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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 9, 2013.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOLF) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

May they be led by Your Spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems. May their faith in You deliver them from tensions that tear the House apart and from worries that might wear them out.

All this day and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. ROYBAL-ALLARD) come forward and lead the House in the Pledge of Allegiance.

Ms. ROYBAL-ALLARD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

THE GPS ACT

(Mr. CHAFFETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHAFFETZ. Mr. Speaker, one of the big questions that stands before the Nation is: Are we going to give up all of our liberties in the name of security? And I think not.

Technology is great. It is supposed to make our lives better and simpler, more efficient, more effective. It is fun, it is innovative, and it is leading the world. But at the same time, we have got to make sure that these technologies are not overused, not only by our Federal Government officials in law enforcement, but also by others who would do us harm, who have surreptitiously maybe converted that technology to do something a little bit more pervasive and a little more perverse.

It is for that reason that Senator WYDEN, my colleague in the United States Senate, and I have introduced what is called H.R. 1312, the geolocation, or GPS Act, as we refer to it, to put some limits and curtail those that want to follow us without our own knowledge.

We believe that you should have to have a probable cause warrant in order to track somebody's geolocation. I want that for my own kids. I want that for me. I want to make sure that that technology is safe and secure.

So I encourage my colleagues, Mr. Speaker, to look at H.R. 1312, the GPS Act, to deal with these new inventions and technology in a reasonable way.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

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declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1659

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MEADOWS) at 4 o'clock and 59 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

KILAH DAVENPORT CHILD PROTECTION ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3627) To require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3627

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 ''Kilah Davenport Child Protection Act of 2013''.

SEC. 2. ATTORNEY GENERAL REPORT.

Not later than 180 days after the date of enactment of this Act, and again 3 years thereafter, the Attorney General shall publish and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the United States Senate a report on the penalties for violations of laws prohibiting child abuse in each of the 50 States, the District of Columbia, and each territory of the United States, including whether the laws of that State, District, or territory provides for enhanced penalties when the victim has suffered serious bodily injury, or permanent or protracted loss or impairment of any mental or emotional function.

SEC. 3. EXPANSION OF PREDICATE FOR INCREASED PENALTIES FOR CERTAIN DOMESTIC ASSAULTS.

Section 117(a)(1) of title 18, United States Code, is amended by inserting '', or against a child of or in the care of the person committing the domestic assault'' after ''intimate partner''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from New York (Mr. JEFFRIES) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3627, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

The bill under consideration today, the Kilah Davenport Child Protection Act of 2013, is named after a young girl from North Carolina who was brutally beaten by her stepfather last year. Her stepfather was charged with felony child abuse and awaits trial. Kilah, who was only 3 years old at the time of the attack, will face a lifetime of brain damage and paralysis at the hands of someone who was supposed to love and protect her.

Stories like Kilah's are absolutely tragic, but they are not uncommon across our country. Approximately 3.5 million cases of child abuse involving 6 million children are reported every year in the United States. In my own State of Georgia, there were over 37,000 reports of child abuse and neglect with over 15,000 substantiated incidents of abuse in 2009 alone. And the rates of child abuse are even higher in Indian Country, where Indian children experience child abuse at a significantly higher rate than the rest of the population.

Adding to those and these tragedies is the fact that child abuse cases are not always reported and oftentimes not prosecuted with the same vigor as other crimes. Studies have found that charges are less likely to be filed against perpetrators in child abuse cases than most other felonies, and these cases have lower incarceration rates than other crimes.

H.R. 3627, introduced by Mr. PITTENGER of North Carolina, will help draw attention to how child abuse cases are handled across the country by requiring the Judiciary Department to issue reports on the criminal penalties for child abuse in the 50 States, the District of Columbia, and the U.S. territories.

This report focused on State statutes because most child abuse cases are handled at the State level. However, there are parts of the country where the Federal Government has an increased law enforcement role, such as including in Indian Country. H.R. 3627 helps to strengthen the Federal response to child abuse and other forms of domestic violence in Indian Country and the special maritime and territorial jurisdiction by amending 18 U.S.C., section 117 to allow prior convictions for the abuse of a child to trigger the offense of domestic assault by a habitual offender. This is a small but important change to the statute that will permit the Federal Government to prosecute more violent offenders.

I commend the gentleman from North Carolina (Mr. PITTENGER) for drawing attention to the terrible crime of child abuse and encourage my colleagues to support this legislation.

With that, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield myself such time as I may consume.

Today we rise to consider H.R. 3627, the Kilah Davenport Child Protection Act of 2013. This legislation is part of the continuing effort to stamp out the scourge of child abuse in our society.

According to the organization Childhelp, each year there are more than 3 million reports of child abuse in the United States. At least 6 million children are impacted on an annual basis. Every day an average of four to seven children die in this great country as a result of child abuse and neglect, and more than 78 percent of reported child fatalities resulting from abuse and neglect were caused by one or more of the victim's parents.

We must do everything in our power to change this sad reality. Our effort, of course, must be comprehensive and should include both robust criminal justice enforcement and parental education and prevention efforts. In other words, our approach should be balanced. Those who abuse children must understand that the consequences connected to their criminal behavior will be significant.

We must also aggressively take steps to prevent child victimization before it occurs. In doing so, we can mitigate the severe trauma of child abuse and simultaneously channel precious taxpayer resources away from the criminal justice system.

H.R. 3627 requires the Attorney General to issue a report regarding the penalties for violations of laws prohibiting child abuse in the 50 States, the District of Columbia, and U.S. territories. This report must consider, of course, whether those laws provide enhanced penalties when the victim has suffered serious bodily injury or permanent or protracted loss or impairment of any mental or emotional function, as occurred in this tragic case referred to in North Carolina. This reporting requirement is a good step toward helping Congress accurately evaluate the statutory landscape in the child abuse context and govern in a more informed fashion.

In addition, the legislation permits prior convictions for assault, sexual abuse, or serious violent felonies to be used to trigger additional penalties for habitual domestic abusers on Native American reservations and in special maritime and territorial jurisdictions. This trigger will better protect potential child abuse victims from repeat offenders.

For the above-referenced reasons, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, at this time, I yield as much time as he may consume to the gentleman from North Carolina (Mr. PITTENGER),

the author of this legislation, the gentleman who has a great passion for this issue.

Mr. PITTENGER. Thank you, Mr. COLLINS.

Mr. Speaker, I rise on behalf of precious Kilah Davenport, a sweet little girl at the age of 3 years old, who was taken by her caregiver and bashed her head against the wall. As a result, Kilah has suffered irreparable damage to the extent that at this point she is immobile, she is paralyzed and has suffered severe brain damage.

You can see pictures right here of Kilah, a young girl, and then the next day the condition that she is in. She has made some progress. Her family is encouraged. They assist her 24/7. It has changed their lives.

But to the credit of the Davenport family, they wanted what occurred to their child to make sure that that never happened again. They focused their intention and their efforts, their commitment, to passing a law in North Carolina where I live. Now we have a statute that gives a minimum sentence of 10 years to anyone who is convicted of this type of egregious child abuse. Prior to this time, the minimum sentence for such an abuse was 4 years, maximum 6 years. This type of severe cruelty warrants a measure of sentencing commensurate with what has been enacted.

So I congratulate my colleagues, whom I served with at one time in the North Carolina Senate and the House—Senator Tarte, Senator Tucker, and Senator Curtis; and House members Horn and Arp—for the leadership that they gave in North Carolina and provided what will be, I truly believe, a role model for the rest of the country because, Mr. Speaker, the purpose of the Kilah Davenport Child Protection Act is to give a basis for other States, appealing to them through their attorney generals, to issue these reports, the first one in 6 months, the next one 3 years following, of their current statutes on child abuse in their sentencing.

We have found in many States that there are very minimum and lax sentences. In the South, there is one State that a year and a day could be the maximum sentence; one State in the Northeast is 7 years; one State out west, 5 years is the max sentence. This shouldn't be. We feel like there are many States who once they understand how limited the scope is of their sentencing that they would want to change it.

And yes, Mr. Speaker, I do believe that these types of bills are better addressed in our States. I believe that other States will take the proper action as North Carolina did. As I consulted with law enforcement and with judges who handle child abuse daily, that is why I introduced H.R. 3627, which is bipartisan legislation that will address this severe need to make sure that children in the future are not harmed in the same way.

This bill will ensure that those who suffer serious bodily injury, mental and emotional disparity and function, would be addressed with the types of sentencing that would warrant the type of crime committed.

I believe, Mr. Speaker, as we enact this bill, that we will see a tremendous impact throughout the country to prevent this type of scourge from occurring again. So I commit it to our Congress—I thank the great support of the Members—to make sure that this bill is enacted, and I thank Senator BURR for his leadership in the Senate.

Mr. JEFFRIES. Mr. Speaker, I have no additional speakers and am prepared to close.

Let me just simply say, I commend the gentleman from North Carolina for putting forth this measure in the House and helping to shepherd it hopefully into swift passage and then into law. I also commend the Davenport family for their courage, their strength, and their perseverance, and I wish them Godspeed as it relates to the recovery of their child moving forward.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, just in closing, again, it is good to be with my friend down here. Also, the bill that Mr. PITTENGER is bringing forward is also commonsense legislation I think that strengthens their home, strengthens their family, and addresses an issue such as child abuse and the real consequences the Davenport family are finding, but not just them, but many across our country.

With that, I urge all my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 3627.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES

Washington, DC, December 9, 2013.

Hon. JOHN BOEHNER,

Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: On December 4, 2013, pursuant to section 3307 of title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize five lease prospectuses included in the General Services Administration's (GSA) FY2011 and FY2014 Capital Investment and Leasing Programs (CILP).

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions approved by the Committee will save the taxpayer $12.9 million annually or $193.6 million over the terms of the Leases. These resolutions ensure savings through lower rents and shrinking the space requirements of agencies. With these resolutions, the total savings for GSA prospectuses approved by the Committee this year is over $668 million.

One of the resolutions approved on December 4 is for a lease replacement for the Nuclear Regulatory Commission (NRC) in Rockville, Maryland. This was an outstanding lease prospectus submitted as part of the FY2011 C1LP. While other agencies agreed to reduce their space footprint and reduce costs, NRC had not done so. After working with the NRC and GSA, the Committee brokered an agreement that will put 1,100 additional employees into NRC's buildings by having space backfilled by the Food and Drug Administration (FDA). As a result, FDA has agreed to relinquish four leases that will save the taxpayer $145.8 million. Letters from the NRC and FDA acknowledging this agreement are enclosed.

I have also enclosed copies of the five resolutions adopted by the Committee on Transportation and Infrastructure on December 4, 2013.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures

COMMITTEE RESOLUTION

LEASE—NUCLEAR REGULATORY COMMISSION, SUBURBAN MARYLAND

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 348,000 rentable square feet of space, including 20 parking spaces, for the Nuclear Regulatory Commission, currently located at Two White Flint, 11545 Rockville Pike, Bethesda, Maryland, at a proposed total annual cost of $11,832,000 for a lease term of up to 15 years, for which a prospectus and overall Housing Strategy amending such prospectus is attached to and included in this resolution.

Approval of this prospectus and overall Housing Strategy constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Food and Drug Administration, currently occupying four locations under leases expiring between 2014 and 2016 in Bethesda and Rockville, MD, backfill no less than 186,313 usable square feet in the building known as Three White Flint North at an annual rental rate of not more than $7,825,146.

Provided that, the Nuclear Regulatory Commission shall be responsible for the rental costs for Three White Flint North which exceed the rental rate paid by the Food and Drug Administration, or any subsequent backfill tenant, for the term of the lease for Three White Flint North.

Provided that, the Administrator of General Services and the Chairman of the Nuclear Regulatory Commission and the Commissioner of the Food and Drug Administration agree to apply an overall utilization rate of 200 and 170 square feet or less per person, respectively,

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet

or higher per person for the Nuclear Regulatory Commission and 170 for the Food and Drug Administration.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND

Prospectus Number: PMD-04-WA11
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 348,000 rentable square feet (rsf) for the Nuclear Regulatory Commission (NRC) currently located at Two White Flint, 11545 Rockville Pike in Bethesda, MD. GSA will consider all market based opportunities including an unevaluated renewal option during the procurement.

Description

Occupants:	NRC
Delineated Area:	Suburban Maryland
Lease Type:	Replacement
Justification:	Expiring Lease (12/14/2013)
Expansion Space:	None
Number of Parking Spaces[1]:	20 official government vehicles
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	348,000 rsf
Current Total Annual Cost:	$9,756,987
Proposed Total Annual Cost:[2]	$11,832,000
Maximum Proposed Rental Rate[3]:	$34.00 per rentable square foot

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1] NRC security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[3] This estimate is for fiscal year 2014 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

PROSPECTUS – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND

Prospectus Number: PMD-04-WA11
Congressional District: 8

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2010

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

May 2010

Housing Plan
Nuclear Regulatory Commission

Suburban, MD
PMD-04-WA11

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
2 White Flint	1,491	1,491	268,057	2,147	25,530	295,734						
New Lease		-					1491	1,491	268,057	2,147	25,530	295,734
Total	1,491	1,491	268,057	2,147	25,530	295,734	1,491	1,491	268,057	2,147	25,530	295,734

	Current	Proposed
Utilization Rate	140	140

Current UR excludes 58,973 USF of office support space
Proposed UR excludes 58,973 USF of office support space

Special Space	USF
ADP	15,085
Auditorium	5,801
Food Service	2,535
Health Unit	1,403
Laboratory	706
Total	25,530

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g..auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g.. craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

HOUSING STRATEGY – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND

Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes an overall housing strategy for the Nuclear Regulatory Commission (NRC) currently in space located at One, Two, and Three White Flint North (1,2, and 3 WFN), in Bethesda, MD. 1WFN is government owned, 2WFN is occupied under a lease that expires on December 14, 2013, and 3WFN is occupied under a lease that expires on November 2, 2027. Prospectus PMD-04-WA11, seeking approval for a 15-year replacement lease for 2WFN, was approved by the Senate Committee on Environment and Public Works on July 13, 2011. Approval of this prospectus by the House Committee on Transportation and Infrastructure is pending the submission and approval of an overall housing strategy for NRC at the White Flint Campus and the identification of another Federal tenant agency that can backfill space made available by improving NRC's space utilization efficiency. Continued occupancy of government-owned 1WFN is assumed; this housing strategy focuses on the leased 2WFN and 3WFN.

GSA has identified elements of the Food and Drug Administration (FDA), currently occupying four locations under leases expiring between 2014 and 2016 in Bethesda and Rockville, MD, for proposed backfill of space in 3WFN. FDA views this proposal as an opportunity to consolidate its occupancies, improve its utilization of space, and increase its operational efficiency.

Description

Occupants:	NRC, FDA
Delineated Area:	2WFN (Suburban Maryland Replacement Lease 3WFN (Bethesda, Maryland Existing Lease)
Justification:	Expiring Lease 2WFN (12/14/2013) Continued Occupancy 3WFN (11/2/2027)
Expansion Space:	None
Maximum Rentable Square Feet:	348,000 RSF 2WFN 358,440 RSF 3WFN

Issues and Proposed Solutions

NRC's diminished space requirements are insufficient to justify full occupancy of both 2WFN and 3WFN. Any solution involves improving NRC's space utilization and identifying a backfill tenant to occupy space vacated by NRC. Minimizing the number of NRC personnel to be moved within and between 2WFN and 3WFN reduces the time and cost of space realignment as well as disruption to NRC's operations. GSA has considered the alternatives of backfilling 2WFN or 3WFN and concluded that backfilling 2WFN is not a viable alternative. Backfilling space in

HOUSING STRATEGY – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND

Congressional District: 8

2WFN would require moving approximately 2,000 NRC personnel, largely from 2WFN to 3WFN but also within each building to accommodate necessary space realignments. The estimated cost of relocating NRC from 2WFN to 3WFN is approximately $38 million.

Backfilling space in 3WFN would require moving less than 600 NRC personnel, largely to relocate NRC personnel from upper floors to lower floors in 3WFN to accommodate the backfill tenant and to improve space utilization in 3WFN. Some NRC personnel, currently occupying space in 3WFN, would be moved to currently vacant workspace in 2WFN, improving the overall space utilization in that building. The estimated cost of this alternative is approximately $11.6 million and would require two years to complete.

GSA has evaluated potential candidates for backfill of space at 2WFN, based on current location, size of requirement, and expiration dates of current leases. No Federal agency expressed a willingness to relocate to 2WFN, and none would even consider the possibility without significant renovations to 20-year old space. Renovating and backfilling space in 2WFN would expose the government to an estimated $23 million in addition to the estimated $38 million for space realignment and move costs for NRC, and would require four years to complete the entire process.

FDA has expressed a strong interest in backfilling 3WFN and a willingness to occupy space at this location without significant modifications, resulting in a significantly lower cost for this alternative. FDA tenancy at 3WFN improves its geographical proximity to the other FDA-occupied leased locations and provides direct Metrorail access, not currently available to three of the four locations included in the proposed consolidation at 3WFN.

HOUSING STRATEGY – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND

Congressional District: 8

Cost of Alternatives

Backfill 2WFN

NRC relocates from 2WFN to 3WFN, with partial continued NRC occupancy of 2WFN:	$38 million
Renovation and replication costs for another Federal tenant agency to backfill 2WFN space:	$23 million
TOTAL	**$61 million**

Backfill 3WFN

NRC personnel relocate to lower floors of 3WFN and to 2WFN; FDA backfills space in 3WFN vacated by NRC:	**$11.6 million**

Recommendation

Backfill space vacated by NRC in 3WFN with FDA elements from other identified leased locations. Proceed with competitive procurement of a replacement lease for 2WFN based on approval of Prospectus PMD-04-WA11 by the House Committee on Transportation and Infrastructure and its prior approval by the Senate Committee on Environment and Public Works.

Fall 2013

Scenario Evaluation - 2WFN and 3WFN

	SCENARIO A *NRC Fully Occupies 3WFN* *Other Agency Backfills 2WFN*	SCENARIO B *NRC Fully Occupies 2WFN* *FDA Backfills 3WFN*
1WFN - NRC (USF)	275,369	275,369
2WFN - NRC (USF)	112,539	295,734
2WFN - Other Agency (USF) [1]	183,195	0
3WFN - NRC (USF)	321,976	135,663
3WFN - FDA (USF) [2]	0	186,313
Personnel Moves	2,000	572
Completion Date	2018 (4 Years)	2016 (2 Years)

NON-LEASING COSTS	SCENARIO A	SCENARIO B	ACCOUNT	COMMENT
NRC				
2WFN Lease Extension	$7,348,113	$3,674,056	*NRC*	Scenario A assumes extension of 4 years at 20% Premium Scenario B assumes extension of 2 years at 20% Premium
NRC TI - in 2WFN [3]	$8,102,808			Scenario A: 112,539 usf * ($110-38) psf
NRC TI - in 3WFN [4]	$2,924,900	$1,756,550		In Scenario A, **$2,924,900** = 58,498 usf * $50 psf. In Scenario B, **$1,756,550** = 35,131 usf * $50 psf
NRC Planning Studies	$1,200,000	$900,000	*NRC*	Rounded estimate from NRC
NRC Physical Moves ($1,200 pp) [5]	$2,400,000	$686,400	*NRC*	$1,200 pp estimate from NRC.
NRC Furniture Costs ($5,000 pp) [6]	$10,000,000	$2,860,000	*NRC*	$5,000 pp estimate from NRC.
NRC IT Costs ($3,000 pp) [7]	$6,000,000	$1,716,000	*NRC*	$3,000 pp estimate from NRC.
SUBTOTAL - NRC	**$37,975,821**	**$11,593,006**		
Backfill Agency				
Agency TI - in 2WFN [3]	$13,200,000	n/a		Scenario A: 183,195 usf * ($110-38) psf
Agency TI - in 3WFN	n/a	$0		Scenario B: FDA does not require TI for move into 3WFN.
Planning Studies (8% of TI Costs)	$1,056,000	$0	*Other Agency*	Not required for FDA move into 3WFN.
Furniture Costs ($5,000 pp)	$5,388,100	$0	*Other Agency*	FDA will use furniture already in place in 3WFN.
IT Costs ($3,000 pp)	$3,232,900	$0	*Other Agency*	FDA will use IT already in place in 3WFN.
SUBTOTAL - Backfill Agency	**$22,877,000**	**$0**		
TOTAL NON LEASING COSTS	**$60,852,821**	**$11,593,006**		

Footnotes on second page.

Fall 2013

Scenario Evaluation - 2WFN and 3WFN

Footnotes

(1) To date, GSA's search for willing federal tenant to occupy 2WFN (other then NRC) has yielded no meaningful results.

(2) FDA is interested moving out of 4 leases expiring between 2014 - 2016 and backfilling the top 8 floors of 3WFN. They would reuse the existing furniture already installed in the space and occupy the space at an 145 usf/person overall utilization rate.

(3) TI costs in 2WFN are estimated to be $110 psf to complete more extensive renovation than 3WFN, as 2WFN is a much older building. It is assumed that Lessor will provide work letter to complete TI in 2WFN at $38 psf, yielding a $72 psf cost for the government.

(4) TI costs in 3WFN are estimated to be $50 psf to partially reconfigure space for NRC.

(5) 2WFN has significantly more seats (>400) and personnel than 3WFN, which makes it less costly for 2WFN to absorb NRC personnel.

(6) Furniture costs based primarily on the labor needed to breakdown, relocate, and reassemble existing furniture. Other elements contributing to this unit cost include furniture loss and storage fees.

(7) IT costs based primarily on the labor costs needed to breakdown, relocate, and reinstall existing IT equipment (including vertical drops, phone systems, etc.).

Fall 2013

FDA Backfill Scenario into 3WFN

Leased Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office[3]	Total[3]	Office	Storage	Special	Total
NRC - Two White Flint North (2WFN)	1,083	1,083	214,592	1,638	79,504	295,734	1,629	1,629	214,592	1,638	79,504	295,734
NRC - Three White Flint North (3WFN)	1,184	1,184	248,468		73,508	321,976	638	638	98,154		37,509	135,663
FDA - Three White Flint North (3WFN)	0	0					1,285	1,285				186,313
FDA - 1350 Piccard Drive	403	403				89,402	0	0				0
FDA - 2094 Gaither Road	394	394				49,758	0	0				0
FDA - 2098 Gaither Road	260	260				45,160	0	0				0
FDA - 7700 Wisconsin Ave	228	228				47,133	0	0				0
FDA - Current Total	*1,285*	*1,285*				*231,453*	*0*	*0*				*0*
Total	**3,552**	**3,552**				**849,163**	**3,552**	**3,552**				**617,710**

Utilization Rate (UR)[2] - Office		
	Current	Proposed
NRC-2WFN	155	103
NRC-3WFN	164	120

Utilization Rate (UR) - Overall		
	Current	Proposed
NRC-2WFN	273	182
NRC-3WFN	272	213
FDA	180	145

Utilization Rate (UR) - 2WFN & 3WFN		
	Current	Proposed
Portfolio	272	174

NOTES:

[1] Usable Square Feet is the portion of a building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Utilization Rate = (Office USF minus Support Space) divided by Personnel.

[3] 546 NRC Employees will relocate to Two White Flint North (2WFN).

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

CHAIRMAN

December 2, 2013

The Honorable Bill Shuster
Chairman, Committee on Transportation
and Infrastructure
United States House of Representatives
Washington, DC 20515

Dear Chairman Shuster:

The following is being provided in response to discussions held on November 25, 2013, between staff representatives of the House Transportation and Infrastructure Committee, the Nuclear Regulatory Commission (NRC), General Services Administration (GSA), and Food and Drug Administration (FDA) concerning disposition of Government leased space at 11601 Landsdown Street (3WFN). This discussion was driven in part by a pending December 14, 2013, expiration of the lease for the Two White Flint North Building and associated prospectus.

The NRC is consolidating its headquarters operation into a single three-building campus after years of housing our staff in leased satellite space dispersed throughout Montgomery County, Maryland. After construction of 3WFN was well underway, economic factors and revised business plans of NRC applicants resulted in the need for fewer NRC staff. Concurrently, the Government instituted new guidelines for utilization of real estate and for "freezing" the Federal footprint. In light of these changed circumstances, and soon after arriving at the NRC nearly 18 months ago, I directed the agency to reassess its housing requirements and associated cost profile, with the goal of reducing our facility requirements. The NRC worked collaboratively with GSA to complete this assessment and consider alternatives for addressing any resultant excess capacity. Due to security and associated cost concerns, the NRC's approach is to find a Federal agency backfill tenant for space in 3WFN.

The NRC is sending this letter of intent to provide assurances to the Committee concerning planned actions to right size NRC's footprint. These actions achieve the least cost to taxpayers, the least disruption to the agency's safety mission, the least up-front cost for the agency and the Government, least cost to NRC stakeholders, and comply with *Freeze the Footprint* guidelines. Specifically, NRC will:

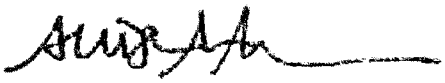
- Fully occupy 11555 Rockville Pike (1WFN) and 11545 Rockville Pike (2WFN) or equivalent procured space and occupy a portion of 3WFN (approximately 136,000 usable square feet).

- Achieve a 200 square feet all-in utilization rate at the White Flint Campus.

- NRC will be financially responsible for the full rent and all other associated costs under the 3WFN lease until the space is backfilled, as documented in the occupancy agreement. When the space is backfilled, NRC's rent obligations for the space that is backfilled will be limited to the difference between the lease contract rental rate and all other costs associated with the lease and the backfill tenant's rent.

Be assured that the NRC is committed to a cost-effective, right-sizing solution that complies with *Freeze the Footprint* guidance without adversely impacting the agency's regulatory effectiveness, efficiency, and emergency response capability.

Sincerely,



Allison M. Macfarlane

cc: Representative Nick J. Rahall
Representative Lou J. Barletta
Representative André Carson

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration
Silver Spring MD 20993

December 2, 2013

The Honorable Bill Shuster
Chairman
Committee on Transportation and Infrastructure
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your interest in the Food and Drug Administration (FDA) leasing facility space at Three White Flint North in North Bethesda, MD.

FDA has consistently been working to consolidate space, improve utilization, and save money. FDA is replacing and centralizing existing geographically disparate facilities in the DC Metro area with new, state-of-the art laboratories, office buildings, and support facilities into one location on the 130-acre White Oak Campus, as part of GSA's 660-acre Federal Research Center. By FY 2017, FDA is projected to house approximately 9,000 of 12,700 employees at the White Oak Campus as per the most recently approved 2009 Master Plan. FDA must therefore remain, in part, in off-Campus leased locations for the foreseeable future.

The General Services Administration (GSA) has identified an opportunity for interim consolidation of some FDA elements at Three White Flint North until additional occupancy at the White Oak Campus is possible. FDA intends to occupy Three White Flint North at the HHS policy rate of 170 USF/person for a minimum of 5 years. As part of this agreement, GSA has provided an exemption to FDA to allow FDA to vacate current buildings with 120 days' notice. Other details of the agreement are provided in the attached draft Occupancy Agreements between FDA and GSA.

Thank you, again, for your interest in this important matter. Please let us know if you have further questions. The same letter has been sent to Subcommittee Chairman Barletta and Ranking Members Rahall and Carson.

Sincerely,

Walter S. Harris, MBA, PMP
Deputy Commissioner for Operations and
Chief Operating Officer

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 109,000 rentable square feet of space for the Department of Homeland Security, Customs and Border Protection, currently located at 1400 L Street, NW, Washington, DC, at a proposed total annual cost of $5,450,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution,

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 167 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 167 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
WASHINGTON, DC

Prospectus Number: PDC-05-WA14

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 109,000 rentable square feet (rsf) of space for the Department of Homeland Security (DHS), Customs and Border Protection (CBP), currently housed under two leases at 1400 L Street, NW, Washington, DC. Two CBP support units, the Office of Trade Relations (OTR) and the Office of Human Resources Management (HRM), occupy the entire building.

This proposed lease will improve CBP's office utilization rate from 106 to 80 USF per person, and its overall utilization rate from 221 to 167 USF per person. The space reduction will result in CBP's housing its current personnel in 31,560 RSF less than the RSF total of its current occupancy.

Description

Occupant:	DHS / CBP
Lease Type	Replacement
Current Rentable Square Feet (RSF)	140,560 (Current RSF/USF = 1.17)
Proposed Maximum RSF:	109,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	31,560 RSF Reduction
Current Usable Square Feet/Person:	221
Proposed Usable Square Feet/Person:	167
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	8/31/2015
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$50.00 / RSF
Proposed Total Annual Cost[2]:	$5,450,000
Current Total Annual Cost:	$5,253,341 (Lease effective 9/1/05)

[1] This estimate is for fiscal year 2015 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
WASHINGTON, DC

Prospectus Number: PDC-05-WA14

Background

CBP is one of DHS's largest and most complex components, with a mission of keeping terrorists and their weapons out of the U.S., and securing and facilitating trade and travel, while enforcing hundreds of U.S. regulations, including immigration and drug laws. OTR is responsible for ensuring that accurate, timely, and consistent information is provided to the international trade community on CBP policy, as established by the agency.

Justification

The current leases at 1400 L Street, NW, Washington, DC, expire on August 31, 2015 and DHS / CBP requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
WASHINGTON, DC

Prospectus Number: PDC-05-WA14

Certification of Need

The proposed project is the best solution to meet a validated Government need.
Submitted at Washington, DC, on September 30, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2013

Housing Plan
Department of Homeland Security

PDC-05-WA14
Washington, DC

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1400 L Street, NW, Washington, DC	546	546	74,469	10,202	35,940	120,611						
Proposed Lease, Washington, DC							546	546	55,998	5,220	29,722	90,940
Total	**546**	**546**	**74,469**	**10,202**	**35,940**	**120,611**	**546**	**546**	**55,998**	**5,220**	**29,722**	**90,940**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	106	80

UR=average amount of office space per person
Current UR excludes 16,383 usf of office support space
Proposed UR excludes 12,319 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	221	167

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	120,611	1.17	140,560
Proposed	90,940	1.20	109,000

Special Space	USF
Conference/Training	13,810
LAN/Telecom	3,960
File Room	3,990
Food Service	1,980
Health Unit	3,600
Supply/Copy	2,262
Lactation Room	120
Total	**29,722**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 86,000 rentable square feet of space for four Department of Housing and Urban Development components currently located at 550 12th Street SW, Washington, DC, at a proposed total annual cost of $4,300,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 183 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 183 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC

Prospectus Number: PDC-01-WA14

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 86,000 rentable square feet (rsf) of space for the Department of Housing and Urban Development (HUD) in Washington, DC. HUD is currently located at 550 12th Street, SW, Washington, DC under a lease that expires on April 25, 2014. This location houses five HUD components: Real Estate Assessment Center (REAC); HUD's Inspector General (IG); Public and Indian Housing (PIH); Grants Management Center (GMC); and Government National Mortgage Administration (GNMA). The prospectus addresses the requirements of four of these components: REAC, IG, PIH, and GMC. The fifth component, GNMA, will be moved by HUD to a separate location in a below prospectus lease action.

The office utilization rate for the four HUD components will improve from 128 USF to 127 USF per person and the overall utilization rate from 185 USF to 183 USF per person.

Description

Occupant:	HUD
Lease Type	Replacement
Current Rentable Square Feet:	78,006 (Current RSF/USF = 1.09)
Proposed Maximum RSF:	86,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF[1]:	None
Current Usable Square Feet/Person:	185
Proposed Usable Square Feet/Person:	183
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	4/25/2014
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00

[1] The RSF/USF at the current location is approximately 1.11. However to maximize competition a RSF/USF ratio of 1.20 is used for the proposed maximum RSF indicated in this prospectus.

[2] This estimate is for fiscal year 2014 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC

Prospectus Number: PDC-01-WA14

Proposed Total Annual Cost[3]:	$4,300,000
Current Total Annual Cost:	$3,464,308

Background

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; and build inclusive and sustainable communities free from discrimination.

Justification

The current lease for HUD at 550 12th Street, SW, Washington, DC expires on April 25, 2014 and HUD requires continued housing to carry out its mission. This prospectus seeks approval to house the following four components of HUD: REAC, IG, PIH, and GMC.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC

Prospectus Number: PDC-01-WA14

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 30, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2013

Housing Plan
Department of Housing and Urban Development

PDC-01-WA14
Washington, DC

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
550 12th St SW, Washington, DC	386	386	63,300	600	7,400	71,300						
Proposed Lease, Washington, DC							390	390	63,300	600	7,400	71,300
Total	**386**	**386**	**63,300**	**600**	**7,400**	**71,300**	**390**	**390**	**63,300**	**600**	**7,400**	**71,300**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	128	127

UR=average amount of office space per person
Current UR excludes 13,926 usf of office support space
Proposed UR excludes 13,926 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	185	183

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	71,300	1.09	78,006
Proposed	71,300	1.20	86,000

Special Space	USF
Health Unit	150
Food Service Area	1,000
Computer Room	1,050
Conference/Training	4,700
Filing Room	500
Total	**7,400**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 157,000 rentable square feet of space for the Federal Bureau of Investigation, currently located at 1025 F Street, NW, Washington, DC, at a proposed total annual cost of $7,850,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 186 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 186 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, DC

Prospectus Number: PDC-04-WA14

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 157,000 rentable square feet of space for the Federal Bureau of Investigation (FBI), currently housed at 1025 F Street, NW in Washington, DC. The proposed lease would replace three existing leases, which expire on January 17, May 31, and November 24, 2015. It is anticipated that the missions associated with this space will eventually relocate to the FBI Headquarters Consolidation project, if approved by Congress. GSA will attempt to negotiate a flexible lease term to coincide with the delivery of the FBI Headquarters Consolidation project in an effort to minimize vacancy risk.

The office utilization rate for FBI will improve from 110 USF to 109 USF per person and the overall utilization rate will remain 186 USF per person.

Description

Occupant:	DOJ-FBI
Lease Type	Replacement
Current Rentable Square Feet (RSF)	151,910 (Current RSF/USF = 1.16)
Proposed Maximum RSF:	157,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF[1]:	None
Current Usable Square Feet/Person:	186
Proposed Usable Square Feet/Person:	186
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	1/17/2015, 5/31/2015, 11/24/2015
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00
Proposed Total Annual Cost[3]:	$7,850,000
Current Total Annual Cost:	$6,097,322 (lease effective 1/18/05)

[1] The RSF/USF at the current location is approximately 1.16, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] This estimate is for fiscal year 2016 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, DC

Prospectus Number: PDC-04-WA14

Background

The mission of the FBI is to protect and defend the United States against terrorism and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership to federal, state, municipal, and international agencies and partners.

Justification

This proposed lease would replace the three expiring leases. FBI requires continued housing to carry out its mission until execution of the FBI HQ Consolidation project.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, DC

Prospectus Number: PDC-04-WA14

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 30, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2013

Housing Plan
Department of Justice

PDC-04-WA14
Washington, DC

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
		Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1025 F Street, NW, Washington, DC	705	705	99,287	4,797	26,787	130,871						
Proposed Lease, Washington, DC							705	705	98,430	5,654	26,787	130,871
Total	**705**	**705**	**99,287**	**4,797**	**26,787**	**130,871**	**705**	**705**	**98,430**	**5,654**	**26,787**	**130,871**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	110	109

UR=average amount of office space per person
Current UR excludes 21,843 usf of office support space
Proposed UR excludes 21,655 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	186	186

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	130,871	1.16	151,910
Proposed	130,871	1.20	157,000

Special Space	USF
Conference/Training	11,441
Copy/Print	2,616
Break room/Food Service	3,373
Centralized File Area	2,210
SCIF	878
Laboratory	130
Equipment Storage SCIF	510
Main Server Room	3,770
Main Telephone Room	780
AV Room	130
Shredder Room	169
Library	780
Total	26,787

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF JUSTICE, UNITED STATES MARSHALS SERVICE, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 371,000 rentable square feet of space, including 118 parking spaces, for the Department of Justice, United States Marshals Service, currently located at multiple locations in Arlington, VA (1750 Crystal Drive, 1550 Crystal Drive, 1901 South Bell Street, 241 18th Street South and 210 12th Street South), at a proposed total annual cost of $14,469,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 193 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 193 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-03-WA14
Congressional District: VA 8, 10, 11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 371,000 rentable square feet (RSF) of space for the Department of Justice (DOJ), United States Marshals Service (USMS) headquarters in Northern Virginia. USMS is currently housed in multiple locations in Arlington, VA (1750 Crystal Drive, 1550 Crystal Drive, 1901 South Bell Street, 241 18th Street South and 210 12th Street South).

The USMS will improve its office utilization rate from 148 usable square feet (USF) to 130 USF and its overall utilization rate from 220 USF to 193 USF per person. The end product of improved space utilization is the prospectus proposal to house current personnel in 41,238 RSF less than the total of current occupancies.

Description

Occupant:	DOJ-USMS
Lease Type	Replacement
Current Rentable Square Feet (RSF)	412,238 (Current RSF/USF = 1.17)
Proposed Maximum RSF:	371,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF[1]:	41,238 RSF Reduction
Current Usable Square Feet/Person:	220
Proposed Usable Square Feet/Person:	193
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	1550 Crystal Drive - 3/16/2015 241 18th Street - 4/14/2014, 12/31/2015, and 1/23/2019 1750 Crystal Drive - 12/31/2015 (3 leases) 1901 South Bell Street - 3/29/2019 201 12th Street - 5/9/2021

[1] The RSF/USF at the current location is approximately 1.17, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA

Prospectus Number:	PVA-03-WA14
Congressional District:	VA 8, 10, 11

Delineated Area:	Northern Virginia
Number of Official Parking Spaces[2]:	118
Scoring:	Operating Lease
Maximum Proposed Rental Rate[3]:	$39.00
Proposed Total Annual Cost[4]:	$14,469,000
Current Total Annual Cost:	$16,273,044

Acquisition Strategy

Although USMS has expressed a preference to be located in one building, that preference must be evaluated in the context of a competitive procurement that may result in one or more locations. GSA may issue a single, multiple award solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The USMS protects, defends and enforces the American justice system. Their mission includes providing federal judiciary security, apprehending fugitives, securing and transporting federal prisoners from arrest to incarceration, executing federal court orders, seizing and managing assets acquired through illegal means, and assuring the safety of endangered government witnesses and their families.

[2] The USMS security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

[3] This estimate is for fiscal year 2016 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[4] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-03-WA14
Congressional District: VA 8, 10, 11

Justification

The current leases housing USMS headquarters operations in Arlington, VA expire between 4/14/2014 and 5/9/2021 and USMS requires continued housing to carry out its mission. The total space request reflects a reduced total space requirement for their headquarters functions. GSA will seek to extend leases expiring before 12/31/2015 to that date. In addition, GSA will exercise one early termination option and attempt to negotiate early termination of leases expiring after 12/31/2015.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-03-WA14
Congressional District: VA 8, 10, 11

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 30, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2013

Housing Plan
Department of Justice

PVA-03-WA14
Northern Virginia

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
210 12th Street South, Arlington, VA	62	62	10,235	250	1,802	12,287						
241 18th Street South, Arlington, VA	493	493	88,486	135	6,980	95,601						
1901 South Bell Street, Arlington, VA	168	168	28,986	195	5,527	34,708						
1550 Crystal Drive, Arlington, VA	-	-	-	-	4,473	4,473						
1750 Crystal Drive, Arlington, VA	877	877	175,655	771	29,149	205,575						
Proposed Lease, Northern Virginia							1,600	1,600	267,618	5,824	34,981	308,423
Total	**1,600**	**1,600**	**303,362**	**1,351**	**47,931**	**352,644**	**1,600**	**1,600**	**267,618**	**5,824**	**34,981**	**308,423**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	148	130

UR=average amount of office space per person
Current UR excludes 66,740 usf of office support space
Proposed UR excludes 58,876 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	220	193

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	352,644	1.17	412,238
Proposed	308,423	1.20	371,000

Special Space	USF
Conference	8,164
ADP	4,023
File Room	6,062
Secure Storage	2,129
Fitness Room	4,955
Library	430
SCIF	2,548
Publishing/Graphics	1,153
Interview Rooms	640
Mail Room	473
Emergency Ops	1,685
Control Room	200
Badge/ID/Fringerprint Room	527
Workrooms	1,992
Total	**34,981**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel
[4]R/U Factor = Max RSF divided by total USF

There was no objection.

□ 1715

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22 U.S.C. 7002), amended by the Division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), I am pleased to reappoint the following individuals to the United States-China Economic and Security Review Commission.

Ms. Carolyn Bartholomew, Washington, DC.

Mr. Jeffrey L. Fiedler, Great Falls, VA.

Thank you for your attention to these appointments.

Sincerely,

NANCY PELOSI,
Democratic Leader.

AGREEMENT ON SOCIAL SECURITY BETWEEN THE SWISS CONFEDERATION AND THE UNITED STATES OF AMERICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–75)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95–216, 42 U.S.C. 433(e)(1)), I transmit herewith an Agreement on Social Security between the United States of America and the Swiss Confederation, signed at Bern on December 3, 2012, (the ''U.S.-Swiss Agreement''). The Agreement consists of two instruments: a principal agreement and an administrative arrangement, and upon entry into force, will replace: the Agreement between the United States of America and the Swiss Confederation on Social Security with final protocol, signed July 18, 1979; the Administrative Agreement between the United States of America and the Swiss Confederation for the Implementation of the Agreement on Social Security of July 18, 1979, signed December 20, 1979; and the Supplementary Agreement between the two Contracting States, signed June 1, 1988.

The U.S.-Swiss Agreement is similar in objective to the social security agreements already in force with most of the European Union member states, Australia, Canada, Chile, Japan, Norway, and the Republic of Korea. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries. The principal updates encompassed in the Agreement include amendments to rules for entitlement to Swiss disability pensions paid to ensure equality of treatments between U.S. and Swiss nationals, updates to personal information confidentiality provisions, and modifications necessary to take into account changes in U.S. and Swiss laws since 1988.

The U.S.-Swiss Agreement contains all provisions mandated by section 233 of the Social Security Act and other provisions that I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4) of the Social Security Act.

I also transmit, for the information of the Congress, a report prepared by the Social Security Administration explaining the key points of the U.S.-Swiss Agreement, along with a paragraph-by-paragraph explanation of the provisions of the principal agreement and administrative arrangement. Annexed to this report is the report required by section 233(e)(1) of the Social Security Act on the number of individuals affected by the Agreement and the effect of the Agreement on the estimated income and expenditures of the U.S. Social Security program. The Department of State and the Social Security Administration have recommended the U.S.-Swiss Agreement and related documents to me.

I commend the U.S.-Swiss Agreement on Social Security and related documents.

BARACK OBAMA.
THE WHITE HOUSE, *December 9, 2013.*

HOUR OF MEETING ON TOMORROW

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ADJOURNMENT

Mr. PITTENGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, December 10, 2013, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4020. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Bovine Spongiform Encephalopathy; Importation of Bovines and Bovine Products [Docket No.: APHIS-2008-0010] (RIN: 0579-AC68) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4021. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Unallowable Fringe Benefit Costs (DFARS Case 2012-D038) (RIN: 0750-AH76) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4022. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Preparation of Letter of Offer and Acceptance (DFARS Case 2012-D048) (RIN: 0750-AH84) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4023. A letter from the Counsel, Legal Division, Bureau for Consumer Financial Protection, transmitting the Bureau's final rule — Ability-to-Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2013-0002] (RIN: 3170-AA34) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4024. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Homeownership Counseling Organizations Lists Interpretive Rule (RIN: 3170-AA37) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4025. A letter from the Acting Director, Directorate of Standards and Guidance, Department of Labor, transmitting the Department's final rule — Record Requirements in the Mechanical Power Presses Standard [Docket No.: OSHA-2013-0010] (RIN: 1218-AC80) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4026. A letter from the Secretary, Department of Health and Human Services, transmitting Third Annual Report to Congress on FDA Foreign Offices Provisions of the FDA Food Safety and Modernization Act, pursuant to 21 U.S.C. 393 Public Law 111-353, section 201(b); to the Committee on Energy and Commerce.

4027. A letter from the Director, Regulation Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Turtles Intrastate and Interstate Requirements; Confirmation of Effective Date [Docket No.: FDA-2013-N-0639] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4028. A letter from the Secretary, Department of Health and Human Services, transmitting a Report to Congress: The Centers for Medicare & Medicaid Services' Evaluation of Community-based Wellness and Prevention Programs under Section 4202(b) of the Affordable Care Act; to the Committee on Energy and Commerce.

4029. A letter from the Director, Regulations Policy and Management. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Ophthalmic Devices; Classification of the Scleral Plug [Docket No.: FDA-2012-N-1238] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4030. A letter from the Director, Regulations Policy and Management. Staff, Department of Health and Human Services, transmitting the Administration's final rule — Amendments to General Regulations of the Food and Drug Administration; Technical Amendments [Docket No.: FDA-2010-N-0560] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4031. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rates for Interstate Inmate Calling Services [WC Docket No.: 12-375] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4032. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Personnel Security Program, Management Directive 12.3 received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4033. A letter from the Deputy Assistant Administrator for Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Commercial, Limited Entry Pacific Coast Groundfish Fishery; Program Improvement and Enhancement [Docket No.: 130528511-3935-02] (RIN: 0648-BD31) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4034. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Atlantic Fleet Training and Testing Study Area [Docket No.: 130109022-3936-02] (RIN: 0648-BC53) received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4035. A letter from the Director, Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Copayment for Extended Care Services (RIN: 2900-AO59) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4036. A letter from the National Adjutant, Chief Executive Officer, Disabled American Veterans, transmitting the 2013 National Convention Proceedings Of The Disabled American Veterans, pursuant to 36 U.S.C. 90i and 44 U.S.C. 1332; (H. Doc. No. 113—76); to the Committee on Veterans' Affairs and ordered to be printed.

4037. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Authority for Voluntary Withholding on Other Payments [TD 9646] (RIN: 1545-BL93) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3521. A bill to authorize Department of Veterans Affairs major medical facility leases, and for other purposes (Rept. 113–284). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on Judiciary. H.R. 1447. A bill to encourage States to report the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes (Rept. 113–285). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3627. A bill to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes (Rept. 113–286). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GUTHRIE (for himself, Ms. MATSUI, Mr. WAXMAN, Mr. WALDEN, and Ms. ESHOO):

H.R. 3674. A bill to amend the National Telecommunications and Information Administration Organization Act to provide incentives for the reallocation of Federal Government spectrum for commercial use, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Armed 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.

By Mr. WALDEN (for himself and Mr. KINZINGER of Illinois):

H.R. 3675. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission; to the Committee on Energy and Commerce.

By Mr. SHUSTER:

H.R. 3676. A bill to establish a prohibition on certain cell phone voice communications during passenger flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. UPTON (for himself, Mr. WAXMAN, Mr. TERRY, Mr. GENE GREEN of Texas, and Mr. BILIRAKIS):

H.R. 3677. A bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Foreign Affairs, 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.

By Mr. ENYART (for himself, Mr. SHIMKUS, Mr. SCHOCK, Mr. KINZINGER of Illinois, Mr. RUSH, Mr. ROSKAM, Ms. SCHAKOWSKY, Mr. GUTIÉRREZ, Mrs. BUSTOS, Mr. SCHNEIDER, Mr. RODNEY DAVIS of Illinois, Mr. QUIGLEY, Mr. LIPINSKI, Mr. FOSTER, Mr. DANNY K. DAVIS of Illinois, Ms. DUCKWORTH, Ms. KELLY of Illinois, and Mr. HULTGREN):

H.R. 3678. A bill to redesignate the lock and dam located in Modoc, Illinois, commonly known as the Kaskaskia Lock and Dam, as the ''Jerry F. Costello Lock and Dam'', and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GARDNER (for himself and Mr. COFFMAN):

H.R. 3679. A bill to amend the Patient Protection and Affordable Care Act to prohibition on payment of bonuses and pay increases for executives of a State Exchange funded through Federal grants, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. SCHOCK):

H.R. 3680. A bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer; to the Committee on Financial Services.

By Mr. PAULSEN (for himself, Mr. MATHESON, Mr. SHIMKUS, and Mr. BARROW of Georgia):

H.R. 3681. A bill to amend title XVIII of the Social Security Act to promote health care technology innovation and access to medical devices and services for which patients choose to self-pay under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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.

By Mr. WALZ (for himself, Mr. PETERSON, Mr. KLINE, Mr. ELLISON, Mr. PAULSEN, Ms. MCCOLLUM, Mrs. BACHMANN, and Mr. NOLAN):

H.R. 3682. A bill to designate the community based outpatient clinic of the Department of Veterans Affairs located at 1961 Premier Drive in Mankato, Minnesota, as the ''Lyle C. Pearson Community Based Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Ms. BASS (for herself, Mr. ROYCE, Mr. ENGEL, Mr. SMITH of New Jersey, and Ms. FUDGE):

H. Res. 434. A resolution honoring the life, accomplishments, and legacy of Nelson Mandela and expressing condolences on his passing; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GUTHRIE:

H.R. 3674.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WALDEN:

H.R. 3675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SHUSTER:

H.R. 3676.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the several States).

By Mr. UPTON:

H.R. 3677.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ENYART:

H.R. 3678.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article I, Section 8, Clause 17 of the United States Constitution.

By Mr. GARDNER:

H.R. 3679.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. ''The Congress shall have Power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;''

By Mr. PAULSEN:

H.R. 3681.

Congress has the power to enact this legislation pursuant to the following:

Article 1; Section 8

By Mr. WALZ:

H.R. 3682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. ROSS.

H.R. 184: Mr. ENYART and Ms. KELLY of Illinois.

H.R. 574: Mr. MCGOVERN.

H.R. 594: Mr. GÁRDENAS.

H.R. 721: Mr. CRAMER, Mr. SCHNEIDER, and Mr. CROWLEY.

H.R. 765: Ms. DEGETTE.

H.R. 800: Mr. SCHNEIDER and Mr. PAULSEN.

H.R. 897: Ms. DEGETTE.

H.R. 940: Mr. SHUSTER.

H.R. 961: Mr. MCDERMOTT.

H.R. 1010: Mr. O'ROURKE.

H.R. 1091: Mr. BRIDENSTINE.

H.R. 1146: Mr. KILDEE, Mrs. KIRKPATRICK, and Mr. SHIMKUS.

H.R. 1150: Mr. LOWENTHAL and Mr. ISRAEL.

H.R. 1250: Mr. WEBSTER of Florida.

H.R. 1263: Mr. TIERNEY, Ms. TSONGAS, Mr. MURPHY of Florida, Mrs. NAPOLITANO, and Mr. JOHNSON of Georgia.

H.R. 1429: Mr. ISRAEL.

H.R. 1518: Mrs. CHRISTENSEN, Mr. DAVID SCOTT of Georgia, Mr. RUSH, Mr. MCINTYRE, Mr. KILDEE, and Mr. KENNEDY.

H.R. 1528: Mr. ENGEL, Mr. MCKINLEY, Mr. LYNCH, and Mr. SENSENBRENNER.

H.R. 1588: Mr. NADLER.

H.R. 1645: Ms. DEGETTE.

H.R. 1717: Mr. TIERNEY and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1750: Mr. GARRETT and Mr. ROSS.

H.R. 1801: Mr. WELCH.

H.R. 1821: Ms. BORDALLO.

H.R. 1869: Mr. MEADOWS.

H.R. 1918: Mr. THOMPSON of Pennsylvania and Mr. ROSS.

H.R. 2085: Mr. GARDNER.

H.R. 2134: Mr. FRELINGHUYSEN.

H.R. 2283: Mr. LYNCH, Mr. POSEY, Mr. ROSS, Mr. GRIFFITH of Virginia, Ms. FRANKEL of Florida, Mr. HONDA, and Mr. KEATING.

H.R. 2288: Ms. SCHAKOWSKY, Ms. LINDA T. SÁNCHEZ of California, and Mr. HOLT.

H.R. 2300: Mr. THOMPSON of Pennsylvania and Mr. GOODLATTE.

H.R. 2328: Mr. SALMON.

H.R. 2364: Ms. DEGETTE.

H.R. 2376: Mr. DOYLE.

H.R. 2413: Ms. BONAMICI.

H.R. 2415: Mrs. McMorris Rodgers.

H.R. 2484: Mr. CASSIDY.

H.R. 2495: Mr. WELCH and Ms. BONAMICI.

H.R. 2502: Mr. MCGOVERN, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. PAYNE, Mr. O'ROURKE, and Mr. SCOTT of Virginia.

H.R. 2504: Mr. NOLAN, Mr. GARAMENDI, Mr. RUIZ, Mrs. KIRKPATRICK, Mr. LATHAM, and Mr. KILDEE.

H.R. 2548: Mr. KEATING.

H.R. 2560: Mr. LOWENTHAL.

H.R. 2591: Ms. FRANKEL of Florida.

H.R. 2594: Mr. HANNA.

H.R. 2663: Mr. POLIS, Mr. CONYERS, Mr. RUIZ, Mr. MATHESON, Mr. ROKITA, and Mr. FORBES.

H.R. 2697: Ms. KAPTUR.

H.R. 2726: Mr. SALMON.

H.R. 2810: Mr. BEN RAY LUJÁN of New Mexico, Mr. RUSH, and Mr. YODER.

H.R. 2831: Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. SLAUGHTER.

H.R. 2835: Mr. JONES.

H.R. 2866: Mrs. NEGRETE MCLEOD, Mr. VARGAS, and Ms. JACKSON LEE.

H.R. 2906: Mr. YOUNG of Alaska and Mr. COLLINS of New York.

H.R. 2921: Mr. HECK of Washington.

H.R. 2945: Ms. SHEA-PORTER and Mr. LOWENTHAL.

H.R. 2997: Mr. BRIDENSTINE.

H.R. 2998: Mr. SWALWELL of California and Mr. LYNCH.

H.R. 3040: Mr. LOWENTHAL and Mr. BRADY of Pennsylvania.

H.R. 3043: Mr. BENISHEK.

H.R. 3077: Mr. SESSIONS.

H.R. 3118: Mr. PAYNE and Mr. DOYLE.

H.R. 3143: Mr. JONES and Mr. COHEN.

H.R. 3180: Mr. HONDA.

H.R. 3212: Mrs. WALORSKI, Ms. LORETTA SANCHEZ of California, Ms. MENG, Mr. KINZINGER of Illinois, and Mr. RADEL.

H.R. 3299: Mr. MCKINLEY, Mr. CONAWAY, Mrs. BACHMANN, and Mr. BARLETTA.

H.R. 3318: Mr. NADLER, Mr. PAYNE, and Mr. JOHNSON of Georgia.

H.R. 3323: Mr. ROKITA and Mr. COHEN.

H.R. 3344: Ms. BASS.

H.R. 3349: Mr. ROHRABACHER.

H.R. 3364: Mr. CARSON of Indiana.

H.R. 3367: Mr. PETERS of California.

H.R. 3370: Mr. TONKO and Mr. THOMPSON of California.

H.R. 3382: Mr. FARENTHOLD and Ms. FUDGE.

H.R. 3404: Mr. SMITH of Washington, Mr. HIMES, Mr. LOWENTHAL and Mr. COURTNEY.

H.R. 3407: Mr. COHEN.

H.R. 3408: Mr. SOUTHERLAND, Mr. YOHO, Mr. NUGENT, and Mr. BOUSTANY.

H.R. 3461: Mr. LANGEVIN, Mr. LYNCH, Mr. YARMUTH, Mr. LOEBSACK, Mr. LOWENTHAL, Mr. COHEN, and Mr. ANDREWS.

H.R. 3464: Mr. WALDEN.

H.R. 3486: Mr. MILLER of Florida, Mr. LABRADOR, Mr. LANKFORD, and Mr. SCALISE.

H.R. 3490: Mr. SMITH of Missouri, Mr. CARTWRIGHT, Ms. TSONGAS, Mr. THOMPSON of Pennsylvania, Mr. COHEN, Mr. LOEBSACK, and Mr. LOWENTHAL.

H.R. 3494: Ms. SCHAKOWSKY, Mr. COHEN, Mr. POLIS, Mr. MCGOVERN, and Mr. MICHAUD.

H.R. 3521: Mr. CASSIDY.

H.R. 3527: Mr. BURGESS.

H.R. 3530: Mr. POCAN.

H.R. 3541: Mr. CARTER.

H.R. 3546: Mr. FOSTER, Mr. BISHOP of New York, Mr. PIERLUISI, Mr. O'ROURKE, Mr. GRIJALVA, Mr. CONYERS, Mr. HINOJOSA, Mr. GEORGE MILLER of California, Mr. RUSH, Mr. DINGELL, Mr. SIRES, Mr. PETERS of Michigan, Mr. HONDA, and Mr. DELANEY.

H.R. 3549: Mr. TERRY.

H.R. 3555: Mr. HUFFMAN.

H.R. 3558: Mr. BARROW of Georgia.

H.R. 3578: Mr. POMPEO, Mr. GERLACH, Mr. LONG, and Mr. LOWENTHAL.

H. Res. 72: Mr. HUFFMAN.

H. Res. 247: Mr. CICILLINE.

H. Res. 276: Mr. KILMER, Ms. BONAMICI, and Ms. TSONGAS.

H. Res. 281: Mr. DUFFY, Mrs. NEGRETE MCLEOD, Mr. NOLAN, and Mr. FATTAH.

H. Res. 284: Mrs. BLACKBURN.

H. Res. 422: Mr. COOPER, Mr. SHERMAN, and Ms. LORETTA SANCHEZ of California.

H. Res. 431: Mr. LAMBORN.