATION

The Committee met on May 20, 2015, to consider H.R. 1640, and ordered the measure to be reported to the House with a favorable recommendation, amended, by voice vote. The Committee took the following actions:

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by MR. WALKER (#1); was AGREED TO, amended, by voice vote.

An en bloc amendment by MS. JACKSON LEE to the Amendment in the Nature of a Substitute (#1A); was AGREED TO by voice vote.

Consisting of the following amendments:

Page 2, line 25, strike “including” and all that follows through “; and” on page 2, line 2, and insert “including—”.

Page 3, after line 2, insert the following: (i) an end-state vision that identifies which Department-wide operations, component operations, and support offices do

not migrate to the St. Elizabeths campus and continue to operate at a property in the leased portfolio;

(ii) the number of full time equivalent employees who are expected to operate at each property, component, or office; and (iii) timing and anticipated leased terms, for leased space under the plan referred to in paragraph (4).;

Page 1, line 16, strike paragraph (1) and insert the following: (1) A proposed occupancy plan for the consolidation project that includes specific information about which Department-wide operations, component operations, and support offices will be located at the site, the aggregate number of full time equivalent employees projected to occupy the site, and schedule estimates for migrating operations to the site.

Page 2, line 15, strike “the estimated costs savings of” and insert “any estimated cost savings associated with”

The Subcommittee on Oversight and Management Efficiency met on May 13, 2015, to consider H.R. 1640, and ordered the measure to be reported to the Full Committee with a favorable recommendation, amended, by voice vote. The Committee took the following actions:

The following amendment was offered:

An amendment offered by MRS. WATSON COLEMAN (#1); was AGREED TO by voice vote.

Page 3, line 24, strike “90” and insert “180”.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded voted were requested during consideration of H.R. 1460.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee has held oversight hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 1640, the Department of Homeland Security Headquarters Consolidation Accountability Act of 2015, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 3, 2015.

Hon. MICHAEL MCCAUL,
*Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1640, the Department of

Homeland Security Headquarters Consolidation Accountability Act of 2015.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

KEITH HALL,
Director.

Enclosure.

H.R. 1640—Department of Homeland Security Headquarters Consolidation Accountability Act of 2015

H.R. 1640 would require the Department of Homeland Security (DHS) to prepare a report to the Congress on the DHS headquarters consolidation project within the national capital region, including updated timelines and cost estimates. The bill also would require the Government Accountability Office (GAO) to review the DHS estimates of project costs and schedules and report its findings to the Congress.

Based on the cost of similar activities, CBO estimates that implementing H.R. 1640 would cost less than \$500,000, assuming the availability of appropriated funds. Much of the information needed for the DHS and GAO reports has already been compiled. Because enacting the legislation would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

H.R. 1640 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1640 contains the following general performance goals and objectives, including outcome related goals and objectives authorized.

This bill directs the Secretary of Homeland Security to submit to Congress a report on the Department of Homeland Security headquarters consolidation project in the National Capital Region, to include:

1. Proposed occupancy plan to be included in project;
2. Assessment of current and future real property needed by the Department in the National Capital Region;
3. Current plan for construction of the consolidation project;
4. Estimates for costs and schedule for the project;
5. Estimated cost savings of re-scoping the project;
6. Assessment of the current and future real estate property of the Department remaining in the leased portfolio in the National Capital Region; and
7. List of alternatives considered by the Department during the development of the current consolidation plan.

This bill requires the Comptroller General of the United States to review the updated cost and schedule estimates to evaluate quality and reliability.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 1640 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED
TARIFF BENEFITS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

PREEMPTION CLARIFICATION

In compliance with section 423 of the Congressional Budget Act of 1974, requiring the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt State, local, or Tribal law, the Committee finds that H.R. 1640 does not preempt any State, local, or Tribal law.

DISCLOSURE OF DIRECTED RULE MAKINGS

The Committee estimates that H.R. 1640 would require no directed rule makings.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that bill may be cited as the “Department of Homeland Security Headquarters Consolidation Accountability Act of 2015”.

*Section 2. Report on Department of Homeland Security Headquarters Consolidation Project**Section 2(a). Report on Department of Homeland Security Headquarters Consolidation Project*

Section 2(a) requires the Secretary of Homeland Security, in coordination with the Administrator of General Services, to submit to

Congress a report on DHS's headquarters consolidation project. Specifically, this report should include the following items associated with consolidation at the St. Elizabeth's campus:

1. A current list of components/offices to be included at the Headquarters;
2. A comprehensive assessment of the current and future real property being considered for consolidation;
3. An analysis of the difference between current and needed capital assets and facilities;
4. A current plan for construction of the St. Elizabeth's campus that includes the estimated:
 - a. costs and schedule for the current plan; and
 - b. cost savings of reducing the scope of the project.
5. A current plan for the leased portfolio of the Department; and
6. A detailed list of alternatives, along with the cost and benefits associated with them, considered by the Department.

Section 2(b). Update of cost and schedule estimates

Section 2(b) requires the Secretary of Homeland Security, in coordination with the Administrator of General Services, to update the cost and schedule estimates for the parts of the project that are not yet complete. These cost and schedule estimates are to be in accordance with Federal guidance. The legislation provides 180 days for reporting to enable the DHS and GSA Secretary and the Administrator adequate time to collaborate on a complete submission. The General Service Administration manages and executes development activities on behalf of the Department of Homeland Security; however, the Department of Homeland Security is responsible for budgeting tenant transition costs as appropriate, and for overseeing tenant funds.

Section 2(c). GAO review

Section 2(c) requires the Comptroller General of the United States to review the Department's updated cost and schedule estimates to evaluate their reliability and quality.

Section 2(d). Definitions

Section 2(d) defines "National Capital Region" and "appropriate committees of Congress."

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 1640, as reported, makes no changes to existing law.