

115TH CONGRESS  
2D SESSION

# H. R. 4863

To establish a competitive bidding process for the relocation of the headquarters of Executive agencies, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 2018

Mr. MESSER introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a competitive bidding process for the relocation of the headquarters of Executive agencies, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Strategic Withdrawal  
5       of Agencies for Meaningful Placement Act of 2018” or  
6       “SWAMP Act”.

1 **SEC. 2. RELOCATION OF HEADQUARTERS OF EXECUTIVE**  
2 **AGENCIES.**

3 (a) REPEAL OF HEADQUARTERS LOCATION RE-  
4 QUIREMENT.—Section 72 of title 4, United States Code,  
5 is repealed.

6 (b) PROHIBITION ON LOCATION OF HEADQUARTERS  
7 IN WASHINGTON METROPOLITAN AREA.—With respect to  
8 an Executive agency whose headquarters is located in the  
9 Washington metropolitan area as of the date of the enact-  
10 ment of this Act, no new construction or major renova-  
11 tions may be undertaken, or lease agreements entered into  
12 or renewed, for such headquarters after such date of en-  
13 actment, except as otherwise expressly provided by law.

14 (c) COMPETITIVE BIDDING PROCESS FOR RELOCA-  
15 TION OF HEADQUARTERS.—

16 (1) IN GENERAL.—Not later than one year  
17 after the date of the enactment of this Act, the Ad-  
18 ministrator of General Services shall establish a  
19 process, in accordance with the requirements de-  
20 scribed in paragraph (2), through which—

21 (A) the head of an Executive agency may  
22 submit a request for the Administrator to issue  
23 a solicitation for the relocation of the head-  
24 quarters of such agency; or

1 (B) if determined necessary, the Adminis-  
2 trator may issue a solicitation for the relocation  
3 of the headquarters of an Executive agency.

4 (2) REQUIREMENTS.—With respect to any so-  
5 licitation issued for the relocation of the head-  
6 quarters of an Executive agency pursuant to para-  
7 graph (1), the Administrator of General Services  
8 shall—

9 (A) allow any State and any political sub-  
10 division of a State to submit a bid for the relo-  
11 cation of such headquarters;

12 (B) provide the public with notice and an  
13 opportunity to comment on such solicitation;  
14 and

15 (C) in consultation with the head of such  
16 agency, select a State, or a political subdivision  
17 of a State, for the relocation of such head-  
18 quarters using competitive bidding procedures  
19 that consider the following:

20 (i) The extent to which the relocation  
21 of such headquarters would impact the  
22 economy and workforce development of a  
23 State or political subdivision of a State.

24 (ii) Whether a State, or a political  
25 subdivision of a State, has expertise in car-

1                   rying out activities substantially similar to  
2                   the mission and goals of such agency.

3                   (iii) The extent to which the reloca-  
4                   tion of such headquarters to a State, or a  
5                   political subdivision of a State, would im-  
6                   plicate national security interests.

7           (d) RULE OF CONSTRUCTION.—Nothing in this Act  
8   may be construed to prohibit a political subdivision of the  
9   State of Maryland or the Commonwealth of Virginia that  
10  is located outside the Washington metropolitan area from  
11  submitting a bid under subsection (c)(2)(A).

12          (e) OFFSET ALLOWED.—The Administrator of Gen-  
13  eral Services may use the proceeds from the sale of any  
14  Federal building or land to offset the cost of relocating  
15  the headquarters of an Executive agency.

16          (f) NO ADDITIONAL FUNDS AUTHORIZED.—No addi-  
17  tional funds are authorized to carry out the requirements  
18  of this Act. Such requirements shall be carried out using  
19  amounts otherwise authorized.

20          (g) DEFINITIONS.—In this section:

21               (1) EXECUTIVE AGENCY.—The term “Executive  
22   agency” has the meaning given that term in section  
23   105 of title 5, United States Code, except that the  
24   term does not include the Executive Office of the  
25   President.

1           (2) HEADQUARTERS.—The term “head-  
2           quarters” means the place or building serving as the  
3           managerial and administrative center of an Execu-  
4           tive agency, except that the term does not include an  
5           office that the head of any such agency may main-  
6           tain separately from such place or building in the  
7           Washington metropolitan area.

8           (3) STATE.—The term “State” means each of  
9           the 50 States.

10          (4) WASHINGTON METROPOLITAN AREA.—The  
11          term “Washington metropolitan area” means the ge-  
12          ographic area located within the boundaries of the  
13          following:

14                (A) The District of Columbia.

15                (B) Montgomery and Prince George’s  
16                Counties in the State of Maryland.

17                (C) Arlington, Fairfax, Loudoun, and  
18                Prince William Counties and the City of Alex-  
19                andria in the Commonwealth of Virginia.

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