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(Original Signature of Member)

115TH CONGRESS
1ST SESSION

H. R. 2190

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.

IN THE HOUSE OF REPRESENTATIVES

Mr. RUTHERFORD introduced the following bill; which was referred to the Committee on _____

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Streamlining DHS
5 Overhead Act".

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

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

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

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

11 “(b) RESPONSIBILITIES.—The Chief Facilities and
12 Logistics Officer shall—

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

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

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

23 “(a) IN GENERAL.—

24 “(1) FIRST STRATEGY.—Not later than 180
25 days after the date of the enactment of this section,
26 the Under Secretary for Management shall develop

1 an initial 5-year regional real property strategy for
2 the Department that covers the five fiscal years im-
3 mediately following such date of enactment. Such
4 strategy shall be geographically organized, as des-
5 ignated by the Under Secretary for Management.

6 “(2) SECOND STRATEGY.—Not later than the
7 first day of the fourth fiscal year covered by the first
8 strategy under paragraph (1), the Under Secretary
9 for Management shall develop a second 5-year real
10 property strategy for the Department that covers the
11 five fiscal years immediately following the conclusion
12 of such first strategy.

13 “(b) REQUIREMENTS.—The real property strategies
14 developed in accordance with subsection (a) shall—

15 “(1) identify opportunities to consolidate real
16 property, optimize the usage of Federal assets, and
17 decrease the demand for and number of commercial
18 leases and square footage within the Department’s
19 real property portfolio;

20 “(2) provide alternate housing and consolida-
21 tion plans to increase efficiency through joint use of
22 Department spaces while decreasing the reliance on
23 and cost of leased space;

1 “(3) concentrate on geographical areas with a
2 significant Department presence, as identified by the
3 Under Secretary for Management;

4 “(4) examine the establishment of central De-
5 partment locations in each such geographical region
6 and the co-location of Department components based
7 on the mission sets and responsibilities of such com-
8 ponents;

9 “(5) identify opportunities to reduce overhead
10 costs through co-location or consolidation of real
11 property interests or mission support activities, such
12 as shared mail screening and processing, centralized
13 transportation and shuttle services, regional transit
14 benefit programs, common contracting for custodial
15 and other services, and leveraging strategic sourcing
16 contracts and sharing of specialized facilities, such
17 as training facilities and resources;

18 “(6) manage the current Department Work-
19 space Standard for Office Space in accordance with
20 the Department office workspace design process to
21 develop the most efficient and effective spaces within
22 the workspace standard net usable square foot
23 ranges for all leased for office space entered into on
24 or after the date of the enactment of this section, in-

1 including the renewal of any leases for office space ex-
2 isting as of such date;

3 “(7) define, based on square footage, what con-
4 stitutes a major real property acquisition;

5 “(8) prioritize actions to be taken to improve
6 the operations and management of the Department’s
7 real property inventory, based on life-cycle cost esti-
8 mations, in consultation with component heads; and

9 “(9) include any additional information deter-
10 mined appropriate or relevant by the Under Sec-
11 retary for Management.

12 “(c) IMPLEMENTATION POLICIES.—Not later than
13 90 days after the development of each of the regional real
14 property strategies developed in accordance with sub-
15 section (a), the Under Secretary for Management shall de-
16 velop or update, as applicable, a Department-wide policy
17 implementing such strategies.

18 “(d) CERTIFICATIONS.—Subject to subsection (g)(3),
19 the implementation policies developed pursuant to sub-
20 section (c) shall require component heads to certify to the
21 Under Secretary for Management that such heads have
22 investigated all possibilities related to co-locating, consoli-
23 dating, or partnering with other components before mak-
24 ing any major real property acquisition or recommenda-
25 tion, as defined by the Under Secretary, including entering

1 into any new leases, renewing any existing leases, or
2 agreeing to extend or newly occupy any Federal space or
3 new construction, in accordance with the applicable re-
4 gional real property strategy developed in accordance with
5 subsection (a).

6 “(e) UNDERUTILIZED SPACE.—

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

16 “(2) EXCEPTION.—The Under Secretary for
17 Management may grant an exception to the work-
18 space standard net usable square foot ranges de-
19 scribed in subsection (b)(6) for specific office loca-
20 tions at which a reduction or elimination of other-
21 wise underutilized space would negatively impact a
22 component’s ability to execute its mission based on
23 readiness performance measures.

24 “(3) UNDERUTILIZED SPACE DEFINED.—In
25 this subsection, the term ‘underutilized space’ means

1 any space with respect to which utilization is greater
2 than the workplace standard net usable square foot
3 ranges pursuant to subsection (b)(6).

4 “(f) COMPONENT RESPONSIBILITIES.—

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

20 “(2) DATA.—Regional property managers
21 under paragraph (1) shall provide quarterly to the
22 Under Secretary for Management, via a standard-
23 ized and centralized system, data on each compo-
24 nent’s real property holdings, as specified by the Un-
25 dersecretary for Management, including relating to

1 underutilized space under subsection (e) (as such
2 term is defined in such subsection), total square
3 footage leased, annual cost, and total number of
4 staff, for each geographic region included in the re-
5 gional real property strategies developed in accord-
6 ance with subsection (a).

7 “(g) ONGOING OVERSIGHT.—

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

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

18 “(3) CERTIFICATION REVIEW.—The Under Sec-
19 retary for Management shall review, and if appro-
20 priate, approve, component certifications under sub-
21 section (d) before such components may make any
22 major real property acquisition, including entering
23 into any new leases, renewing any existing leases, or
24 agreeing to extend or newly occupy any Federal
25 space or new construction, in accordance with the

1 applicable regional real property strategy developed
2 in accordance with subsection (a).

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

10 “(A) A summary of the Department’s real
11 property holdings in each region described in
12 the regional strategies developed in accordance
13 with subsection (a), and for each such property,
14 information including the total square footage
15 leased, the total cost, the total number of staff
16 at each such property, and the square foot per
17 person utilization rate for office space (and
18 whether or not such conforms with the work-
19 space standard net usable square foot ranges
20 established pursuant to subsection (b)(6)).

21 “(B) An accounting of all underutilized
22 space (as such term is defined in subsection
23 (e)).

24 “(C) An accounting of all instances in
25 which the Department or its components con-

1 solidated their real property holdings or co-lo-
2 cated with another entity within the Depart-
3 ment.

4 “(D) A list of all certifications provided
5 pursuant to subsection (d) and all such certifi-
6 cations approved pursuant to paragraph (3) of
7 this subsection.”.

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

17 (c) CLERICAL AMENDMENT.—The table of contents
18 in section 1(b) of the Homeland Security Act of 2002 is
19 amended by inserting after the item relating to section
20 709 the following new items:

“Sec. 710. Chief Facilities and Logistics Officer.

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