

115TH CONGRESS
2D SESSION

H. R. 5403

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2018

Mr. MESSEY 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

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 the “SWAMP Act”.

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

3 (a) DEFINITIONS.—In this section:

4 (1) EXECUTIVE AGENCY.—The term “Executive
5 agency”—

6 (A) has the meaning given the term in sec-
7 tion 105 of title 5, United States Code; and

8 (B) does not include—

9 (i) the Executive Office of the Presi-
10 dent;

11 (ii) the Department of Defense, in-
12 cluding the Defense Intelligence Agency,
13 the National Security Agency, and the Na-
14 tional-Geospatial-Intelligence Agency;

15 (iii) the Department of Energy;

16 (iv) the Department of Homeland Se-
17 curity;

18 (v) the Department of State;

19 (vi) the Office of the Director of Na-
20 tional Intelligence; and

21 (vii) the Central Intelligence Agency.

22 (2) HEADQUARTERS.—The term “head-
23 quarters”—

24 (A) means the place or building serving as
25 the managerial and administrative center of an
26 Executive agency; and

(B) does not include an office that the head of an Executive agency may maintain separately from a place or building in the Washington metropolitan area.

11 (A) The District of Columbia.

17 (b) REPEAL OF HEADQUARTERS LOCATION RE-
18 QUIREMENT.—Section 72 of title 4, United States Code,
19 is repealed.

20 (c) PROHIBITION ON LOCATION OF HEADQUARTERS
21 IN WASHINGTON METROPOLITAN AREA.—With respect to
22 a headquarters of an Executive agency that has the head-
23 quarters of the Executive agency located in the Wash-
24 ington metropolitan area as of the date of enactment of
25 this Act, no new construction or major renovation may be

1 undertaken, or lease agreement entered into or renewed,
2 for the headquarters after the date of enactment of this
3 Act, except as otherwise expressly provided by law.

4 (d) COMPETITIVE BIDDING PROCESS FOR RELOCA-
5 TION OF HEADQUARTERS.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Administrator
8 of General Services shall establish a process, in ac-
9 cordance with the requirements described in para-
10 graph (2), through which—

11 (A) the head of an Executive agency may
12 submit a request for the Administrator of Gen-
13 eral Services to issue a solicitation for the relo-
14 cation of the headquarters of the Executive
15 agency; or

16 (B) if determined necessary, the Adminis-
17 trator of General Services may issue a solicita-
18 tion for the relocation of the headquarters of an
19 Executive agency.

20 (2) REQUIREMENTS.—With respect to any so-
21 licitation issued for the relocation of the head-
22 quarters of an Executive agency pursuant to para-
23 graph (1), the Administrator of General Services
24 shall—

- 1 (A) allow any State and any political sub-
2 division of a State to submit a bid for the relo-
3 cation of the headquarters of the Executive
4 agency;
- 5 (B) provide the public with notice and an
6 opportunity to comment on the bid described in
7 subparagraph (A); and
- 8 (C) in consultation with the head of the
9 Executive agency, select a State, or a political
10 subdivision of a State, for the relocation of the
11 headquarters using a competitive bidding proce-
12 dure that considers—
- 13 (i) the extent to which the relocation
14 of the headquarters would impact the econ-
15 omy and workforce development of a State
16 or political subdivision of a State;
- 17 (ii) whether a State, or a political sub-
18 division of a State, has expertise in car-
19 rying out activities substantially similar to
20 the mission and goals of the Executive
21 agency; and
- 22 (iii) the extent to which the relocation
23 of the headquarters to a State, or a polit-
24 ical subdivision of a State, would implicate
25 national security interests.

1 (e) RULE OF CONSTRUCTION.—Nothing in this Act
2 may be construed to prohibit a political subdivision of the
3 State of Maryland or the Commonwealth of Virginia that
4 is located outside the Washington metropolitan area from
5 submitting a bid under subsection (d)(2)(A).

6 (f) OFFSET ALLOWED.—The Administrator of Gen-
7 eral Services may use the proceeds from the sale of any
8 Federal building or land to offset the cost of relocating
9 the headquarters of an Executive agency.

10 (g) NO ADDITIONAL FUNDS AUTHORIZED.—

11 (1) IN GENERAL.—No additional funds are au-
12 thorized to carry out the requirements of this Act.

13 (2) AMOUNTS AUTHORIZED.—The requirements
14 shall be carried out using amounts otherwise author-
15 ized.

