

115TH CONGRESS
1ST SESSION

H. R. 2190

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2017

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's real property portfolio, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Streamlining DHS
3 Overhead Act”.

4 **SEC. 2. LONG TERM REAL PROPERTY STRATEGIES.**

5 (a) IN GENERAL.—Title VII of the Homeland Secu-
6 rity Act of 2002 (6 U.S.C. 341 et seq.) is amended by
7 adding at the end the following new sections:

8 **“SEC. 710. CHIEF FACILITIES AND LOGISTICS OFFICER.**

9 “(a) IN GENERAL.—There is a Chief Facilities and
10 Logistics Officer of the Department who shall report di-
11 rectly to the Under Secretary for Management. The Chief
12 Facilities and Logistics Officer shall be career reserved for
13 a member of the senior executive service.

14 “(b) RESPONSIBILITIES.—The Chief Facilities and
15 Logistics Officer shall—

16 “(1) develop policies and procedures and pro-
17 vide program oversight to manage real property, fa-
18 cilities, personal property, mobile assets, equipment,
19 and other material resources of the Department;

20 “(2) manage and execute, in consultation with
21 the component heads, mission support services with-
22 in the National Capital Region for real property, fa-
23 cilities, and other common headquarters and field
24 activities for the Department; and

1 “(3) provide tactical and transactional services
2 for the Department, including transportation, facil-
3 ity operations, and maintenance.

4 **“SEC. 711. LONG TERM REAL PROPERTY STRATEGIES.**

5 “(a) IN GENERAL.—

6 “(1) FIRST STRATEGY.—Not later than 180
7 days after the date of the enactment of this section,
8 the Under Secretary for Management shall develop
9 an initial 5-year regional real property strategy for
10 the Department that covers the five fiscal years im-
11 mediately following such date of enactment. Such
12 strategy shall be geographically organized, as des-
13 ignated by the Under Secretary for Management.

14 “(2) SECOND STRATEGY.—Not later than the
15 first day of the fourth fiscal year covered by the first
16 strategy under paragraph (1), the Under Secretary
17 for Management shall develop a second 5-year real
18 property strategy for the Department that covers the
19 five fiscal years immediately following the conclusion
20 of such first strategy.

21 “(b) REQUIREMENTS.—

22 “(1) INITIAL STRATEGY.—The initial 5-year
23 strategy developed in accordance with paragraph (1)
24 of subsection (a) shall—

1 “(A) identify opportunities to consolidate
2 real property, optimize the usage of Federal as-
3 sets, and decrease the number of commercial
4 leases and square footage within the Depart-
5 ment’s real property portfolio;

6 “(B) provide alternate housing and consoli-
7 dation plans to increase efficiency through joint
8 use of Department spaces while decreasing the
9 cost of leased space;

10 “(C) concentrate on geographical areas
11 with a significant Department presence, as
12 identified by the Under Secretary for Manage-
13 ment;

14 “(D) examine the establishment of central
15 Department locations in each such geographical
16 region and the co-location of Department com-
17 ponents based on the mission sets and respon-
18 sibilities of such components;

19 “(E) identify opportunities to reduce over-
20 head costs through co-location or consolidation
21 of real property interests or mission support ac-
22 tivities, such as shared mail screening and proc-
23 essing, centralized transportation and shuttle
24 services, regional transit benefit programs, com-
25 mon contracting for custodial and other serv-

1 ices, and leveraging strategic sourcing contracts
2 and sharing of specialized facilities, such as
3 training facilities and resources;

4 “(F) manage the current Department
5 Workspace Standard for Office Space in accord-
6 ance with the Department office workspace de-
7 sign process to develop the most efficient and
8 effective spaces within the workspace standard
9 usable square foot ranges for all leased for of-
10 fice space entered into on or after the date of
11 the enactment of this section, including the re-
12 newal of any leases for office space existing as
13 of such date;

14 “(G) define, based on square footage, what
15 constitutes a major real property acquisition;

16 “(H) prioritize actions to be taken to im-
17 prove the operations and management of the
18 Department’s real property inventory, based on
19 life-cycle cost estimations, in consultation with
20 component heads; and

21 “(I) include any additional information de-
22 termined appropriate or relevant by the Under
23 Secretary for Management.

24 “(2) SECOND STRATEGY.—The second 5-year
25 strategy developed in accordance with paragraph (2)

1 of subsection (a) shall include information required
2 in subparagraphs (A), (B), (C), (E), (F), (G), (H),
3 and (I) of paragraph (1) and information on the ef-
4 fectiveness of implementation efforts pursuant to the
5 Department-wide policy required in accordance with
6 subsection (c), including—

7 “(A) the impact of such implementation on
8 departmental operations and costs; and

9 “(B) the degree to which the Department
10 established central Department locations and
11 co-located Department components pursuant to
12 the results of the examination required by sub-
13 paragraph (D) of paragraph (1).

14 “(c) IMPLEMENTATION POLICIES.—Not later than
15 90 days after the development of each of the regional real
16 property strategies developed in accordance with sub-
17 section (a), the Under Secretary for Management shall de-
18 velop or update, as applicable, a Department-wide policy
19 implementing such strategies.

20 “(d) CERTIFICATIONS.—Subject to subsection (g)(3),
21 the implementation policies developed pursuant to sub-
22 section (c) shall require component heads to certify to the
23 Under Secretary for Management that such heads have
24 complied with the requirements specified in subsection (b)
25 before making any major real property decision or rec-

1 ommendation, as defined by the Under Secretary, includ-
2 ing matters related to new leased space, renewing any ex-
3 isting leases, or agreeing to extend or newly occupy any
4 Federal space or new construction, in accordance with the
5 applicable regional real property strategy developed in ac-
6 cordance with subsection (a).

7 “(e) UNDERUTILIZED SPACE.—

8 “(1) IN GENERAL.—The implementing policies
9 developed pursuant to subsection (c) shall require
10 component heads, acting through regional property
11 managers under subsection (f), to annually report to
12 the Under Secretary for Management on underuti-
13 lized space and identify space that may be made
14 available for use, as applicable, by other components
15 or Federal agencies.

16 “(2) EXCEPTION.—The Under Secretary for
17 Management may grant an exception to the work-
18 space standard usable square foot ranges described
19 in subsection (b)(1)(F) for specific office locations at
20 which a reduction or elimination of otherwise under-
21 utilized space would negatively impact a component’s
22 ability to execute its mission based on readiness per-
23 formance measures or would increase the cost of
24 such space.

1 “(3) UNDERUTILIZED SPACE DEFINED.—In
2 this subsection, the term ‘underutilized space’ means
3 any space with respect to which utilization is greater
4 than the workplace standard usable square foot
5 ranges pursuant to subsection (b)(1)(F).

6 “(f) COMPONENT RESPONSIBILITIES.—

7 “(1) REGIONAL PROPERTY MANAGERS.—Each
8 component head shall identify a senior career em-
9 ployee of each such component for each geographic
10 region included in the regional real property strate-
11 gies developed in accordance with subsection (a) to
12 serve as each such component’s regional property
13 manager. Each such regional property manager shall
14 serve as a single point of contact for Department
15 headquarters and other Department components for
16 all real property matters relating to each such com-
17 ponent within the region in which each such compo-
18 nent is located, and provide data and any other sup-
19 port necessary for the DHS Regional Mission Sup-
20 port Coordinator strategic asset and portfolio plan-
21 ning and execution.

22 “(2) DATA.—Regional property managers
23 under paragraph (1) shall provide annually to the
24 Under Secretary for Management, via a standard-
25 ized and centralized system, data on each compo-

1 nent’s real property holdings, as specified by the Un-
2 dersecretary for Management, including relating to
3 underutilized space under subsection (e) (as such
4 term is defined in such subsection), total square
5 footage leased, annual cost, and total number of
6 staff, for each geographic region included in the re-
7 gional real property strategies developed in accord-
8 ance with subsection (a).

9 “(g) ONGOING OVERSIGHT.—

10 “(1) IN GENERAL.—The Under Secretary for
11 Management shall monitor components’ adherence to
12 the regional real property strategies developed in ac-
13 cordance with subsection (a) and the implementation
14 policies developed pursuant to subsection (c).

15 “(2) ANNUAL REVIEW.—The Under Secretary
16 for Management shall annually review the data sub-
17 mitted pursuant to subsection (f)(2) to ensure all
18 underutilized space (as such term is defined in sub-
19 section (e)) is properly identified.

20 “(3) CERTIFICATION REVIEW.—The Under Sec-
21 retary for Management shall review, and if appro-
22 priate, approve, component certifications under sub-
23 section (d) before such components may make any
24 major real property decision, including matters re-
25 lated to new leased space, renewing any existing

1 leases, or agreeing to extend or newly occupy any
2 Federal space or new construction, in accordance
3 with the applicable regional real property strategy
4 developed in accordance with subsection (a).

5 “(4) CONGRESSIONAL REPORTING.—The Under
6 Secretary for Management shall annually provide in-
7 formation to the Committee on Homeland Security
8 and Committee on Transportation and Infrastruc-
9 ture of the House of Representatives, the Committee
10 on Homeland Security and Governmental Affairs of
11 the Senate, and the Inspector General of the De-
12 partment on the Department’s real property port-
13 folio, including information relating to the following:

14 “(A) A summary of the Department’s real
15 property holdings in each region described in
16 the regional strategies developed in accordance
17 with subsection (a), and for each such property,
18 information including the total square footage
19 leased, the total cost, the total number of staff
20 at each such property, and the square foot per
21 person utilization rate for office space (and
22 whether or not such conforms with the work-
23 space standard usable square foot ranges estab-
24 lished pursuant to subsection (b)(1)(F)).

1 “(B) An accounting of all underutilized
2 space (as such term is defined in subsection
3 (e)).

4 “(C) An accounting of all instances in
5 which the Department or its components con-
6 solidated their real property holdings or co-lo-
7 cated with another entity within the Depart-
8 ment.

9 “(D) A list of all certifications provided
10 pursuant to subsection (d) and all such certifi-
11 cations approved pursuant to paragraph (3) of
12 this subsection.

13 “(5) INSPECTOR GENERAL REVIEW.—Not later
14 than 120 days after the last day of the fifth fiscal
15 year covered in each of the initial and second re-
16 gional real property strategies developed in accord-
17 ance with subsection (a), the Inspector General of
18 the Department shall review the information sub-
19 mitted pursuant to paragraph (4) and issue findings
20 regarding the effectiveness of the implementation of
21 the Department-wide policy and oversight efforts of
22 the management of real property facilities, personal
23 property, mobile assets, equipment and the Depart-
24 ment’s other material resources as required under
25 this section.”.

1 (b) REPORTING.—The Secretary of Homeland Secu-
2 rity shall submit to the Committee on Homeland Security
3 of the House of Representatives and the Committee on
4 Homeland Security and Governmental Affairs of the Sen-
5 ate copies of the regional strategies developed in accord-
6 ance with section 710(a) of the Homeland Security Act
7 of 2002 (as added by subsection (a) of this section) not
8 later than 90 days after the date of the development of
9 each such strategy.

10 (c) CLERICAL AMENDMENT.—The table of contents
11 in section 1(b) of the Homeland Security Act of 2002 is
12 amended by inserting after the item relating to section
13 709 the following new items:

“Sec. 710. Chief Facilities and Logistics Officer.

“Sec. 711. Long term real property strategies.”.

Passed the House of Representatives June 20, 2017.

Attest:

KAREN L. HAAS,

Clerk.