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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

April 24, 2017 (9:55 a.m.)
SEC. 2. LONG TERM REAL PROPERTY STRATEGIES.

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

"SEC. 710. CHIEF FACILITIES AND LOGISTICS OFFICER.

"(a) IN GENERAL.—There is a Chief Facilities and Logistics Officer of the Department who shall report directly to the Under Secretary for Management. The Chief Facilities and Logistics Officer shall be career reserved for a member of the senior executive service.

"(b) RESPONSIBILITIES.—The Chief Facilities and Logistics Officer shall—

"(1) develop policies and procedures and provide program oversight to manage real property, facilities, personal property, mobile assets, equipment, and other material resources of the Department; and

"(2) manage and execute, in consultation with the component heads, mission support services within the National Capital Region for real property, facilities, and other common headquarters and field activities for the Department.

"SEC. 711. LONG TERM REAL PROPERTY STRATEGIES.

"(a) IN GENERAL.—

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

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

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

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

“(2) provide alternate housing and consolida-
tion plans to increase efficiency through joint use of
Department spaces while decreasing the reliance on
and cost of leased space;
“(3) concentrate on geographical areas with a significant Department presence, as identified by the Under Secretary for Management;

“(4) examine the establishment of central Department locations in each such geographical region and the co-location of Department components based on the mission sets and responsibilities of such components;

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

“(6) manage the current Department Workspace Standard for Office Space in accordance with the Department office workspace design process to develop the most efficient and effective spaces within the workspace standard net usable square foot ranges for all leased for office space entered into on or after the date of the enactment of this section, in-
cluding the renewal of any leases for office space existing as of such date;

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

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

“(9) include any additional information determined appropriate or relevant by the Under Secretary for Management.

“(c) IMPLEMENTATION POLICIES.—Not later than 90 days after the development of each of the regional real property strategies developed in accordance with subsection (a), the Under Secretary for Management shall develop or update, as applicable, a Department-wide policy implementing such strategies.

“(d) CERTIFICATIONS.—Subject to subsection (g)(3), the implementation policies developed pursuant to subsection (c) shall require component heads to certify to the Under Secretary for Management that such heads have investigated all possibilities related to co-locating, consolidating, or partnering with other components before making any major real property acquisition or recommendation, as defined by the Under Secretary, including entering
into any new leases, renewing any existing leases, or
agreeing to extend or newly occupy any Federal space or
new construction, in accordance with the applicable re-
gional real property strategy developed in accordance with
subsection (a).

“(e) UNDERUTILIZED SPACE.—

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

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

“(3) UNDERUTILIZED SPACE DEFINED.—In
this subsection, the term ‘underutilized space’ means
any space with respect to which utilization is greater than the workplace standard net usable square foot ranges pursuant to subsection (b)(6).

“(f) COMPONENT RESPONSIBILITIES.—

“(1) REGIONAL PROPERTY MANAGERS.—Each component head shall identify a senior career employee of each such component for each geographic region included in the regional real property strategies developed in accordance with subsection (a) to serve as each such component’s regional property manager. Each such regional property manager shall serve as a single point of contact for Department headquarters and other Department components for all real property matters relating to each such component within the region in which each such component is located, and (b) provide data and any other support necessary for the DHS Regional Mission Support Coordinator strategic asset and portfolio planning and execution.

“(2) DATA.—Regional property managers under paragraph (1) shall provide quarterly to the Under Secretary for Management, via a standardized and centralized system, data on each component’s real property holdings, as specified by the Undersecretary for Management, including relating to
underutilized space under subsection (e) (as such term is defined in such subsection), total square footage leased, annual cost, and total number of staff, for each geographic region included in the regional real property strategies developed in accordance with subsection (a).

“(g) **ONGOING OVERSIGHT.**—

“(1) **IN GENERAL.**—The Under Secretary for Management shall monitor components’ adherence to the regional real property strategies developed in accordance with subsection (a) and the implementation policies developed pursuant to subsection (c).

“(2) **ANNUAL REVIEW.**—The Under Secretary for Management shall annually review the data submitted pursuant to subsection (f)(2) to ensure all underutilized space (as such term is defined in subsection (c)) is properly identified.

“(3) **CERTIFICATION REVIEW.**—The Under Secretary for Management shall review, and if appropriate, approve, component certifications under subsection (d) before such components may make any major real property acquisition, including entering into any new leases, renewing any existing leases, or agreeing to extend or newly occupy any Federal space or new construction, in accordance with the
applicable regional real property strategy developed
in accordance with subsection (a).

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

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

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

“(C) An accounting of all instances in
which the Department or its components con-
solidated their real property holdings or co-located with another entity within the Department.

“(D) A list of all certifications provided pursuant to subsection (d) and all such certifications approved pursuant to paragraph (3) of this subsection.”.

(b) REPORTING.—The Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate copies of the regional strategies developed in accordance with section 710(a) of the Homeland Security Act of 2002 (as added by subsection (a) of this section) not later than 90 days after the date of the development of each such strategy.

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

“Sec. 710. Chief Facilities and Logistics Officer.

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