



U.S. General Services Administration

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Committee on Transportation and Infrastructure
“GAO Review: Are Additional Federal Courthouses Justified?”

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Introduction

Good morning Chairman Shuster, Ranking Member Rahall, Chairman Barletta, Ranking Member Norton, and members of the Committee. I am Dorothy Robyn, Commissioner of GSA's Public Buildings Service. I appreciate being invited here today to discuss GSA's investment in U.S. Courthouses.

Under new leadership, GSA has refocused on its mission of delivering the best value in real estate, acquisition, and technology services to government and the American people.

In the real estate area, GSA faces major challenges. Our inventory's average age is 47 years—close to the 50-year life expectancy of most commercial office buildings. Yet, unlike a private building owner who can borrow money for renovation or new construction, we are limited to the rents our customer agencies pay into the Federal Buildings Fund. In recent years, moreover, we have not had access to all of the annual revenues collected by the Fund, limiting resources available to meet customer needs. As a result, we have increasingly relied on leased space to house our federal colleagues, even though leasing is often more expensive than ownership.

GSA is taking a threefold approach to these challenges. First, we are working with agencies to reduce their space requirements. We do so by helping our partners adopt new workspace arrangements. This itself is a multipronged task: For example, we ensure that redesigning a floor plate for greater density also improves user productivity and satisfaction; while assisting and agency to develop a telework strategy to accompany such a physical reconfiguration. In instances where the consolidation results in a vacant building, GSA prepares to dispose excess property as these and similar plans come to fruition. Second, we are reducing our buildings' operating costs. Investments here include "smart" building technology and energy-efficiency retrofits. Third, GSA is leveraging private capital to deliver better and more efficient space to our partner federal agencies through the use of our exchange authority. One example is our proposal to consider an exchange of the FBI's aging J. Edgar Hoover Building for a new, consolidated headquarters within the National Capital Region.

My overview of Federal courthouses will focus primarily on the first of these initiatives: controlling costs through space reduction.

Federal Courts

U.S. courthouses are often prominent historic landmarks. They represent the stability and dignity of the Federal government. GSA works with the United States Courts to create and maintain facilities that expedite the dispensation of justice in a secure manner. Like GSA, the Judiciary also is keenly aware of these buildings' importance as symbols and community anchors, and our partnership takes those civic values into deep consideration.

Since Congress began funding a nationwide courthouse construction program nearly 20 years ago, GSA has completed construction of 79 new courthouses or annexes across the country. Federal courthouses today comprise nearly a quarter of GSA's federally owned portfolio.

Constructing New Courthouses

In selecting courthouse construction projects, the Judiciary identifies its most pressing space, security, and other needs, and since 1996, the Judiciary has used long-range facilities planning to prioritize its proposed new construction. GSA incorporates the finalized 5-year plan into our Capital Investment and Leasing Program. For the projects that Congress approves and appropriates, we pursue design solutions that maximize the positive civic impact of budgeted resources.

While the Judiciary's planning process has evolved over the last two decades, GSA and the court family have continually refined the selection, management and oversight of projects. Take the Judiciary's recent policy of requiring judges to share courtrooms. The Judiciary has also revised estimates of future judgeships.

For its part, GSA has developed controls that ensure our courthouses are constructed within budget. By incorporating BIM, or Building Information Modeling, we can detail the physical and functional characteristics of a facility so we can continually monitor its size and efficiency from the inception of design. Toward that same end, we previously committed to notifying this committee and our Senate authorizers in those rare instances when a project risks exceeding square footage in an approved prospectus by 10 percent or more.

The Courts' New 5-Year Plan

The U.S. Courts recently incorporated a number of best practices for capital planning into their 5-year plan. Although GSA has not sought or received appropriations for any new courthouses

since 2010, in the meantime we have worked with the Judiciary to right-size proposed projects according to the Administration's effort to reduce the federal footprint.

In San Jose, California, GSA worked with the Judiciary to reassess new construction in light of courtroom sharing. As a result, the Judiciary was able to remove San Jose from the 5-year plan. GSA is developing a revised prospectus to pursue select upgrades to the existing Robert F. Peckham Federal Building rather than all-new construction.

Likewise, GSA worked with the U.S. Courts to rethink the proposed annex at the U.S. courthouse in Greenbelt, Maryland. Congress originally approved and appropriated \$10 million for this 263,000-square-foot expansion. GSA developed a new prospectus for a modest renovation after the Judiciary adopted the courtroom-sharing policy. We have submitted the new prospectus to this Committee and the Senate Committee on Environment and Public Works for approval.

Mobile, Alabama, tops the U.S. Courts' most recent 5-year plan. Here, efforts to reduce space requirements and increase courtroom sharing have resulted in significant projected savings. The 5-year plan had proposed a standalone courthouse at a FY 2010 estimated cost of \$190 million. Now we are proposing to modernize the 1932 courthouse, and to expand it with an annex that enhances the useful and symbolic meaning of the original historic resource and maintains Federal use of this important facility.

GSA has worked with the Courts to revise and reduce the requirements for almost every courthouse on the 5-year plan. We will continue collaborating with the Courts to reduce courthouses' costs while maximizing their functionality and civic benefit. We look forward to providing further updates to this Committee on these and future achievements.

GAO's New Report

The Government Accountability Office (GAO) has developed a new report that recommends improvements to the Judiciary's capital planning practices. While GSA has objected to the space- and cost-measurement methodology of past reports, we have incorporated GAO's prior recommendations into our ongoing project planning process. We have established guidance on "void space", required BIM in new construction, and directed regional offices to use third-party analysis of BIM data to confirm project scope, to name just a few areas of additional focus.

In addition, GAO's new report calls for the Courts to impose a moratorium on projects on their 5-year plan until they complete capital planning evaluations for each one. While we support

GAO's efforts to encourage more efficient management of the courthouse program, we do not support a moratorium. A moratorium would potentially undermine our ongoing maintenance of the Federal inventory and our mission to provide the Courts with safe and secure, quality courthouse space. GSA will continue to work with the Courts to refine these projects throughout the planning and construction processes, and we will vigilantly manage projects for the Courts.

Conclusion

Thank you for inviting me to appear before you today. I appreciate the opportunity to discuss GSA's management of federal courthouse construction and modernization. And on behalf of GSA and the Public Buildings Service, I welcome the Committee's oversight of this essential program. I am pleased to take your questions.