

TRANSPARENCY IN FEDERAL BUILDINGS PROJECTS ACT
OF 2019

JULY 11, 2019.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. DEFAZIO, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 2502]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 2502) to amend title 40, United States
Code, to require certain prospectuses for public buildings to be
made publicly available, and for other purposes, having considered
the same, report favorably thereon without amendment and rec-
ommend that the bill do pass.

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PURPOSE OF LEGISLATION

The purpose of H.R. 2502, the Transparency in Federal Buildings Projects Act of 2019, is to require the General Services Administration (GSA) to publish on its website all prospectuses for leasing, design, or construction activities which the GSA—pursuant to Chapter 33 of Title 40, United States Code sections 3307 and 3316—has submitted to the U.S. House of Representatives Committee on Transportation and Infrastructure and the U.S. Senate Committee on Environment and Public Works.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2502, the Transparency in Federal Buildings Projects Act of 2019, requires the General Services Administration (GSA) to publish on its website all prospectuses for leasing, design, or construction activities. While GSA does publish some of this material on its website, the information is difficult to access and not updated regularly. The legislation requires the Administrator of General Services to maintain the information for no less than ten years in a readable, accessible, and searchable format. The information must also be updated quarterly. The legislation also requires GSA to maintain copies and approval dates of Committee resolutions, as appropriate, approving the respective projects. This legislation will result in greater transparency with respect to information regarding projects exceeding the prospectus threshold pursuant to Chapter 33 of Title 40 and make such projects more accountable to the public and to oversight.

HEARINGS

No hearings were held on H.R. 2502 in the 116th Congress.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 2502 was introduced in the House on May 2, 2019, by Mr. Gary Palmer, and referred to the Committee on Transportation and Infrastructure. Within the Committee, H.R. 2502 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management.

On May 8, 2019, the Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 2502.

The Full Committee met in open session to consider H.R. 2502 on May 8, 2019, and ordered the measure to be reported favorably to the House, without amendment, by voice vote, with a quorum present.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

There were no recorded votes taken in connection with consideration of H.R. 2502.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 2502 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 16, 2019.

Hon. PETER A. DEFAZIO,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2502, the Transparency in Federal Buildings Projects Act of 2019.

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

Sincerely,

MARK P. HADLEY
(For Keith Hall, Director).

Enclosure.

H.R. 2502, Transparency in Federal Buildings Projects Act of 2019			
As ordered reported by the House Committee on Transportation and Infrastructure on May 8, 2019			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	n.e.
Pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
n.e. = not estimated; * = between \$0 and \$500,000.			

H.R. 2502 would require the General Services Administration (GSA) to make available to the public all prospectus documents for the lease, design, construction, or other actions related to federal facilities that have been submitted to the Congress. The GSA website already provides much of this information and CBO estimates that any administrative costs associated with providing additional information would total less than \$500,000 over the 2020–2024 period. Any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to amend title 40, United States Code, to require certain prospectuses for public buildings to be made publicly available, and for other purposes.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 2502 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of 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 (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires 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. 2502 does not preempt any state, local, or tribal law.

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 (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that this bill may be cited as the “Transparency in Federal Buildings Projects Act of 2019”.

Sec. 2. Public availability of building project information

This section amends Chapter 33 of Title 40, United States Code, by adding a new section which requires the Administrator of General Services—180 days after the date of enactment of this section—to make publicly available on a subpage of the website of the General Services Administration all prospectuses submitted pursuant to sections 3307 and 3316, in an easily accessible and readable, organized, downloadable, and searchable format. The information is to be updated quarterly, kept for ten years, and must include approval dates of respective authorizing resolutions by each committee of jurisdiction, if applicable, and cross-references to any re-submitted or amended prospectuses and associated resolutions.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

TITLE 40, UNITED STATES CODE

* * * * *

SUBTITLE II—PUBLIC BUILDINGS AND WORKS

* * * * *

PART A—GENERAL

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CHAPTER 33—ACQUISITION, CONSTRUCTION, AND ALTERATION

Sec.

3301. Definitions and nonapplication.

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3318. *Availability of Federal building project information.*

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SEC. 3318. AVAILABILITY OF FEDERAL BUILDING PROJECT INFORMATION.

(a) *IN GENERAL.*—Not later than 180 days after the date of enactment of this section, and, at a minimum, on a quarterly basis thereafter, the Administrator shall make publicly available on a subpage of the website of the General Services Administration all prospectuses submitted pursuant to sections 3307 and 3316, and associated information subject to the following requirements:

(1) *The Administrator shall maintain such information in an easily accessible and readable, organized, downloadable, and searchable format.*

(2) *The Administrator shall ensure the information is current and prospectuses and associated information updated on a regular basis.*

(3) *The information required under this section shall be inclusive for a period of not less than 10 years.*

(4) *The information shall include—*

(A) *the last date on which the relevant webpage was updated;*

(B) *approval dates of respective authorizing resolutions by each committee of jurisdiction, if applicable;*

(C) *copies of respective committee of jurisdiction resolutions authorizing such prospectuses, as appropriate;*

(D) *cross-references to any resubmitted or amended prospectuses and associated resolutions; and*

(E) *such other information as determined by the Administrator.*

(b) *DEFINITIONS.*—In this section, the following definitions apply:

(1) *PROSPECTUS.*—The term “prospectus” means prospectuses, building surveys, and factsheets submitted to the committees of jurisdiction pursuant to sections 3307 and 3316.

(2) *COMMITTEES OF JURISDICTION.*—The term “committees of jurisdiction” means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(3) *ASSOCIATED INFORMATION.*—The term “associated information” means resolutions approved by the committees of jurisdiction and other information as required pursuant to subsection (a).