

COURTHOUSE AFFORDABILITY AND SPACE EFFICIENCY
(CASE) ACT OF 2025

SEPTEMBER 8, 2025.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. GRAVES, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3426]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 3426) to amend title 40, United States
Code, to limit the construction of new courthouses under certain
circumstances, and for other purposes, having considered the same,
reports favorably thereon without amendment and recommends
that the bill do pass.

CONTENTS

	Page
Purpose of Legislation	2
Background and Need for Legislation	2
Hearings	4
Legislative History and Consideration	4
Committee Votes	4
Committee Oversight Findings and Recommendations	4
New Budget Authority and Tax Expenditures	5
Congressional Budget Office Cost Estimate	5
Performance Goals and Objectives	7
Duplication of Federal Programs	7
Congressional Earmarks, Limited Tax Benefits, and Limited Tariff Benefits ...	7
Federal Mandates Statement	7
Preemption Clarification	7
Advisory Committee Statement	7
Applicability to Legislative Branch	7
Section-by-Section Analysis of the Legislation	8
Changes in Existing Law Made by the Bill, as Reported	8

PURPOSE OF LEGISLATION

The purpose of H.R. 3426, the Courthouse Affordability and Space Efficiency (CASE) Act of 2025, is to amend title 40, United States Code, to limit the construction of new courthouses under certain circumstances, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Federal courthouses are constructed, owned, and managed by the General Services Administration (GSA) and funded through GSA's Federal Buildings Fund.¹ The Committee has conducted ongoing oversight of the Federal courthouse construction program. In 2010, at the request of the Committee, the Government Accountability Office (GAO) completed a study entitled, "*Federal Courthouse Construction: Better Planning, Oversight, and Courtroom Sharing Needed to Address Future Costs*."² In the report, GAO examined 33 courthouses that were constructed during the ten-year period from 2000 to 2010.³ GAO found that 3.56 million square feet of *extra* space was built costing the taxpayer more than \$800 million because of the following reasons:

- The Judiciary grossly overestimated its ten-year projection of future judges assigned to courthouses;
- New courthouses did not incorporate courtroom sharing; and
- GSA constructed courthouses above the Congressionally-approved size.⁴

A primary reason for the overbuilding of courthouses has been the Judiciary's inaccurate ten-year projections for future judge-ships.⁵ Since courthouses are designed to house judges and their staff, the overall size of a courthouse is largely determined by the number of judges expected to be housed in the building and whether judges will share courtrooms.⁶ However, even as far back as 1993, GAO questioned the basis on which the United States Courts calculated their projections for new judges.⁷ In particular, at that time, the courts based their calculations on a caseload projection method.⁸

Another reason for overbuilding was the lack of courtroom sharing. To conduct their report in 2010, GAO created a model for courtroom sharing that showed significant amounts of unscheduled time in courtrooms, illustrating sharing of courtrooms could be significantly higher than practiced and this was based on data produced by the Federal Judicial Center (FJC)—the research arm of the Judicial Conference of the United States.⁹

¹ GENERAL SERV. ADMIN., *Courthouse Construction* (last updated Nov. 8, 2023), available at <https://www.gsa.gov/real-estate/gsa-properties/courthouse-program/courthouse-construction>; 40 U.S.C. § 3301.

² U.S. GOV'T ACCOUNTABILITY OFF., GAO-10-417, *Federal Courthouse Construction: Better Planning, Oversight, and Courtroom Sharing Needed to Address Future Costs* (June 2010) [hereinafter GAO Report 2010], available at <https://www.gao.gov/assets/gao-10-417.pdf>.

³ *Id.* at 2.

⁴ *Id.* at 9.

⁵ *Id.*

⁶ *Id.* at 6–8.

⁷ U.S. GOV'T ACCOUNTABILITY OFF., GGD-93-132, *Federal Judiciary Space: Long-Range Planning Process Needs Revision* (Sept. 1993), available at <https://www.gao.gov/assets/ggd-93-132.pdf>.

⁸ *Id.*

⁹ GAO Report 2010, *supra* note 2, at 3.

Congress has questioned the need for every judge to have a courtroom, particularly in the case of a large courthouse with 20 or more courtrooms.¹⁰ Despite this, the United States Courts have consistently requested a courtroom for every active judge.¹¹ In 2019, the Judicial Conference updated policies with respect to Senior District Judges, Magistrate Judges, and Bankruptcy Judges sharing courtrooms.¹² However, the new courtroom sharing policy was only implemented for courthouses that are renovated or newly constructed, it does not impact existing courthouses.¹³

As a result of these findings, the Committee halted approving new courthouse construction until the Judiciary revamped its process for proposing new courthouses, including revising judgeship projections and instituting courtroom sharing policies.¹⁴ Following this, the Judiciary subsequently updated its *Asset Management Planning* (AMP) process that improved and standardized its method of reviewing the need for new courthouses yet the AMP process continues to give greater weight to number of courtrooms/chambers (50 percent of the weighted AMP system) than building condition (12 percent) or security (10 percent) in determining the “Urgency Evaluation” Rating or UE and need for a new courthouse.¹⁵ While the Judiciary has refined its courtroom sharing policies for magistrate, senior, and bankruptcy judges, sharing policies do not apply to active district court judges.¹⁶

Following the United States Courts publication of the new Design Guide in 2021, the Committee requested that GAO examine the judiciary’s rationale for the changes that were made in the new Design Guide.¹⁷ The report, *Federal Courthouse Construction: New Design Standards Will Result in Significant Size and Cost Increases*, studied the extent to which these changes could affect the size and cost of courthouse projects.¹⁸ To conduct this study, GAO examined six recently constructed courthouses that used the 2007 Design Guide, since no courthouses have been constructed using the 2021 Design Guide.¹⁹

The report found that, had the 2021 Design Guide requirements been used for the construction of those six courthouse projects, the size of the courthouses would have increased by almost six percent and construction costs would have increased by approximately twelve percent.²⁰ GAO largely attributes these increases in size and cost, to the increase in judiciary circulation requirements (i.e.,

¹⁰ L.A. Courthouse: GSA’s Plan to Spend \$400 Million to Create Vacant Space: Hearing before the H. Comm. on Transp. & Infrastructure, 112th Cong. (Aug. 17, 2012), available at <https://www.govinfo.gov/content/pkg/CHRG-112hhrg75572/pdf/CHRG-112hhrg75572.pdf>.

¹¹ *Id.*

¹² UNITED STATES COURTS, *U.S. Courts Design Guide* (last updated Mar. 2021) [hereinafter Design Guide], available at <https://www.uscourts.gov/administration-policies/judiciary-policies/us-courts-design-guide>.

¹³ *Id.* at 2–11.

¹⁴ Letter from Eleanor Holmes Norton, Chairwoman and Mario Diaz-Balart, Ranking Member, H. Subcommittee on Econ. Dev., Public Buildings, and Emergency Management to President Barack Obama, (Aug. 2, 2010) (On file with Comm.).

¹⁵ ADMIN. OFF. OF THE U.S. COURTS, *Asset Management Planning: Process Handbook* (2023), available at <https://www.uscourts.gov/data-news/reports/handbooks-manuals/asset-management-planning-process-handbook>.

¹⁶ *Id.*

¹⁷ U.S. GOV’T ACCOUNTABILITY OFF., GAO–25–106724, *Federal Courthouse Construction: New Design Standards Will Result in Significant Size and Cost Increases at 1* (2024) [hereinafter GAO Report 2024], available at <https://www.gao.gov/assets/gao-25-106724.pdf>.

¹⁸ *Id.* at 2.

¹⁹ *Id.* at 3.

²⁰ *Id.* at 29.

the amount of space required for movement of the public, court staff, and prisoners).²¹

H.R. 3426 limits the scope of what GSA is authorized to construct for Federal courthouses. The bill codifies the sharing requirements for bankruptcy, senior and magistrate judges and, for larger courthouses with 10 or more active district judges, limits the number of courtrooms to two for every three judges.

HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 119th Congress, the following hearing was used to develop or consider H.R. 3426:

On May 20, 2025, the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure held a hearing entitled, “*Federal Courthouse Design and Construction: Examining the Costs to the Taxpayer*.” The Subcommittee received testimony from Mr. David Marroni, Acting Director, Physical Infrastructure, Government Accountability Office (GAO); The Honorable Glenn T. Suddaby, District Judge for the United States District Court for the Northern District of New York and Chair, Judicial Conference Committee on Space and Facilities; and Mr. Michael Peters, Commissioner, Public Buildings Service, General Services Administration.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 3426 was introduced in the United States House of Representatives on May 15, 2025, by Mr. Shreve of Indiana and referred to the Committee on Transportation and Infrastructure. Within the Committee on Transportation and Infrastructure, H.R. 3426 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management. The Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 3426 on June 11, 2025.

The Committee considered H.R. 3426 on June 11, 2025, and ordered the measure to be reported to the House with a favorable recommendation, without amendment, by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

No record votes were requested during consideration of H.R. 3426.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

²¹*Id.* at 24.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974* has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the enclosed cost estimate for H.R. 3426 from the Director of the Congressional Budget Office:

Legislation Considered Under Suspension of the Rules

The Majority Leader of the House of Representatives announces bills that will be considered under suspension of the rules in that chamber. Under suspension, floor debate is limited, all floor amendments are prohibited, points of order against the bill are waived, and final passage requires a two-thirds majority vote.

At the request of the Majority Leader and the House Committee on the Budget, CBO estimates the effects of those bills on direct spending and revenues. CBO has limited time to review the legislation before consideration. Although it is possible in most cases to determine whether the legislation would affect direct spending or revenues, time may be insufficient to estimate the magnitude of those effects. If CBO has prepared estimates for similar or identical legislation, a more detailed assessment of budgetary effects, including effects on spending subject to appropriation, may be included.

EFFECTS ON DIRECT SPENDING AND REVENUES OF LEGISLATION CONSIDERED UNDER SUSPENSION OF THE RULES IN THE HOUSE OF REPRESENTATIVES
 [Week of September 8, 2025]

Bill number	Title	Effect on direct spending	Effect on revenues	Additional information on direct spending and revenue effects	Link to published estimates	Suspension bill text at docs.house.gov
H.R. 2591	Mental Health in Aviation Act of 2025, as amended.	None	None .....	.....	https://www.cbo.gov/publication/61623 ...	https://docs.house.gov/billssthisweek/20250908/HR%202591.pdf
H.R. 3055	TRANSPORT Jobs Act, as amended	None	None .....	.....	.....	https://docs.house.gov/billssthisweek/20250908/HR%203055.pdf
H.R. 3423	FROST Act, as amended	Increase by Less Than \$500K.	None .....	.....	https://www.cbo.gov/publication/61630 ..	https://docs.house.gov/billssthisweek/20250908/HR%203423.pdf
H.R. 3424	SPACE Act of 2025	None	None .....	.....	.....	https://docs.house.gov/billssthisweek/20250908/HR%203424.pdf
H.R. 3425	POST Act of 2025, as amended	None	None .....	.....	.....	https://docs.house.gov/billssthisweek/20250908/HR%203425.pdf
H.R. 3426	CASE Act, as amended	None	None .....	.....	.....	https://docs.house.gov/billssthisweek/20250908/HR%203426%20Amended.pdf
H.R. 3428	Mid-Atlantic River Basin Commissions Review Act.	None	None .....	.....	.....	https://docs.house.gov/billssthisweek/20250908/HR%203428.pdf
H.R. 4550	United States Grain Standards Reauthorization Act of 2025.	Reduce by Less Than \$500K.	None .....	.....	https://www.cbo.gov/publication/61725 ..	https://docs.house.gov/billssthisweek/20250908/HR%204550.pdf
H. Res.	Honoring the victims and survivors of the mass shooting at Annunciation Catholic Church and School in Minneapolis, Minnesota.	None	None .....	.....	.....	https://docs.house.gov/billssthisweek/20250908/MN%20Res.pdf

Source: Congressional Budget Office.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to amend title 40, United States Code, to limit the construction of new courthouses under certain circumstances, and for other purposes.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 3426 establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the *Unfunded Mandates Reform Act* (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the *Congressional Budget Act of 1974* requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 3426 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the definition of Section 5(b) of the appendix to Title 5, United States Code, are created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the *Congressional Accountability Act* (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section requires cites the bill as “Courthouse Affordability and Space Efficiency (CASE) Act of 2025”.

Section 2. Reducing costs related to courthouses

This section restricts GSA from constructing new courthouses that fail to comply at a minimum with courtroom sharing requirements defined as one courtroom per every two bankruptcy, magistrate and senior judges and, for courthouses with 10 or more active district judges, two courtrooms per every three active district judges.

This section also directs that the United States Courts Design Guide is updated within 180 days of enactment to reflect the requirements of the bill. This section further requires GSA to relinquish space in the same courthouse complex if a new courthouse will add capacity in the inventory.

This section further requires GSA to submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Environment and Public Works of the Senate describing the revisions made to the process.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 3426 makes the following changes to law:

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

TITLE 40, UNITED STATES CODE

* * * * *

SUBTITLE II—PUBLIC BUILDINGS AND WORKS

* * * * *

PART A—GENERAL

* * * * *

CHAPTER 33—ACQUISITION, CONSTRUCTION, AND ALTERATION

Sec.

3301. Definitions and nonapplication.

* * * * *

3320. *Reducing costs related to courthouses.*

* * * * *

§3320. Reducing costs related to courthouses

(a) *LIMITATION ON NEW COURTHOUSES.*—The Administrator of General Services may not commence construction of any new courthouse if—

(1) construction has not begun on or before the date of enactment of this section; and

(2) the design and construction of the new courthouse fails to comply, at a minimum, with the courtroom sharing requirements described in subsection (b).

(b) *COURTROOM SHARING REQUIREMENTS DEFINED.*—The term “courtroom sharing requirements” means—

(1) in courthouses with 10 or more active district judges, 2 courtrooms per 3 active district judges, except such courthouses may contain not less than 9 courtrooms for active district judges;

(2) in courthouses with 3 or more bankruptcy judges, 1 courtroom per 2 bankruptcy judges;

(3) in courthouses with 3 or more senior district judges, 1 courtroom per 2 senior district judges; and

(4) in courthouses with 3 or more magistrate judges, 1 courtroom per 2 magistrate judges.

(c) *UNITED STATES COURTS DESIGN GUIDE.*—Not later than 180 days after the date of enactment of this section, the Design Guide for courthouses shall be updated to incorporate courtroom sharing requirements to the maximum extent practicable.

(d) *UTILIZATION.*—If a new courthouse will add capacity in the inventory of the General Services Administration, existing space in the same courthouse complex must be fully utilized or relinquished from the inventory of the General Services Administration.

* * * * *