

MAXIMIZING OFFICE VALUE AND EFFICIENCY ACT OF
2023

MARCH 5, 2024.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. GRAVES of Missouri, from the Committee on Transportation
and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 6278]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 6278) to direct the Administrator of
General Services to identify two Federal agencies to consolidate
into the GSA Headquarters Building, and for other purposes, hav-
ing considered the same, reports favorably thereon without amend-
ment and recommends that the bill do pass.

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PURPOSE OF LEGISLATION

The purpose of H.R. 6278, *the Maximizing Office Value and Efficiency (MOVE) Act of 2023*, is to direct the Administrator of General Services to identify two Federal agencies to consolidate into the GSA Headquarters Building, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The General Services Administration (GSA) currently manages 8,800 owned and leased assets, totaling over 370 million square feet, and 500 historic buildings.¹ Of the 370 million square feet, 181 million is in leased space, which is comprised of over 6,659 buildings and costs more than six billion dollars per year.² While GSA continues to reduce the amount of leased space, more than half of GSA's operating leases (96 million square feet) will expire in the next five years.³

Currently, office occupancy in the Washington, D.C., metro area is still below 54 percent of pre-pandemic levels.⁴ Additionally, 30 percent of the Federal workforce is expected to be eligible to retire this year.⁵ There have also been increasing reports of “shadow” or “dark” space in Federal buildings and leases which is unassigned, unused space.⁶ The concerns about “shadow” or “dark” space were further emphasized during the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure's Roundtable on *“The State of Federal Real Estate,”* held on March 22, 2023, where participants noted that 30 percent of Federal employees plan to retire within the next five years and nearly 30 percent of Federal employees with remote work agreements live outside their assigned region.⁷

During the 117th Congress, the Committee requested the Government Accountability Office (GAO) conduct a study on office space utilization rates across the 24 Chief Financial Officer (CFO) Act agency headquarters to better understand how the Federal Government is utilizing its real estate portfolio.⁸ In order to assess space utilization, GAO collected building size and attendance data from all 24 agencies for one week each in January, February, and March of 2023. Utilization was then calculated by dividing in-office attendance by the building's useable square footage or capacity.⁹

¹ Press Release, GSA, *Nina M. Albert Appointed Commissioner of GSA's Public Buildings Service*, (July 6, 2021), available at <https://www.gsa.gov/about-us/newsroom/news-releases/nina-m-albert-appointed-commissioner-of-gsas-public-buildings-service-07062021>.

² GSA, *Inventory of GSA Owned and Leased Properties*, (Last reviewed Sept. 9, 2022), available at <https://www.gsa.gov/tools-overview/buildings-and-real-estate-tools/inventory-of-gsa-owned-and-leased-properties>.

³ *Id.*

⁴ Bailey McConnel, *Chart of the Week: Office Occupancy Rates and Remote Work*, D.C. POLICY CENTER, (Feb. 24, 2023), available at <https://www.dcpolicycenter.org/publications/office-occupancy-remote-work-dc/>.

⁵ Angie Petty, *2023 Workforce Federal Contracting Trends to Watch*, GOVWIN, (Dec. 7, 2022), available at <https://iq.govwin.com/neo/marketAnalysis/view/2023-Workforce-Federal-Contracting-Trends-to-Watch/6981?researchTypeId=1&researchMarket>.

⁶ GSA, *Unused & Underused Space*, (Last reviewed Mar. 4, 2022), available at <https://www.gsa.gov/real-estate/gsa-properties/unused-underused-space>.

⁷ *The State of Federal Real Estate: Roundtable Before the Subcomm. on Economic Development, Public Buildings, and Emergency Management of the H. Comm. on Transp. and Infrastructure*, 118th Cong., (Mar. 22, 2023).

⁸ Letter from Peter DeFazio, Chairman, H. Comm. on Transp. and Infrastructure, et al. to Gene Dodaro, Comptroller General, GAO (Nov. 10, 2021) (on file with Comm.).

⁹ Briefing from Staff, GAO, to Staff, H. Comm. on Transp. and Infrastructure (June 26, 2023, 11:00 AM EST).

GAO found that on average, 17 of the 24 CFO agency headquarters were at 25 percent or less utilization.¹⁰ GAO found the GSA Headquarters specifically was at a nine percent utilization.¹¹

GSA's Headquarters Building, located at 1800 F Street NW, Washington D.C., was originally constructed in 1917 to serve as the headquarters for the Department of the Interior and later became GSA's Headquarters.¹² H.R. 6278 directs GSA to consolidate at least two other Federal agencies into its Headquarters Building to achieve at least a 60 percent utilization or vacate the building and sell it.

HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 118th Congress, the following hearing was used to develop or consider H.R. 6278:

On July 13, 2023, the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure held a hearing entitled, "*When the Lights Are On but No One's Home: An Examination of Federal Office Space Utilization.*" The hearing discussed Federal real estate, including office space utilization. The Subcommittee received testimony from Ms. Nina Albert, Commissioner, Public Buildings Service, GSA; and Mr. David Marroni, Acting Director, Physical Infrastructure, GAO.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 6278 was introduced in the United States House of Representatives on November 7, 2023, by Mr. Perry of Pennsylvania, and referred to the Committee on Transportation and Infrastructure. Within the Committee on Transportation and Infrastructure, H.R. 6278 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management. The Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 6278 on November 15, 2023.

The Committee considered H.R. 6278 on November 15, 2023, and pursuant to Committee Rule 6(f) further proceedings on the requested recorded vote on final passage were postponed. On December 6, 2023, the Committee resumed consideration of final passage and ordered the measure to be reported to the House with a favorable recommendation, without amendment, by recorded vote of 34 yeas and 29 nays.

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.

¹⁰ GAO, GAO-24-107006, FEDERAL REAL PROPERTY: AGENCIES NEED NEW BENCHMARKS AND SHED UNDERUTILIZED SPACE (2023) available at <https://www.gao.gov/assets/d24107006.pdf>.

¹¹ *Id.*

¹² GSA, *U.S. General Services Administration Headquarters Building*, (last updated Apr. 18, 2022), available at <https://www.gsa.gov/real-estate/gsa-properties/visiting-public-buildings/gsa-headquarters-building>.

Vote: 028.
 On: Final Passage of H.R. 6278.
 Yea 34; Nay 29.

Member	Vote	Member	Vote
Mr. Graves of MO	Y	Mr. Larsen of WA	N
Mr. Crawford	Y	<i>Ms. Norton</i>	N
Mr. Webster of FL	Y	Mrs. Napolitano	N
Mr. Massie	Y	Mr. Cohen	N
Mr. Perry	Y	Mr. Garamendi	N
Mr. Babin	Y	Mr. Johnson of GA	N
Mr. Graves of LA	Y	Mr. Carson	N
Mr. Rouzer	Y	Ms. Titus	N
Mr. Bost	Y	Mr. Huffman	N
Mr. LaMalfa	Y	Ms. Brownley	N
Mr. Westerman	Y	Ms. Wilson of FL	N
Mr. Mast	Y	Mr. Payne	N
<i>Mrs. González-Colón</i>	Y	Mr. DeSaulnier	N
Mr. Stauber	Y	Mr. Carbajal	N
Mr. Burchett	Y	Mr. Stanton	N
Mr. Johnson of SD	Y	Mr. Allred	N
Mr. Van Drew	Y	Ms. Davids of KS	N
Mr. Nehls	Y	Mr. Garcia of IL	N
Mr. Gooden of TX	Y	Mr. Pappas	N
Mr. Mann	Y	Mr. Moulton	N
Mr. Owens	Y	Mr. Auchincloss	N
Mr. Yakym	Y	Ms. Strickland	N
Mrs. Chavez-DeRemer	Y	Mr. Carter of LA	N
Mr. Edwards	Y	Mr. Ryan	N
Mr. Kean of NJ	Y	Mrs. Peltola	N
Mr. D'Esposito	Y	Mr. Menendez	N
Mr. Burlison	Y	Ms. Hoyle of OR	N
Mr. James	Y	Mrs. Sykes	N
Mr. Van Orden	Y	Ms. Scholten	N
Mr. Williams of NY	Mrs. Foushee
Mr. Molinaro	Y		
Mr. Collins	Y		
Mr. Ezell	Y		
Mr. Duarte	Y		
Mr. Bean of FL	Y		

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

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. 6278 from the Director of the Congressional Budget Office:

H.R. 6278, MOVE Act of 2023			
As ordered reported by the House Committee on Transportation and Infrastructure on December 6, 2023			
By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply? No	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Mandate Effects	
		Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 6278 would direct the General Services Administration (GSA) to consolidate a minimum of two federal agencies into the GSA headquarters building. Under the bill, if GSA does not complete that consolidation within four years, GSA would have to move its personnel into another federal building and sell the current GSA headquarters building.

Background: Beginning in March 2020, many agencies including GSA shifted to a maximum telework policy. In 2023, the Government Accountability Office reported that the average weekly use of GSA's headquarters building was around 9 percent. However, in April 2023, the Office of Management and Budget (OMB) directed federal agencies to update their operational policies, with the expectation that those plans will increase meaningful in-person work at federal offices while maintaining certain flexible policies related to remote work.

In 2020, GSA began piloting new methods to collect occupancy data in federal buildings. In 2022, about three-quarters of federal occupants of buildings managed by GSA reported that they were tracking such data. Using that occupancy data, GSA reports it has been able to consolidate some offices in the District of Columbia, and CBO expects that consolidation reduced costs for annual rent.

Estimated Federal Cost: Consistent with the direction from OMB, CBO expects that building usage rates will rise going forward as agencies increase in-person work requirements and that GSA will continue to consolidate office space to the extent that usage rates of federal buildings remain low. Additionally, CBO expects that GSA will comply with the bill's requirement to consolidate other federal agencies into its headquarters building.

On that basis, CBO estimates that implementing H.R. 6278 would cost less than \$500,000 over the 2024–2029 period, primarily for administrative activities associated with the bill's reporting requirements. That 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 Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

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 direct the Administrator of General Services to identify two Federal agencies to consolidate into the GSA Headquarters Buildings or sell the building.

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. 6278 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. 6278 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the definition of Section 5(b) of the appendix to Title 5, United States Code, are 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 the Act may be cited as the “*Maximizing Office Value and Efficiency Act of 2023*” or the “*MOVE Act of 2023*”.

Section 2. Public building consolidation and sale

This section requires GSA, in coordination with the Director of the Office of Management and Budget (OMB), to produce a plan one year after enactment that identifies at least two Federal agencies to consolidate into the GSA Headquarters Building to produce a building utilization of not less than 60 percent and to commence such plan no later than one year after submission of the plan.

The section directs GSA to move out of the GSA Headquarters Building no later than three years after the submission date of the plan if GSA fails to identify Federal agencies to consolidate into the building and further directs GSA to sell the building.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 6278 makes no changes in existing law.

