

# Union Calendar No. 459

114TH CONGRESS  
2D SESSION

# H. R. 4487

**[Report No. 114–589, Part I]**

To reduce costs of Federal real estate, improve building security, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2016

Mr. BARLETTA (for himself, Mr. CARSON of Indiana, Mr. SHUSTER, Mr. DEFAZIO, Ms. NORTON, and Mr. NADLER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, 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

MAY 23, 2016

Reported from the Committee on Transportation and Infrastructure with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

MAY 23, 2016

The Committee on Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on February 8, 2016]

# **A BILL**

To reduce costs of Federal real estate, improve building security, 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 “Public Buildings Reform*  
 5       *and Savings Act of 2016”.*

6       **SEC. 2. STREAMLINED LEASING PILOT PROGRAM.**

7       *(a) EXECUTION OF LEASES.—The Administrator of*  
 8       *General Services shall establish and conduct a pilot pro-*  
 9       *gram to execute lease agreements pursuant to authority pro-*  
 10       *vided under section 585 of title 40, United States Code,*  
 11       *using alternative procedures.*

12       *(b) ADOPTION.—The Administrator shall prescribe al-*  
 13       *ternative procedures to enter into lease agreements in ac-*  
 14       *cordance with section 585 of title 40, United States Code,*  
 15       *pursuant to the provisions of this section.*

16       *(c) GOALS OF PROCEDURES.—The goals of the alter-*  
 17       *native procedures are—*

18               *(1) reducing the costs to the Federal Government*  
 19       *of leased space, including—*

20                       *(A) executing long-term leases with firm*  
 21                       *terms of 10 years or more and reducing costly*  
 22                       *holdover and short-term lease extensions, includ-*  
 23                       *ing short firm term leases;*

24                       *(B) improving office space utilization rates*  
 25                       *of Federal tenants; and*

1           (C) streamlining and simplifying the leas-  
2           ing process to take advantage of real estate mar-  
3           kets; and

4           (2) significantly reducing or eliminating the  
5           backlog of expiring leases over the next 5 years.

6           (d) *LEASEHOLD INTERESTS IN REAL PROPERTY.*—

7           (1) *SIMPLIFIED PROCEDURES.*—Notwithstanding  
8           section 3305(b) of title 41, United States Code, but  
9           otherwise in accordance with such section, the Admin-  
10          istrator of General Services shall provide special sim-  
11          plified procedures for acquisitions of leasehold inter-  
12          ests in real property at rental rates that do not exceed  
13          the simplified lease acquisition threshold, as defined  
14          in paragraph (2). The rental rate under a multiyear  
15          lease does not exceed the simplified lease acquisition  
16          threshold if the average annual amount of the rent  
17          payable for the period of the lease does not exceed the  
18          simplified lease acquisition threshold.

19          (2) *ACQUISITION THRESHOLD.*—For purposes of  
20          this section, the simplified lease acquisition threshold  
21          is \$500,000.

22          (e) *CONSOLIDATED LEASE PROSPECTUSES.*—The Ad-  
23          ministrators may, when acquiring leasehold interests subject  
24          to section 3307 of title 40, United States Code, transmit,  
25          pursuant to subsection (b) of such section, to the committees

1 *designated in such section for approval a prospectus to ac-*  
2 *quire leased space, and waive the requirements pursuant*  
3 *to paragraphs (3) and (6) of section 3307(b), subject to the*  
4 *following requirements:*

5 (1) *COST PER SQUARE FOOTAGE.—The cost per*  
6 *square footage does not exceed the maximum proposed*  
7 *rental rate designated for the respective geographical*  
8 *area.*

9 (2) *SPACE UTILIZATION.—The Administrator en-*  
10 *sures the overall space utilization rate is 170 usable*  
11 *square feet per person or better based on actual agen-*  
12 *cy staffing levels when occupied.*

13 (3) *LEASE TERM.—The lease term, including the*  
14 *firm term, is not less than 10 years.*

15 (4) *GEOGRAPHIC LOCATION.—The geographical*  
16 *location is identified as having a large amount of*  
17 *square footage of Federal office space and lease turn-*  
18 *over and will likely result in providing for the abil-*  
19 *ity, on a timely basis, of the agency to consolidate*  
20 *space effectively or meet any requirements for tem-*  
21 *porary or interim space required for planned consoli-*  
22 *dations.*

23 (f) *CONSOLIDATIONS GENERALLY.—The Adminis-*  
24 *trator may consolidate more than 1 project into a single*  
25 *prospectus submitted pursuant to section 3307(b), title 40,*

1 *United States Code, if such consolidation will facilitate effi-*  
 2 *ciencies and reductions in overall space and improved utili-*  
 3 *zation rates.*

4 (g) *WAIVER AUTHORITY.—The Administrator may—*

5 (1) *waive notice and comment rulemaking, if the*  
 6 *Administrator determines the waiver is necessary to*  
 7 *implement this section expeditiously; and*

8 (2) *carry out the alternative procedures under*  
 9 *this section as a pilot program.*

10 (h) *REPORTS.—*

11 (1) *ANNUAL REPORTS.—During the period in*  
 12 *which the pilot program is conducted under this sec-*  
 13 *tion, the Administrator shall submit, annually, to the*  
 14 *Committee on Transportation and Infrastructure of*  
 15 *the House of Representatives and the Committee on*  
 16 *Environment and Public Works of the Senate a*  
 17 *progress report that provides updates on the number*  
 18 *and square footage of leases expiring in the 5-year pe-*  
 19 *riod beginning on the date of enactment of this Act,*  
 20 *by agency and region, and which shall include for the*  
 21 *expiring leases—*

22 (A) *an average of the lease terms, including*  
 23 *firm terms, for leases executed; and*

1                   (B) the percentage of leases managed in-  
 2                   house or through the use of commercial real es-  
 3                   tate leasing services.

4                   (2) *FINAL REPORT*.—Not later than 180 days  
 5                   after termination of the pilot program, the Adminis-  
 6                   trator shall submit a final report to the Committee on  
 7                   Transportation and Infrastructure of the House of  
 8                   Representatives and the Committee on Environment  
 9                   and Public Works of the Senate. The final report shall  
 10                  include—

11                   (A) a review and evaluation of the lease  
 12                   agreements executed under the alternative proce-  
 13                   dures established pursuant to this section in  
 14                   comparison to those agreements not executed  
 15                   pursuant to the alternative procedures;

16                   (B) recommendations on any permanent  
 17                   changes to the General Services Administration’s  
 18                   leasing authority; and

19                   (C) a progress evaluation in meeting the  
 20                   goals described in subsection (c).

21                  (i) *TERMINATION*.—The authorities under this section  
 22                  shall terminate on December 31, 2021.

23 **SEC. 3. EXCHANGE AUTHORITY.**

24                  (a) *LIMITATION ON EXCHANGE AUTHORITY*.—Section  
 25                  3307(a) of title 40, United States Code, is amended—

1           (1) in paragraph (1), by inserting “(including  
2       by exchange)” after “acquire”; and

3           (2) by adding at the end the following:

4           “(4) An appropriation for any costs and ex-  
5       penses associated with administering an acquisition  
6       by exchange involving real property or in-kind con-  
7       sideration, including services, with a fair market  
8       value of \$2,850,000 or more.”.

9       (b) *EFFECTIVE DATE.*—The amendments made by this  
10   section shall not apply to projects in which a procurement  
11   has already begun.

12   **SEC. 4. FEDERAL PROTECTIVE SERVICE.**

13       (a) Section 1315 of title 40, United States Code, is  
14   amended by adding at the end the following new subsection:

15       “(h) *CONTRACT SECURITY PERSONNEL.*—

16           “(1) *AUTHORITIES FOR CONTRACT SECURITY*  
17       *PERSONNEL.*—

18           “(A) *CARRYING OF FIREARMS.*—The Sec-  
19       retary may authorize contract security personnel  
20       engaged in the protection of buildings and  
21       grounds that are owned, occupied, or secured by  
22       the General Services Administration Public  
23       Buildings Service to carry firearms to carry out  
24       their official duties.

1           “(B) *DETENTION WITHOUT A WARRANT.*—A  
2           *person authorized to carry a firearm under this*  
3           *subsection may, while in the performance of, and*  
4           *in connection with, official duties, detain an in-*  
5           *dividual without a warrant for any offense*  
6           *against the United States committed in that per-*  
7           *son’s presence or for any felony cognizable under*  
8           *the laws of the United States if that person has*  
9           *reasonable grounds to believe that the individual*  
10          *to be detained has committed or is committing*  
11          *such felony. The detention authority conferred by*  
12          *this paragraph is in addition to any detention*  
13          *authority provided under other laws.*

14          “(2) *LIMITATIONS.*—*The following limitations*  
15          *apply:*

16               “(A) *DETENTION.*—*Contract security per-*  
17               *sonnel authorized to carry firearms under this*  
18               *section may detain an individual only if the in-*  
19               *dividual to be detained is within, or in direct*  
20               *flight from, the area of such offense.*

21               “(B) *ENFORCEMENT OF CERTAIN LAWS.*—A  
22               *person granted authority to detain under this*  
23               *section may exercise such authority only to en-*  
24               *force laws regarding any building and grounds*  
25               *and all property located in or on that building*

1           *and grounds that are owned, occupied, or secured*  
2           *by the General Services Administration Public*  
3           *Buildings Service.*

4           “(3) *GUIDANCE.—The Secretary, with the ap-*  
5           *proval of the Attorney General, shall issue guidelines*  
6           *to implement this section.”.*

7           *(b) Section 1315(b) of title 40, United States Code, is*  
8           *amended—*

9                 *(1) by inserting “and” at the end of subpara-*  
10            *graph (D);*

11                 *(2) by striking “; and” at the end of subpara-*  
12            *graph (E) and inserting a period; and*

13                 *(3) by striking subparagraph (F).*

14           *(c) Section 1315(b) of title 40, United States Code, is*  
15           *amended by adding at the end the following new para-*  
16            *graphs:*

17                 “(3) *MINIMUM TRAINING STANDARDS.—The Sec-*  
18            *retary, in consultation with the Director of the Fed-*  
19            *eral Protective Service and in accordance with guide-*  
20            *lines issued by the Attorney General, shall establish*  
21            *minimum and uniform training standards for any*  
22            *employee designated as an officer or agent to carry*  
23            *out and exercise authority pursuant to this section.*  
24            *Such minimum standards shall include ongoing*

1     *training certified by the Director of the Federal Pro-*  
2     *tection Service.*

3             “(4) *NOTIFICATION OF DESIGNATIONS AND DELE-*  
4     *GATIONS.—The Secretary shall submit written notifi-*  
5     *cation of any approved designations or delegations of*  
6     *any authority provided under this section, including*  
7     *the purposes and scope of such designations or delega-*  
8     *tions, not within the Federal Protective Service, to the*  
9     *Committee on Transportation and Infrastructure of*  
10    *the House of Representatives and the Committee on*  
11    *Environment and Public Works of the Senate, includ-*  
12    *ing the purpose for such designations or delegations,*  
13    *oversight protocols established to ensure compliance*  
14    *with any requirements, including compliance with*  
15    *training requirements, and other specifics regarding*  
16    *such designations and delegations.”.*

17    **SEC. 5. EVALUATION OF FEDERAL PROTECTIVE SERVICE**  
18             **PERSONNEL NEEDS.**

19             **(a) PERSONNEL AND FUNDING NEEDS OF FEDERAL**  
20    **PROTECTIVE SERVICE.—**

21             **(1) IN GENERAL.—***Not later than 180 days after*  
22     *the date of enactment of this Act and after review by*  
23     *a qualified consultant pursuant to paragraph (2), the*  
24     *Secretary shall submit a report to the appropriate*  
25     *congressional committees on the personnel needs of the*

1     *Federal Protective Service that includes recommenda-*  
2     *tions on the numbers of Federal Protective Service*  
3     *law enforcement officers and the workforce composi-*  
4     *tion of the Federal Protective Service needed to carry*  
5     *out the mission of such Service during the 10-fiscal-*  
6     *year period beginning after the date of enactment of*  
7     *this Act.*

8             (2) *REVIEW AND COMMENT.*—*The Secretary shall*  
9     *provide the report prepared under this section to a*  
10    *qualified consultant for review and comment before*  
11    *submitting the report to the appropriate congressional*  
12    *committees. The Secretary shall provide the comments*  
13    *of the qualified consultant to the appropriate congres-*  
14    *sional committee with the report.*

15            (3) *CONTENTS.*—*The report under this section*  
16    *shall include an evaluation of—*

17                    (A) *the option of posting a full-time equiva-*  
18                    *lent Federal Protective Service law enforcement*  
19                    *officer at each level 3 or 4 Federal facility, as de-*  
20                    *termined by the Interagency Security Committee,*  
21                    *that on the date of enactment of this Act has a*  
22                    *protective security officer stationed at the facil-*  
23                    *ity;*

24                    (B) *the potential increase in security of any*  
25                    *option evaluated under subparagraph (A);*

1           (C) the immediate and projected costs of  
 2           any option evaluated under such subparagraph;  
 3           and

4           (D) the immediate and projected costs of  
 5           maintaining the current level of protective secu-  
 6           rity officers and full-time Federal Protective  
 7           Service law enforcement officers.

8       (b) *REPORT ON FUNDING.*—Not later than 180 days  
 9       after the date of enactment of this Act, the Secretary shall  
 10      submit to the appropriate congressional committees a report  
 11      on the best method of funding for the Federal Protective  
 12      Service, which shall include recommendations regarding  
 13      whether the Federal Protective Service should—

14           (1) continue to be funded by a collection of fees  
 15           and security charges;

16           (2) be funded by appropriations; or

17           (3) be funded by a combination of fees, security  
 18           charges, and appropriations.

19   **SEC. 6. ZERO-BASED SPACE JUSTIFICATION.**

20       Section 3307(b) of title 40, United States Code, is  
 21      amended—

22           (1) in paragraph (5), by inserting before the  
 23           semicolon the following: “including a cost comparison  
 24           between leasing space or constructing space”;

1           (2) in paragraph (6) by striking “and” at the  
2       end;

3           (3) in paragraph (7) by striking the period and  
4       inserting “; and”; and

5           (4) by adding at the end the following:

6           “(8) with respect to any prospectus, including  
7       for replacement space, lease renewal, or lease exten-  
8       sion, the Administrator shall include a justification  
9       for such space, including an explanation of why such  
10      space could not be consolidated or colocated into other  
11      owned or leased space.”.

12 **SEC. 7. ELIMINATING PROJECT ESCALATIONS.**

13       Section 3307(c) of title 40, United States Code, is  
14   amended by adding at the end the following: “The Adminis-  
15   trator shall notify, in writing, the Committee on Transpor-  
16   tation and Infrastructure of the House of Representatives  
17   and the Committee on Environment and Public Works of  
18   the Senate of any increase of more than 5 percent of an  
19   estimated maximum cost or of any increase or decrease in  
20   the scope or size of a project of 5 or more percent. Such  
21   notification shall include an explanation regarding any  
22   such increase or decrease. The scope or size of a project shall  
23   not increase or decrease by more than 10 percent unless an  
24   amended prospectus is submitted and approved pursuant  
25   to this section.”.

1 **SEC. 8. LIMITATION ON AUTHORIZATIONS.**

2 *Section 3307 of title 40, United States Code, is amend-*  
 3 *ed by adding at the end the following:*

4 “(i) *EXPIRATION OF COMMITTEE RESOLUTIONS.—Un-*  
 5 *less a lease is executed or a construction, alteration, repair,*  
 6 *design, or acquisition project is initiated not later than 5*  
 7 *years after the resolution approvals adopted by the Com-*  
 8 *mittee on Transportation and Infrastructure of the House*  
 9 *of Representatives or the Committee on Environment and*  
 10 *Public Works of the Senate pursuant to subsection (a), such*  
 11 *resolutions shall be deemed expired. This subsection shall*  
 12 *only apply to resolutions approved after the date of enact-*  
 13 *ment of this subsection.”.*

14 **SEC. 9. DEPARTMENT OF ENERGY HEADQUARTERS RE-**  
 15 **PLACEMENT.**

16 (a) *SALE OF CERTAIN PROPERTY.—*

17 (1) *IN GENERAL.—Not later than 2 years after*  
 18 *the date of enactment of this Act, the Administrator*  
 19 *of the General Services Administration is directed to*  
 20 *sell, exchange, or some combination thereof, a portion*  
 21 *of the Forrestal Complex necessary to generate the*  
 22 *funds necessary to construct a new Department of*  
 23 *Energy headquarters on Government-owned land in a*  
 24 *manner consistent with the SW Ecodistrict Plan if*  
 25 *the Administrator determines that the new Depart-*

1        *ment of Energy headquarters can be constructed with*  
 2        *no net costs to the Government.*

3            (2) *DEFINITIONS.—For purposes of this section,*  
 4        *the following definitions apply:*

5            (A) *DEPARTMENT OF ENERGY FORRESTAL*  
 6        *COMPLEX.—The term “Forrestal Complex”*  
 7        *means the land, including the buildings and*  
 8        *other improvements thereon, that—*

9            (i) *subject to survey and as determined*  
 10        *by the Administrator, is—*

11            (I) *located in the District of Co-*  
 12        *lumbia;*

13            (II) *generally bounded by Inde-*  
 14        *pendence Avenue, Southwest, 12th*  
 15        *Street, Southwest, Maryland Avenue,*  
 16        *Southwest, and 9th Street, Southwest;*  
 17        *and*

18            (III) *generally consisting of*  
 19        *Squares 351–N, 351, 383, 384, and*  
 20        *385 and portions of Squares 325 and*  
 21        *352; and*

22            (ii) *is under the jurisdiction and con-*  
 23        *trol of the General Services Administration.*

24            (B) *SW ECODISTRICT PLAN.—The term*  
 25        *“SW Ecodistrict Plan” means the plan of the*

1           *National Capital Planning Commission titled*  
2           *“The SW Ecodistrict: A Vision Plan For A More*  
3           *Sustainable Future” and dated January 2013.*

4           **(b) REPLACEMENT OF HEADQUARTERS.**—*Not later*  
5           *than 2 years after the disposal of the necessary portions*  
6           *of the Forrestal Complex, the Administrator shall replace*  
7           *the Department of Energy headquarters located on the For-*  
8           *restal Complex in a Government-owned building on Gov-*  
9           *ernment-owned land.*

10          **(c) CERTAIN PROHIBITIONS.**—*The Administrator shall*  
11          *not lease a new Department of Energy headquarters or en-*  
12          *gage in a leaseback of the current headquarters.*

13          **(d) SALE.**—*If the Administrator is unable to meet the*  
14          *conditions of subsection (a), the Administrator shall sell*  
15          *any underutilized or vacant property on the Forrestal Com-*  
16          *plex for cash.*

17          **(e) NET PROCEEDS.**—*Any net proceeds received, ex-*  
18          *ceeding the expenses of implementing subsection (b) or (d),*  
19          *shall be paid into an account in the Federal Buildings*  
20          *Fund established under section 592 of title 40, United*  
21          *States Code. Upon deposit, the net proceeds from the sale*  
22          *may only be expended subject to a specific future appro-*  
23          *priation.*

1 **SEC. 10. LIMITATION ON DISCOUNTED PURCHASE OPTIONS.**

2       *Section 585 of title 40, United States Code, is amended*  
3 *by adding at the end the following:*

4       “(d) *Any bargain-price option to purchase at less than*  
5 *fair market value contained in any lease agreement entered*  
6 *into on or after January 1, 2016, pursuant to this section*  
7 *may be exercised only to the extent specifically provided for*  
8 *in subsequent appropriation Acts or other Acts of Con-*  
9 *gress.”.*

10 **SEC. 11. ENERGY SAVINGS.**

11       *To the extent practicable and when cost effective, the*  
12 *Administrator of the General Services Administration shall*  
13 *consider the direct purchase of energy and other utilities*  
14 *in bulk or otherwise for leased facilities.*

15 **SEC. 12. SIMPLIFIED REFORMS.**

16       (a) *IN GENERAL.*—*For the purpose of section 863 of*  
17 *Public Law 110–417, an individual acquisition for com-*  
18 *mercial leasing services shall not be construed as a purchase*  
19 *of property or services if such individual acquisition is*  
20 *made on a no cost basis and pursuant to a multiple award*  
21 *contract awarded in accordance with requirements for full*  
22 *and open competition.*

23       (b) *AUDIT.*—*The Comptroller General of the United*  
24 *States shall—*

1           (1) *conduct biennial audits of the General Serv-*  
2           *ices Administration National Broker Contract to de-*  
3           *termine—*

4                   (A) *whether brokers selected under the pro-*  
5                   *gram provide lower lease rental rates than rates*  
6                   *negotiated by General Services Administration*  
7                   *staff; and*

8                   (B) *the impact of the program on the length*  
9                   *of time of lease procurements;*

10          (2) *conduct a review of whether the application*  
11          *of section 863 of Public Law 110–417 to acquisitions*  
12          *for commercial leasing services resulted in rental cost*  
13          *savings for the Government during the years in which*  
14          *such section was applicable prior to the date of enact-*  
15          *ment of this section; and*

16          (3) *not later than September 30, 2018, and Sep-*  
17          *tember 30, 2020, submit to the Committee on Trans-*  
18          *portation and Infrastructure of the House of Rep-*  
19          *resentatives and the Committee on Environment and*  
20          *Public Works of the Senate a report that—*

21                   (A) *summarizes the results of the audit and*  
22                   *review required by paragraphs (1) and (2);*

23                   (B) *includes an assessment of whether the*  
24                   *National Broker Contract provides greater effi-*

1           *ciencies and savings than the use of General*  
 2           *Services Administration staff; and*

3           *(C) includes recommendations for improv-*  
 4           *ing General Services Administration lease pro-*  
 5           *curements.*

6           *(c) TERMINATION.—This section shall terminate on*  
 7           *December 31, 2021.*

8           **SEC. 13. NATIONAL CAPITAL REGION RENTAL RATES.**

9           *Not later than 120 days after the date of enactment*  
 10          *of this Act, the Administrator of General Services shall sub-*  
 11          *mit a report to the Committee on Transportation and In-*  
 12          *frastructure of the House of Representatives and the Com-*  
 13          *mittee on Environment and Public Works of the Senate jus-*  
 14          *tifying the use of 3 lease rental caps per fiscal year and*  
 15          *their impacts in the National Capital Region. The Admin-*  
 16          *istrator shall also evaluate and make recommendations re-*  
 17          *lated to whether the current rental caps adequately provide*  
 18          *for maximum competition for build-to-suit leased space.*

19          **SEC. 14. REDUCTION OF ADMINISTRATIVE REQUIREMENTS**  
 20                                   **ON CERTAIN PROGRAMS.**

21          *Section 601(d)(2) of the Public Works and Economic*  
 22          *Development Act of 1965, as amended (42 U.S.C. 3211),*  
 23          *is amended—*

24                   *(1) by striking “(2) RELEASE.—” and inserting*  
 25                   *the following:*

1 “(2) *RELEASE.*—

2 “(A) *IN GENERAL.*—”; and

3 (2) *by adding at the end the following:*

4 “(B) *REVOLVING LOAN FUND PROGRAM.*—

5 *The Secretary may release, subject to terms and*  
6 *conditions the Secretary determines appropriate,*  
7 *the Federal Government’s interest in connection*  
8 *with a grant under section 209(d) not less than*  
9 *7 years after final disbursement of the grant,*  
10 *if—*

11 “(i) *the recipient has carried out the*  
12 *terms of the award in a satisfactory man-*  
13 *ner;*

14 “(ii) *any proceeds realized from the re-*  
15 *lease of the Federal Government’s interest*  
16 *will be used for one or more activities that*  
17 *continue to carry out the economic develop-*  
18 *ment purposes of this Act; and*

19 “(iii) *the recipient shall provide ade-*  
20 *quate assurance to the Secretary that at all*  
21 *times after release of the Federal Govern-*  
22 *ment’s interest in connection with the*  
23 *grant, the recipient will be responsible for*  
24 *continued compliance with the requirements*  
25 *of section 602 in the same manner it was*

1            *responsible prior to release of the Federal*  
 2            *Government’s interest and that the recipi-*  
 3            *ent’s failure to comply shall result in the*  
 4            *Secretary taking appropriate action, in-*  
 5            *cluding, but not limited to, rescission of the*  
 6            *release and recovery of the Federal share of*  
 7            *the grant.”.*

8    **SEC. 15. LACTATION ROOM IN PUBLIC BUILDINGS.**

9            *(a) LACTATION ROOM IN PUBLIC BUILDINGS.—Chap-*  
 10    *ter 33 of title 40, United States Code, is amended by adding*  
 11    *at the end the following new section:*

12    **“§ 3317. Lactation room in public buildings**

13            *“(a) DEFINITIONS.—In this section:*

14                    *“(1) APPROPRIATE AUTHORITY.—The term ‘ap-*  
 15                    *propriate authority’ means the head of a Federal*  
 16                    *agency, the Architect of the Capitol, or other official*  
 17                    *authority responsible for the operation of a public*  
 18                    *building.*

19                    *“(2) COVERED PUBLIC BUILDING.—The term*  
 20                    *‘covered public building’ means a public building (as*  
 21                    *defined in section 3301) that is open to the public*  
 22                    *and contains a public restroom, and includes a build-*  
 23                    *ing listed in section 6301 or 5101.*

1           “(3) *LACTATION ROOM.*—*The term ‘lactation*  
 2           *room’ means a hygienic place, other than a bathroom,*  
 3           *that—*

4                     “(A) *is shielded from view;*

5                     “(B) *is free from intrusion; and*

6                     “(C) *contains a chair, a working surface,*  
 7           *and, if the public building is otherwise supplied*  
 8           *with electricity, an electrical outlet.*

9           “(b) *LACTATION ROOM REQUIRED.*—*Except as pro-*  
 10          *vided in subsection (c), the appropriate authority of a cov-*  
 11          *ered public building shall ensure that the building contains*  
 12          *a lactation room that is made available for use by members*  
 13          *of the public to express breast milk.*

14          “(c) *EXCEPTIONS.*—*A covered public building may be*  
 15          *excluded from the requirement in subsection (b) at the dis-*  
 16          *cretion of the appropriate authority if—*

17                     “(1) *the public building—*

18                             “(A) *does not contain a lactation room for*  
 19                             *employees who work in the building; and*

20                             “(B) *does not have a room that could be*  
 21                             *repurposed as a lactation room or a space that*  
 22                             *could be made private using portable materials,*  
 23                             *at a reasonable cost; or*

1           “(2) new construction would be required to cre-  
2           ate a lactation room in the public building and the  
3           cost of such construction is unfeasible.

4           “(d) *NO UNAUTHORIZED ENTRY*.—Nothing in this sec-  
5           tion shall be construed to authorize an individual to enter  
6           a public building or portion thereof that the individual is  
7           not otherwise authorized to enter.”.

8           (b) *CLERICAL AMENDMENT*.—The table of sections at  
9           the beginning of chapter 33 of title 40, United States Code,  
10          is amended by inserting after the item related to section  
11          3316 the following new item:

          “3317. *Lactation room in public buildings*.”.

12          (c) *EFFECTIVE DATE*.—The amendments made by this  
13          section shall take effect one year after the date of the enact-  
14          ment of this Act.

15          **SEC. 16. USE OF RECLAIMED REFRIGERANTS.**

16          Not later than 180 days after the date of enactment  
17          of this Act, the Administrator of General Services shall issue  
18          a report examining the feasibility of giving preference to  
19          the use of reclaimed refrigerants to service existing equip-  
20          ment of Federal buildings.



Union Calendar No. 459

114<sup>TH</sup> CONGRESS  
2D Session

**H. R. 4487**

[Report No. 114-589, Part I]

**A BILL**

To reduce costs of Federal real estate, improve  
building security, and for other purposes.

MAY 23, 2016

Reported from the Committee on Transportation and  
Infrastructure with an amendment

MAY 23, 2016

The Committee on Financial Services discharged; com-  
mitted to the Committee of the Whole House on the  
State of the Union and ordered to be printed