

115TH CONGRESS
2D SESSION

H. R. 5403

To establish a competitive bidding process for the relocation of the headquarters of Executive agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2018

Mr. MESSER introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, 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

A BILL

To establish a competitive bidding process for the relocation of the headquarters of Executive agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strategic Withdrawal
5 of Agencies for Meaningful Placement Act of 2018” or
6 the “SWAMP Act”.

1 **SEC. 2. RELOCATION OF HEADQUARTERS OF EXECUTIVE**
2 **AGENCIES.**

3 (a) DEFINITIONS.—In this section:

4 (1) EXECUTIVE AGENCY.—The term “Executive
5 agency”—

6 (A) has the meaning given the term in sec-
7 tion 105 of title 5, United States Code; and

8 (B) does not include—

9 (i) the Executive Office of the Presi-
10 dent;

11 (ii) the Department of Defense, in-
12 cluding the Defense Intelligence Agency,
13 the National Security Agency, and the Na-
14 tional-Geospatial-Intelligence Agency;

15 (iii) the Department of Energy;

16 (iv) the Department of Homeland Se-
17 curity;

18 (v) the Department of State;

19 (vi) the Office of the Director of Na-
20 tional Intelligence; and

21 (vii) the Central Intelligence Agency.

22 (2) HEADQUARTERS.—The term “head-
23 quarters”—

24 (A) means the place or building serving as
25 the managerial and administrative center of an
26 Executive agency; and

1 (B) does not include an office that the
2 head of an Executive agency may maintain sep-
3 arately from a place or building in the Wash-
4 ington metropolitan area.

5 (3) STATE.—The term “State” means each of
6 the 50 States.

7 (4) WASHINGTON METROPOLITAN AREA.—The
8 term “Washington metropolitan area” means the ge-
9 ographic area located within the boundaries of the
10 following:

11 (A) The District of Columbia.

12 (B) Montgomery and Prince George’s
13 Counties in the State of Maryland.

14 (C) Arlington, Fairfax, Loudoun, and
15 Prince William Counties and the City of Alex-
16 andria in the Commonwealth of Virginia.

17 (b) REPEAL OF HEADQUARTERS LOCATION RE-
18 QUIREMENT.—Section 72 of title 4, United States Code,
19 is repealed.

20 (c) PROHIBITION ON LOCATION OF HEADQUARTERS
21 IN WASHINGTON METROPOLITAN AREA.—With respect to
22 a headquarters of an Executive agency that has the head-
23 quarters of the Executive agency located in the Wash-
24 ington metropolitan area as of the date of enactment of
25 this Act, no new construction or major renovation may be

1 undertaken, or lease agreement entered into or renewed,
2 for the headquarters after the date of enactment of this
3 Act, except as otherwise expressly provided by law.

4 (d) COMPETITIVE BIDDING PROCESS FOR RELOCA-
5 TION OF HEADQUARTERS.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Administrator
8 of General Services shall establish a process, in ac-
9 cordance with the requirements described in para-
10 graph (2), through which—

11 (A) the head of an Executive agency may
12 submit a request for the Administrator of Gen-
13 eral Services to issue a solicitation for the relo-
14 cation of the headquarters of the Executive
15 agency; or

16 (B) if determined necessary, the Adminis-
17 trator of General Services may issue a solicita-
18 tion for the relocation of the headquarters of an
19 Executive agency.

20 (2) REQUIREMENTS.—With respect to any so-
21 licitation issued for the relocation of the head-
22 quarters of an Executive agency pursuant to para-
23 graph (1), the Administrator of General Services
24 shall—

1 (A) allow any State and any political sub-
2 division of a State to submit a bid for the relo-
3 cation of the headquarters of the Executive
4 agency;

5 (B) provide the public with notice and an
6 opportunity to comment on the bid described in
7 subparagraph (A); and

8 (C) in consultation with the head of the
9 Executive agency, select a State, or a political
10 subdivision of a State, for the relocation of the
11 headquarters using a competitive bidding proce-
12 dure that considers—

13 (i) the extent to which the relocation
14 of the headquarters would impact the econ-
15 omy and workforce development of a State
16 or political subdivision of a State;

17 (ii) whether a State, or a political sub-
18 division of a State, has expertise in car-
19 rying out activities substantially similar to
20 the mission and goals of the Executive
21 agency; and

22 (iii) the extent to which the relocation
23 of the headquarters to a State, or a polit-
24 ical subdivision of a State, would implicate
25 national security interests.

1 (e) RULE OF CONSTRUCTION.—Nothing in this Act
2 may be construed to prohibit a political subdivision of the
3 State of Maryland or the Commonwealth of Virginia that
4 is located outside the Washington metropolitan area from
5 submitting a bid under subsection (d)(2)(A).

6 (f) OFFSET ALLOWED.—The Administrator of Gen-
7 eral Services may use the proceeds from the sale of any
8 Federal building or land to offset the cost of relocating
9 the headquarters of an Executive agency.

10 (g) NO ADDITIONAL FUNDS AUTHORIZED.—

11 (1) IN GENERAL.—No additional funds are au-
12 thorized to carry out the requirements of this Act.

13 (2) AMOUNTS AUTHORIZED.—The requirements
14 shall be carried out using amounts otherwise author-
15 ized.

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