

119TH CONGRESS
2D SESSION

S. _____

To amend title 28, United States Code, to improve the maintenance, alteration, and construction of United States courthouses, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 28, United States Code, to improve the maintenance, alteration, and construction of United States courthouses, 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 “Judicial Space and
5 Facilities Management Effectiveness Act of 2026”.

1 **SEC. 2. PILOT PROGRAM FOR TRANSFER OF CERTAIN JUDI-**
2 **CIAL BRANCH ACCOMMODATIONS AND AU-**
3 **THORITY OF THE DIRECTOR.**

4 (a) IN GENERAL.—Chapter 41 of title 28, United
5 States Code, is amended by inserting after section 604 the
6 following:

7 **“§ 604A. Pilot program for transfer of jurisdiction,**
8 **custody, and control of certain judicial**
9 **branch accommodations to the Director;**
10 **authority of the Director**

11 “(a) DEFINITIONS.—In this section:

12 “(1) ADMINISTRATOR.—The term ‘Adminis-

13 trator’ means the Administrator of General Services.

14 “(2) ALTER.—The term ‘alter’ includes—

15 “(A) preliminary planning, engineering, ar-

16 chitectural, legal, fiscal, and economic investiga-

17 tions and studies, conducting surveys, preparing

18 designs, plans, working drawings, specifications,

19 and procedures, and other similar actions nec-

20 essary for the alteration of any space or facility;

21 and

22 “(B) repairing, remodeling, improving, ex-

23 tending, or making any other change in any

24 space or facility.

25 “(3) COVERED JUDICIAL DISTRICT.—The term

26 ‘covered judicial district’ means a judicial district in

1 which the Director has identified real property under
2 subsection (b).

3 “(4) COVERED PROPERTY.—The term ‘covered
4 property’ means—

5 “(A) any real property owned or leased by
6 the United States, and any lease of real prop-
7 erty made on behalf of the United States,
8 that—

9 “(i) is located in a covered judicial
10 district;

11 “(ii) contains court accommodations;
12 and

13 “(iii) for which jurisdiction, custody,
14 and control is transferred to the Director
15 under subsection (i); and

16 “(B) the Thurgood Marshall Federal Judi-
17 ciary Building.

18 “(5) CONSTRUCT.—The term ‘construct’ in-
19 cludes preliminary planning, engineering, architec-
20 tural, legal, fiscal, and economic investigations and
21 studies, conducting surveys, preparing designs,
22 plans, working drawings, specifications, and proce-
23 dures, and any other similar action necessary for the
24 construction of any space or facility.

1 “(6) COURT ACCOMMODATION.—The term
2 ‘court accommodation’ includes—

3 “(A) the chambers and courtrooms of the
4 Judiciary (other than the Supreme Court of the
5 United States); and

6 “(B) accommodations for all court-related
7 functions and for probation offices, pretrial
8 service offices, Federal Public Defender Organi-
9 zations, the United States Sentencing Commis-
10 sion, the Administrative Office of the United
11 States Courts, the Federal Judicial Center, and
12 any other administrative or clerical personnel
13 associated with the Judiciary.

14 “(7) DIRECTOR.—The term ‘Director’ means
15 the Director of the Administrative Office of the
16 United States Courts.

17 “(8) FACILITY; BUILDING.—The terms ‘facility’
18 or ‘building’ mean any building or other structure,
19 including its grounds, approaches, appurtenances,
20 and parking spaces, or any part thereof.

21 “(9) FEDERAL AGENCY; PROPERTY.—The
22 terms ‘Federal agency’ and ‘property’ have the
23 meanings given the terms ‘federal agency’ and ‘prop-
24 erty’, respectively, in section 102 of title 40.

1 “(10) PUBLIC BUILDING.—The term ‘public
2 building’ has the meaning given the term in section
3 3301(a) of title 40.

4 “(11) SPACE.—The term ‘space’ means any in-
5 terest, whether fee simple or otherwise, in real prop-
6 erty, including land, buildings, structures, or parts
7 thereof.

8 “(12) SPACE AND FACILITIES FUND.—The
9 term ‘Space and Facilities Fund’ means the Judicial
10 Space and Facilities Management Fund established
11 under subsection (l)(1)(A).

12 “(b) IDENTIFICATION OF JUDICIAL DISTRICTS FOR
13 PILOT PROGRAM.—The Director shall identify real prop-
14 erty that is owned or leased by the Federal Government
15 and that contains court accommodations in not more than
16 10 judicial districts for which jurisdiction, custody, and
17 control shall be transferred to the Director in accordance
18 with this section.

19 “(c) AUTHORITY OF DIRECTOR.—The Director is au-
20 thorized to establish a Judiciary Buildings Service under
21 the direction of the Administrative Office of the United
22 States Courts to—

23 “(1) acquire, by purchase, condemnation, dona-
24 tion, exchange, transfer, or otherwise, any space or
25 facility located in a covered judicial district that the

1 Director determines to be necessary for the provision
2 of court accommodations;

3 “(2) manage and operate any space or facility
4 described in paragraph (1);

5 “(3) alter any space or facility that is acquired
6 under the authority of this section as the Director
7 determines is necessary for the provision of court ac-
8 commodations;

9 “(4) acquire and exercise any option for the ac-
10 quisition or lease of any land, or an interest in land,
11 that is located in a covered judicial district as the
12 Director determines is necessary for the provision of
13 court accommodations;

14 “(5) construct such facilities in a covered judi-
15 cial district as the Director determines is necessary
16 for the provision of court accommodations;

17 “(6) lease, or acquire and exercise any option
18 for the acquisition of a lease, any space or facility
19 located in a covered judicial district as the Director
20 deems necessary for the provision of court accom-
21 modations and manage that lease;

22 “(7) outlease space located in a covered prop-
23 erty;

24 “(8) contract for utility services for covered
25 properties;

1 “(9) secure covered properties in coordination
2 with the United States Marshals Service and the
3 Federal Protective Service;

4 “(10) for covered properties, provide by con-
5 tract or otherwise for the provision of amenities,
6 such as childcare, cafeterias, physical fitness centers,
7 credit unions, and others, to serve tenants and, if
8 appropriate, the public;

9 “(11) pay rent and make repairs, alterations,
10 and improvements under the terms of a lease for
11 court accommodations in a covered property entered
12 into by, or transferred to, the Director;

13 “(12) pay ground rent for buildings located in
14 a covered judicial district that are owned by the
15 Federal Government or occupied by Federal agen-
16 cies, and pay rent in advance for leased property if
17 required by law or if the Director determines that
18 advance payment is in the interest of the Judiciary;
19 and

20 “(13) perform such other duties as necessary to
21 implement this section.

22 “(d) DELEGATION OF AUTHORITY.—The Director
23 may delegate any authority authorized by this section. The
24 Director may authorize successive redelegation of author-
25 ity as permitted by this section.

1 “(e) ARCHITECTURAL, ENGINEERING, AND CON-
2 STRUCTION SERVICES.—The Director is authorized to em-
3 ploy, by contract or otherwise, the services of architec-
4 tural, engineering, and construction firms, corporations,
5 or individuals, to the extent the Director may require such
6 services for any space or facility authorized to be con-
7 structed or altered under this section.

8 “(f) OPERATION AND MAINTENANCE.—The Director
9 is authorized to employ, by contract or otherwise, the serv-
10 ices of corporations, firms, or individuals for the operation
11 and maintenance of any building under the jurisdiction,
12 custody, and control of the Director, to the extent the Di-
13 rector may require such services.

14 “(g) CONSTRUCTION.—

15 “(1) REPLACEMENT OF EXISTING BUILD-
16 INGS.—If the Director considers it to be in the best
17 interest of the Judiciary to construct a new space or
18 facility to take the place of an existing space or fa-
19 cility in a covered property, the Director may demol-
20 ish the existing building and use the site on which
21 it is located for the site of the proposed space or fa-
22 cility. If the Director believes that it is more advan-
23 tageous to construct the space or facility on a dif-
24 ferent site in the same city, town, or other munici-
25 pality, the Director may exchange the building and

1 site, or the site, for another site, or may transfer the
2 building and site.

3 “(2) EXCHANGE OR TRANSFER OF SITES.—If
4 the Director determines that a site in a covered judi-
5 cial district acquired for the construction of a space
6 or facility is not suitable for that purpose, the Direc-
7 tor may—

8 “(A) exchange the site for another site in
9 the covered judicial district; or

10 “(B) declare the site to be excess and
11 transfer the site to the Administrator.

12 “(3) CONSTRUCTION OR ALTERATION BY CON-
13 TRACT OR OTHERWISE.—The Administrator may
14 carry out a construction or alteration authorized by
15 this section by contract if the Director considers it
16 to be most advantageous to the Government.

17 “(h) LEASING.—

18 “(1) IN GENERAL.—Subject to paragraph (2), a
19 lease agreement under this section shall be on terms
20 the Director considers to be in the best interest of
21 the judicial branch and necessary for the accommo-
22 dation of the Judiciary.

23 “(2) LIMITATIONS.—

1 “(A) TERM.—A lease agreement under
2 this section may not bind the Government for
3 more than 20 years.

4 “(B) OBLIGATION.—The obligation of
5 amounts for a lease under this section is limited
6 to the current fiscal year for which payments
7 are due, without regard to section
8 1341(a)(1)(B) of title 31.

9 “(i) TRANSFER OF COURT ACCOMMODATIONS.—

10 “(1) IN GENERAL.—The Administrator shall
11 not transfer, dispose of, or close any court accommo-
12 dation located in a covered judicial district without
13 obtaining the prior consent of the Director.

14 “(2) TRANSFER.—

15 “(A) IN GENERAL.—Upon request of the
16 Director, and consistent with the implementa-
17 tion provisions under section 5 of the Judicial
18 Space and Facilities Management Effectiveness
19 Act of 2026, the Administrator shall transfer to
20 the Director the jurisdiction, custody, and con-
21 trol of any requested real property owned or
22 leased by the United States, and any lease of
23 real property made on behalf of the United
24 States, that is located in a covered judicial dis-
25 trict, is occupied by the judicial branch, and is

1 critical to the constitutional mission of the Ju-
2 diciary.

3 “(B) TERMS.—With respect to any trans-
4 fer under subparagraph (A)—

5 “(i) the transfer shall be nonreimburs-
6 able; and

7 “(ii) after completion of the transfer,
8 the Director shall be responsible for per-
9 forming all building functions for the ap-
10 plicable real property and to pay the costs
11 of performing such building functions in-
12 stead of paying rent for that space to the
13 Administrator.

14 “(j) REQUEST FOR SPACE OR SERVICES TO BE PRO-
15 VIDED BY THE ADMINISTRATOR.—

16 “(1) IN GENERAL.—The Director may request
17 that the Administrator provide, acquire, or maintain
18 in a covered judicial district such court accommoda-
19 tions as may be required by the Judiciary. Upon
20 such a request of the Director, the Administrator
21 shall provide and maintain such court accommoda-
22 tions.

23 “(2) MULTITENANT FACILITIES.—If court ac-
24 commodations are provided under this subsection by
25 the Administrator in a multitenant facility, the Ad-

1 administrator shall give priority to providing court ac-
2 commodations in contiguous space.

3 “(3) ALTERATIONS.—Consistent with regu-
4 latory requirements and leasing responsibilities of
5 the General Services Administration, the Adminis-
6 trator shall endeavor to provide such reasonable al-
7 terations to court accommodations provided under
8 this subsection as shall be requested and financed by
9 the Director.

10 “(4) TRANSFER.—The Director may transfer
11 jurisdiction, custody, and control or leasehold inter-
12 est of any space or facility acquired by the Director
13 to the Administrator for the provision or mainte-
14 nance of court accommodations.

15 “(5) DISPOSAL.—The Director may identify
16 and transfer to the Administrator for disposal, pur-
17 suant to section 542 of title 40, any real property
18 under the jurisdiction, custody, and control of the
19 Director, as the Director determines necessary.

20 “(6) FUNDING REQUESTS.—The Administrator
21 shall—

22 “(A) provide the Director, on a nonreim-
23 bursable basis, information requested by the Di-
24 rector that assists the Director in the develop-
25 ment of funding requests by the Director, in-

1 cluding information regarding prospectus-level
2 repair and alteration projects; and

3 “(B) with respect to a project for which
4 the Director does not request funds, request
5 funds in accordance with otherwise applicable
6 law.

7 “(7) OPERATION AND MANAGEMENT.—For real
8 property for which jurisdiction, custody, and control
9 is transferred to the Director under this section, the
10 Administrator shall provide secure access to systems,
11 databases, and information used to operate and
12 manage the real property, including building auto-
13 mation and control systems, real property inven-
14 tories and data, personal property inventories and
15 data, work order management systems, document
16 archives, drawings, studies, and contracting files.

17 “(k) APPROVAL OF PROPOSED PROJECTS BY CON-
18 GRESS.—

19 “(1) RESOLUTIONS REQUIRED BEFORE APPRO-
20 PRIATIONS MAY BE MADE.—

21 “(A) CONSTRUCTION, PURCHASE, AND AC-
22 QUISSION.—No appropriation shall be used to
23 construct, purchase, or acquire any space or fa-
24 cility located in a covered judicial district that
25 is to be used as a court accommodation and

1 which involves a total expenditure in excess of
2 \$10,000,000, adjusted annually for inflation, if
3 such construction, purchase, or acquisition has
4 not been approved by resolutions adopted by
5 the Committee on Environment and Public
6 Works of the Senate and the Committee on
7 Transportation and Infrastructure of the House
8 of Representatives.

9 “(B) ALTERATION.—No appropriation
10 shall be used to alter any space or facility, or
11 part thereof, that is located in a covered judicial
12 district and which is under lease by the Direc-
13 tor if the cost of such alteration would exceed
14 \$5,000,000, adjusted annually for inflation, un-
15 less such alteration has been approved by reso-
16 lutions adopted by the Committee on Environ-
17 ment and Public Works of the Senate and the
18 Committee on Transportation and Infrastruc-
19 ture of the House of Representatives.

20 “(C) TRANSMISSION TO CONGRESS OF
21 PROSPECTUS.—For the purpose of securing
22 consideration for such approval, the Director
23 shall transmit to the Congress a prospectus of
24 the proposed construction, purchase, acquisi-
25 tion, or alteration, including the items set forth

1 in paragraph (3) of this subsection that are rel-
2 evant to the proposal.

3 “(2) LEASE RESOLUTIONS REQUIRED BEFORE
4 APPROPRIATIONS MAY BE MADE.—

5 “(A) IN GENERAL.—No appropriation shall
6 be used to lease any space or facility for a per-
7 manent court accommodation that is located in
8 a covered judicial district and which involves an
9 average annual expenditure in excess of
10 \$10,000,000, adjusted annually for inflation, if
11 such lease has not been approved by resolutions
12 adopted by the Committee on Environment and
13 Public Works of the Senate and the Committee
14 on Transportation and Infrastructure of the
15 House of Representatives.

16 “(B) TRANSMISSION TO CONGRESS OF
17 PROSPECTUS AND STATEMENT.—For the pur-
18 pose of securing consideration for such ap-
19 proval, the Director shall transmit to the Con-
20 gress—

21 “(i) a prospectus of the proposed
22 space or facility including the items set
23 forth in paragraph (3) of this subsection
24 that are relevant to the proposal; and

1 “(ii) a written statement by the Direc-
2 tor setting forth the reasons why leasing
3 such space or facility is necessary to meet
4 requirements which cannot be met in pub-
5 lic buildings.

6 “(3) TRANSMISSION TO CONGRESS OF PRO-
7 SPECTUS OF PROPOSED PROJECT.—To secure con-
8 sideration for the approval referred to in paragraph
9 (1) or (2) of this subsection, the Director shall
10 transmit to Congress a prospectus of the proposed
11 space or facility, including—

12 “(A) a brief description of the space or fa-
13 cility to be constructed, altered, purchased, or
14 acquired or the space to be leased;

15 “(B) the location of the space or facility to
16 be leased and an estimate of the maximum cost
17 to the Federal Government of the facility to be
18 constructed, altered, purchased, or acquired, or
19 the space to be leased;

20 “(C) a comprehensive plan for providing
21 space for all officers and employees of the judi-
22 cial branch in the locality of the proposed facil-
23 ity or the space to be leased, having due regard
24 for suitable space which may continue to be
25 available in existing Federal Government-owned

1 or occupied buildings, especially those buildings
2 that enhance the architectural, historical, social,
3 cultural, and economic environment of the local-
4 ity;

5 “(D) with respect to any project for the
6 construction, alteration, or acquisition of any
7 facility, a statement by the Director that suit-
8 able alternative space already owned or leased
9 by the Federal Government in proximity to the
10 location chosen for such court accommodation
11 is not available and that suitable rental space is
12 not available at a price commensurate with that
13 to be afforded through the proposed action;

14 “(E) a statement of rents and other hous-
15 ing costs currently being paid by the Federal
16 Government for Federal agencies to be housed
17 in the facility to be constructed, altered, or ac-
18 quired, or the space to be leased;

19 “(F) with respect to any prospectus for the
20 construction, alteration, or acquisition of any
21 facility or space to be leased, an estimate of the
22 future energy performance of the facility or
23 space and a specific description of the use of
24 energy efficient and renewable energy systems,

1 including photovoltaic systems, in carrying out
2 the project;

3 “(G) a statement of how the proposed
4 project is consistent with the standards and cri-
5 teria developed under section 11(b) of the Fed-
6 eral Assets Sale and Transfer Act of 2016
7 (Public Law 114–287; 130 Stat. 1468);

8 “(H) information on any space occupied by
9 the judicial branch in the geographical area of
10 the proposed facility, including uses, any pro-
11 posed consolidations, and, if not proposed to be
12 consolidated, a justification for such determina-
13 tion; and

14 “(I) a statement by the Director of wheth-
15 er the facility needs of the judicial branch for
16 the proposed space to be leased were formerly
17 met by a Federally-owned building, including
18 any building identified for disposal or sale.

19 “(4) INCREASE OF ESTIMATED MAXIMUM
20 COST.—The estimated maximum cost of any project
21 approved under this subsection as set forth in any
22 prospectus may be increased by an amount equal to
23 any percentage increase, as determined by the Direc-
24 tor, in construction or alteration costs from the date
25 the prospectus is transmitted to Congress. The in-

1 crease authorized by this paragraph may not exceed
2 10 percent of the estimated maximum cost. The Di-
3 rector shall notify, in writing, the Committee on En-
4 vironment and Public Works of the Senate and the
5 Committee on Transportation and Infrastructure of
6 the House of Representatives of any increase of
7 more than 5 percent of an estimated maximum cost
8 or of any increase or decrease in the scope or size
9 of a project of 5 or more percent. Such notification
10 shall include an explanation regarding any such in-
11 crease or decrease. The scope or size of a project
12 shall not increase or decrease by more than 10 per-
13 cent unless an amended prospectus is submitted and
14 approved pursuant to this section.

15 “(5) RESCISSIONS OF APPROVAL.—If an appro-
16 priation is not made within 1 year after the date a
17 project for construction, purchase, alteration, or ac-
18 quisition is approved under paragraph (1), the Com-
19 mittee on Environment and Public Works of the
20 Senate or the Committee on Transportation and In-
21 frastructure of the House of Representatives by res-
22 olution may rescind its approval before an appro-
23 priation is made.

24 “(6) EMERGENCY LEASES BY THE DIRECTOR.—
25 The Director may enter into emergency leases dur-

1 ing any period declared by the President to require
2 emergency leasing authority. An emergency lease
3 may not be for more than 180 days without approval
4 of a prospectus for the lease in accordance with
5 paragraph (2).

6 “(7) MINIMUM PERFORMANCE REQUIREMENTS
7 FOR LEASED SPACE.—With respect to space to be
8 leased, the Director shall include, to the maximum
9 extent practicable, minimum performance require-
10 ments requiring energy efficiency and the use of re-
11 newable energy.

12 “(8) DOLLAR AMOUNT ADJUSTMENT.—The Di-
13 rector annually may adjust any dollar amount re-
14 ferred to in this section to reflect a percentage in-
15 crease or decrease in construction costs during the
16 prior calendar year, as determined by the composite
17 index of construction costs of the Department of
18 Commerce. Any adjustment shall be expeditiously re-
19 ported to the Committee on Environment and Public
20 Works of the Senate and the Committee on Trans-
21 portation and Infrastructure of the House of Rep-
22 resentatives.

23 “(9) NOTIFICATION REQUIREMENT.—For each
24 project approved under this subsection, the Director
25 shall notify, in writing, the Committee on Environ-

1 ment and Public Works of the Senate and the Com-
2 mittee on Transportation and Infrastructure of the
3 House of Representatives of any project milestones
4 that are accomplished, including—

5 “(A) the solicitation and award of design
6 and construction services;

7 “(B) the completion of any actions re-
8 quired for the project pursuant to the National
9 Environmental Policy Act of 1969 (42 U.S.C.
10 4321 et seq.);

11 “(C) any ceremonies for the beginning or
12 completion of the project;

13 “(D) a naming ceremony for the project;
14 and

15 “(E) the completion of the project.

16 “(10) EXPIRATION OF COMMITTEE RESOLU-
17 TIONS.—Unless a lease is awarded or a construction,
18 purchase, alteration, repair, design, or acquisition
19 project is initiated on or before the date that is 5
20 years after the resolution of approval is adopted by
21 the Committee on Transportation and Infrastructure
22 of the House of Representatives and the Committee
23 on Environment and Public Works of the Senate
24 pursuant to paragraph (1) or (2), as applicable, the
25 resolutions shall be deemed expired.

1 “(1) JUDICIAL SPACE AND FACILITIES MANAGEMENT
2 FUND.—

3 “(1) FUND.—

4 “(A) ESTABLISHMENT.—There is estab-
5 lished in the Treasury of the United States a
6 fund to be known as the ‘Judicial Space and
7 Facilities Management Fund’.

8 “(B) DEPOSITS.—There shall be deposited
9 in the Space and Facilities Fund the following:

10 “(i) Amounts appropriated to the Ju-
11 diciary in annual appropriations Acts that
12 are available for the activities described in
13 paragraph (3), in such amounts as deter-
14 mined by the Director.

15 “(ii) Advances or reimbursements
16 from any entity in the judicial branch for
17 the activities and services described in
18 paragraph (3).

19 “(iii) Advances and reimbursements
20 obtained pursuant to subsection (m) of this
21 section and section 6506(a) of title 40.

22 “(iv) Such other funds as Congress
23 may appropriate to the Space and Facili-
24 ties Fund from time to time, including

1 funds appropriated for projects approved
2 pursuant to subsection (k).

3 “(C) AVAILABILITY.—Amounts deposited
4 in the Space and Facilities Fund shall be avail-
5 able until expended for the purposes set forth
6 in this subsection.

7 “(2) TRANSFER OF DEPOSITS.—The Director—

8 “(A) may transfer not more than
9 \$1,000,000 in a fiscal year from the Space and
10 Facilities Fund into the fund or account from
11 which the funds were originally appropriated;
12 and

13 “(B) if, not later than 15 days before the
14 date of the transfer, the Director provides no-
15 tice to the Committee on Appropriations of the
16 Senate and the Committee on Appropriations of
17 the House of Representatives, may transfer
18 more than \$1,000,000 in a fiscal year from the
19 Space and Facilities Fund into the fund or ac-
20 count from which the funds were originally ap-
21 propriated.

22 “(3) USE OF THE SPACE AND FACILITIES
23 FUND.—The Space and Facilities Fund shall be
24 available for the acquisition, alteration, construction,

1 and management of space and facilities and related
2 activities, including—

3 “(A) the acquisition of space and facilities
4 for court accommodations in a covered judicial
5 district;

6 “(B) the lease of space or facilities for
7 court accommodations in a covered judicial dis-
8 trict;

9 “(C) the construction or alteration of fa-
10 cilities under the jurisdiction, custody, and con-
11 trol of the Director;

12 “(D) the maintenance of space under the
13 jurisdiction, custody, and control of the Direc-
14 tor;

15 “(E) the management, overhead costs, and
16 information technology requirements associated
17 with the acquisition, construction, lease, main-
18 tenance, or management of space under the ju-
19 risdiction, custody, and control of the Director;
20 and

21 “(F) the provision of furniture, fixtures,
22 and equipment.

23 “(4) REIMBURSEMENT OF THE GENERAL SERV-
24 ICES ADMINISTRATION.—Amounts deposited into the
25 Space and Facilities Fund shall also be available for

1 rent and reimbursement to the General Services Ad-
2 ministration for court accommodations provided, al-
3 tered, or maintained by the General Services Admin-
4 istration.

5 “(5) PLAN FOR MEETING SPACE AND FACILI-
6 TIES MANAGEMENT NEEDS.—The Director shall—

7 “(A) develop and annually revise, with the
8 approval of the Judicial Conference of the
9 United States, a long-range plan for meeting
10 the space and facilities management needs of
11 the activities funded under this subsection; and

12 “(B) submit each plan under subparagraph
13 (A) to—

14 “(i) the Committee on Appropriations
15 and the Committee on Environment and
16 Public Works of the Senate; and

17 “(ii) the Committee on Appropriations
18 and the Committee on Transportation and
19 Infrastructure of the House of Representa-
20 tives.

21 “(6) QUARTERLY REPORTING.—Not later than
22 90 days after the end of each fiscal quarter, begin-
23 ning with the first fiscal quarter in which the trans-
24 fer of jurisdiction, custody, and control of any real
25 property or lease takes place under this section, the

1 Director shall submit to the Committee on Appro-
2 priations of the Senate and the Committee on Ap-
3 propriations of the House of Representatives a re-
4 port on expenditure activity of the Judiciary Build-
5 ings Service for the fiscal quarter that includes—

6 “(A) any amounts deposited in the Space
7 and Facilities Fund during the fiscal quarter
8 and cumulatively during the most recent fiscal
9 year;

10 “(B) any amounts obligated from the
11 Space and Facilities Fund during the fiscal
12 quarter and cumulatively during the most re-
13 cent fiscal year, including amounts used for—

14 “(i) rent and reimbursements to the
15 General Services Administration under
16 subsection (l)(4);

17 “(ii) operating costs for facilities
18 transferred to the Director under sub-
19 section (i);

20 “(iii) leasing costs for leases executed
21 or assumed by the Director;

22 “(iv) management and administrative
23 costs resulting from the execution of au-
24 thority under this section; and

1 “(v) capital costs for facilities trans-
2 ferred to the Director under subsection (i);
3 and

4 “(C) a list of each capital expenditure
5 project for which the total expenditure or cost
6 exceeded the applicable threshold under sub-
7 section (k)(1), including—

8 “(i) a description of the project, in-
9 cluding milestones reached during the fis-
10 cal quarter;

11 “(ii) the total cost estimate of the
12 project, including an explanation of any di-
13 version from a previously reported esti-
14 mate;

15 “(iii) the expected date of completion,
16 including an explanation of any delay from
17 previous reporting; and

18 “(iv) obligations for the project—

19 “(I) during the fiscal quarter;

20 “(II) cumulatively during the
21 most recent fiscal year; and

22 “(III) cumulatively overall.

23 “(m) USE OF SPACE AND FACILITIES.—

24 “(1) EXCESS SPACE.—The Director is author-
25 ized to make available excess space in all facilities

1 under the jurisdiction, custody, and control of the
2 Director to entities not in the judicial branch on a
3 reimbursable or nonreimbursable basis, as deter-
4 mined appropriate by the Director.

5 “(2) FEDERAL AGENCIES.—

6 “(A) IN GENERAL.—The Director is au-
7 thorized to charge Federal agencies, and Fed-
8 eral agencies are authorized to pay, by advance
9 or reimbursement, a reasonable rate for admin-
10 istering the space and other improvements (in-
11 cluding the cost of operation, maintenance, re-
12 habilitation, security, administrative overhead,
13 and structural, mechanical, and domestic care)
14 furnished to Federal agencies.

15 “(B) AMOUNT.—Charges under subpara-
16 graph (A) shall cover the full cost incurred by
17 the Director for the furnishing of such space or
18 other improvements including a charge for the
19 depreciation and future capital upgrades and
20 replacements.

21 “(3) OUTLEASED SPACE.—The Director is au-
22 thorized to charge a reasonable rate for outleased
23 space, with the amount to be determined by the Di-
24 rector and the entity.

1 “(n) REIMBURSEMENT OF ADMINISTRATOR.—The
2 Director shall pay rent and reimburse the Administrator
3 for court accommodations provided or maintained by the
4 General Services Administration at rates to be negotiated
5 with the Director, but in no case shall such rates exceed
6 the actual costs incurred by the General Services Adminis-
7 tration for the provision of the court accommodation.

8 “(o) AUDIT REQUIREMENTS.—

9 “(1) IN GENERAL.—The Director shall audit
10 the vouchers and transactions of the Space and Fa-
11 cilities Fund annually.

12 “(2) REQUIREMENTS.—An audit described in
13 paragraph (1) shall be performed by an independent
14 certified public accounting firm.

15 “(3) SUBMISSION TO CONGRESS.—Not later
16 than 30 days after the results of an audit described
17 in paragraph (1) are issued, the Director shall sub-
18 mit to Congress a report regarding the audit.

19 “(4) ACCESS FOR FEDERAL AGENCIES.—Upon
20 request by a Federal agency occupying space within
21 a property under the jurisdiction, custody, and con-
22 trol of the Director, the Director shall provide access
23 to the audit reports described in paragraph (1) re-
24 lating to the property.

1 “(p) FEDERAL REGULATORY REQUIREMENTS.—If
2 the Director acquires, constructs, leases, alters, or main-
3 tains any court accommodations, whether by contract or
4 otherwise, the Director shall comply with statutory and
5 regulatory provisions which are applicable to all public
6 buildings or which otherwise are applicable to all Federal
7 agencies, including the judicial branch.

8 “(q) JUDICIAL CONFERENCE OF THE UNITED
9 STATES SUPERVISION AND DIRECTION.—The Director
10 shall administer all authorities under this section under
11 the supervision and direction of the Judicial Conference
12 of the United States.”.

13 (b) CONFORMING AMENDMENT.—The table of sec-
14 tions for chapter 41 of title 28, United States Code, is
15 amended by inserting after the item relating to section
16 604 the following:

“604A. Pilot program for transfer of jurisdiction, custody, and control of certain
judicial branch accommodations to the Director; authority of
the Director.”.

17 **SEC. 3. THURGOOD MARSHALL FEDERAL JUDICIARY**
18 **BUILDING.**

19 (a) IN GENERAL.—Chapter 65 of title 40, United
20 States Code, is amended—

21 (1) in section 6501—

22 (A) in the section heading, by striking

23 “**Definition**” and inserting “**Definitions**”;

1 (B) by striking “this chapter, the term”
2 and inserting the following: “this chapter—
3 “(1) the term”;

4 (C) by striking the period at the end and
5 inserting “; and”; and

6 (D) by adding at the end the following:

7 “(2) the term ‘Director’ means the Director of
8 the Administrative Office of the United States
9 Courts or the designee of the Director, except that
10 when there is a vacancy in the office of the Director,
11 the Acting Director or, in the absence of the Acting
12 Director, the Deputy Director shall be deemed to be
13 the Director for purposes of this chapter until the
14 vacancy is filled.”;

15 (2) in section 6502—

16 (A) by striking subsection (b)(2) and in-
17 serting the following:

18 “(2) BUILDING.—Title to the Building and
19 other improvements constructed on Squares 721 and
20 722 remains in the Federal Government.”; and

21 (B) by striking subsection (g) and insert-
22 ing the following:

23 “(g) ACCOUNTING SYSTEM.—The Director shall
24 maintain an accounting system for operation and mainte-
25 nance of the Building and other improvements which will

1 allow accurate projections of the dates and cost of major
2 repairs, improvements, reconstructions, and replacements
3 of the Building and improvements and other capital ex-
4 penditures on the Building and improvements.”;

5 (3) by striking sections 6503 and 6504;

6 (4) by redesignating section 6505 as section
7 6503;

8 (5) in section 6503, as so redesignated—

9 (A) by striking subsection (a) and insert-
10 ing the following:

11 “(a) TRANSFER OF JURISDICTION.—

12 “(1) IN GENERAL.—Effective on the date that
13 is 181 days after the date of enactment of the Judi-
14 cial Space and Facilities Management Effectiveness
15 Act of 2026, the jurisdiction, custody, and control of
16 the Thurgood Marshall Federal Judiciary Building
17 shall be transferred to the Director.

18 “(2) TERMS.—The transfer under paragraph
19 (1) shall be nonreimbursable.

20 “(3) RESPONSIBILITY.—After completion of the
21 transfer under paragraph (1), the Director shall be
22 responsible for performing all building functions re-
23 lating to the Thurgood Marshall Federal Judiciary
24 Building and to pay the costs thereof.”; and

1 (B) in subsection (b), by striking para-
2 graph (3) and inserting the following:

3 “(3) REIMBURSEMENT.—The Director shall
4 transfer from the Judicial Space and Facilities Man-
5 agement Fund established under section 604A(l) of
6 title 28 amounts necessary to reimburse the United
7 States Capitol Police for expenses incurred in pro-
8 viding exterior security under this subsection. The
9 Capitol Police may accept amounts the Director
10 transfers under this paragraph. Those amounts shall
11 be credited to the appropriation account charged by
12 the Capitol Police in carrying out security duties.”;

13 (6) by redesignating section 6506 as section
14 6504;

15 (7) in section 6504, as so redesignated, by
16 striking subsections (a) through (f), and inserting
17 the following:

18 “(a) PRIORITY.—

19 “(1) JUDICIAL BRANCH.—Subject to this sec-
20 tion, the Director may make available to the judicial
21 branch of the Federal Government all space in the
22 Thurgood Marshall Federal Judiciary Building and
23 other improvements constructed under this chapter.

24 “(2) OTHER FEDERAL GOVERNMENTAL ENTI-
25 TIES.—The Director may make available, on a reim-

1 bursable basis, to Federal Government entities which
2 are not part of the judicial branch, and which are
3 not staff of Members of Congress or congressional
4 committees, any space in the Building and other im-
5 provements that the Director decides are not needed
6 by the judicial branch.

7 “(3) OTHER PERSONS.—If any space remains,
8 the Director may sublease it to any person, pursuant
9 to subsection (d).

10 “(b) SPACE FOR JUDICIAL BRANCH AND OTHER
11 FEDERAL GOVERNMENTAL ENTITIES.—Space made
12 available under paragraph (1) or (2) of subsection (a) is
13 subject to—

14 “(1) terms and conditions necessary to carry
15 out the objectives of this chapter; and

16 “(2) reimbursement at an appropriate rental
17 rate established by the Director based on square foot
18 of occupiable space plus an amount necessary to pay
19 each year for the cost of administering the Building
20 and other improvements (including the cost of oper-
21 ation, maintenance, rehabilitation, security, adminis-
22 trative overhead, and structural, mechanical, and do-
23 mestic care) that is attributable to the space, with
24 the amount to be determined by the Director and,

1 in the case of any Federal Governmental entity not
2 a part of the judicial branch, the entity.

3 “(c) SPACE FOR JUDICIAL BRANCH.—

4 “(1) IN GENERAL.—The Director may assign
5 space made available to the judicial branch under
6 subsection (a)(1) among offices of the judicial
7 branch as the Director considers appropriate.

8 “(2) VACATING OCCUPIED SPACE.—When the
9 Chief Justice notifies the Director that the judicial
10 branch requires additional space in the Building and
11 other improvements, the Director shall accommodate
12 those requirements within 90 days after the date of
13 the notification, except that if the space was made
14 available to the Administrator of General Services, it
15 shall be vacated expeditiously by not later than a
16 date the Chief Justice and the Director agree on.

17 “(3) UNOCCUPIED SPACE.—The Chief Justice
18 has the right of first refusal to use unoccupied space
19 in the Building to meet the needs of the judicial
20 branch.

21 “(d) OUTLEASED SPACE.—

22 “(1) RENTAL RATE.—Space outleased by the
23 Director under subsection (a)(3) is subject to reim-
24 bursement at a reasonable rate, with the amount to
25 be determined by the Director and the entity.

1 “(2) COLLECTION OF RENT.—The Director
2 shall collect, and lessees are authorized to pay, rent
3 for space outleased under paragraph (3) of sub-
4 section (a).

5 “(e) DEPOSIT OF RENT AND REIMBURSEMENTS.—
6 Amounts received under subsection (a)(3) (including lease
7 payments and reimbursements) shall be deposited into the
8 Judicial Space and Facilities Management Fund estab-
9 lished under section 604A(l) of title 28.”; and

10 (8) by striking section 6507.

11 (b) CONFORMING AMENDMENTS.—The table of sec-
12 tions for chapter 65 of title 40, United States Code, is
13 amended—

14 (1) by striking the item relating to section 6501
15 and inserting the following:

“6501. Definitions.”; and

16 (2) by striking the items relating to sections
17 6503 through 6507 and inserting the following:

“6503. Structural and mechanical care and security.

“6504. Allocation of space.”.

18 **SEC. 4. CONFORMING AMENDMENTS.**

19 (a) IN GENERAL.—Section 3101 of title 40, United
20 States Code, is amended by striking “All public buildings”
21 and inserting “Except as provided under section 604A of
22 title 28 or chapter 65 of this title, all public buildings.”.

1 (b) DUTIES OF THE DIRECTOR.—Section 604(a) of
2 title 28, United States Code is amended—

3 (1) in paragraph (11), by inserting “and vouch-
4 ers and accounts relating to the Judiciary Buildings
5 Service” before the semicolon;

6 (2) in paragraph (24), by striking “and” at the
7 end;

8 (3) by redesignating paragraph (25) as para-
9 graph (26); and

10 (4) by inserting after paragraph (24) the fol-
11 lowing:

12 “(25) Oversee and manage the Judiciary Build-
13 ings Service in accordance with section 604A; and”.

14 **SEC. 5. IMPLEMENTATION OF ACT.**

15 (a) DEFINITIONS.—In this section—

16 (1) the term “Administration” means the Gen-
17 eral Services Administration;

18 (2) the term “Administrator” means the Ad-
19 ministrator of General Services;

20 (3) the term “court accommodation” has the
21 meaning given that term in section 604A(a) of title
22 28, United States Code, as added by this Act; and

23 (4) the term “Director” means the Director of
24 the Administrative Office of the United States
25 Courts.

1 (b) IMPLEMENTATION IN GENERAL.—To ensure the
2 orderly transition of buildings from the Administration to
3 the Administrative Office of the United States Courts, the
4 Director is authorized to withhold from funds appro-
5 priated for the payment of rent to the Administration by
6 the Director such sums as are necessary to implement the
7 Judiciary Buildings Service.

8 (c) INITIAL TRANSFER OF PROPERTIES.—

9 (1) IN GENERAL.—On and after the date of en-
10 actment of this Act, the Director may request that
11 the Administrator transfer from the Administration
12 to the Director jurisdiction, custody, and control of
13 any real property or lease housing court accommoda-
14 tions in a judicial district identified under section
15 604A(b) of title 28, United States Code, as added
16 by section 2 of this Act.

17 (2) TRANSFER.—Not later than 90 days after
18 a request by the Director to transfer jurisdiction,
19 custody, and control of any real property or lease
20 under paragraph (1), or such other date as is agreed
21 to by the Director and the Administrator, the Ad-
22 ministrator shall transfer the property or lease to
23 the Director.

24 (3) INFORMATION.—For any real property or
25 lease being transferred to the Director, the Adminis-

1 trator shall provide to the Director essential infor-
2 mation required for the transfer of building manage-
3 ment, including detailed operating costs, shell costs,
4 budget projections, planned and ongoing projects,
5 condition assessments, drawings, operational proce-
6 dures, warranties, rental rates for each tenant, occu-
7 pancy data, agreements, and ongoing contracts.

8 (d) REPORT AND PLAN.—Not later than 1 year after
9 the date of enactment of this Act, and annually thereafter,
10 the Director shall submit to the Committee on Environ-
11 ment and Public Works and the Committee on Appropria-
12 tions of the Senate and the Committee on Transportation
13 and Infrastructure and the Committee on Appropriations
14 of the House of Representatives a report—

15 (1) discussing the implementation and execu-
16 tion of real property authority for the real property
17 and leases transferred under section 604A of title
18 28, United States Code, as added by section 2 of
19 this Act, including—

- 20 (A) the number of leases signed;
21 (B) the number of leases terminated;
22 (C) the total number of leased spaces;
23 (D) the amount of square footage leased;
24 (E) the amount of square footage occupied;
25 (F) the amount of vacant leased space;

1 (G) the number of buildings owned;

2 (H) top customers by square feet and an-
3 nual rent;

4 (I) completed new construction, major re-
5 pair, and alteration projects; and

6 (J) financial indicators that measure and
7 analyze space utilization, operating costs per
8 square foot, cost-avoidance due to building dis-
9 posals and lease termination, and, to the extent
10 that the Administrator provides relevant build-
11 ing data to the Director, deferred maintenance
12 liabilities; and

13 (2) providing information regarding a plan and
14 proposed timeline for the orderly transfer of prop-
15 erties or leases in addition to the real property and
16 leases transferred under section 604A of title 28,
17 United States Code, as added by section 2 of this
18 Act.

19 **SEC. 6. GAO REPORT ON THE JUDICIARY BUILDINGS SERV-**
20 **ICE.**

21 (a) REPORT.—Not later than 2 years after the date
22 of enactment of this Act, and every 2 years thereafter,
23 the Comptroller General of the United States shall—

24 (1) conduct a review of the actions taken by the
25 Director of the Administrative Office of the United

1 States Courts (in this section referred to as the “Di-
2 rector”) under this Act and the amendments made
3 by this Act; and

4 (2) submit to Congress a report on the review
5 conducted under paragraph (1), which shall include
6 a description of—

7 (A) the operation, procurement, and con-
8 tracting processes of the Judiciary Buildings
9 Service;

10 (B) contracts awarded by the Judiciary
11 Buildings Service;

12 (C) any instances of waste, fraud, abuse,
13 or mismanagement by the Judiciary Buildings
14 Service; and

15 (D) the vouchers, transactions, and use of
16 the Judicial Space and Facilities Management
17 Fund established under 604A(l)(1)(A) of title
18 28, United States Code, as added by this Act.

19 (b) ACCESS.—For real property for which jurisdic-
20 tion, custody, and control is transferred to the Director
21 under this Act and the amendments made by this Act,
22 the Director shall, upon the request of the Comptroller
23 General of the United States, provide secure access to sys-
24 tems, databases, and information used to operate and
25 manage the real property, including building automation

1 and control systems, real property inventories and data,
2 personal property inventories and data, work order man-
3 agement systems, document archives, drawings, studies,
4 and contracting files.

5 **SEC. 7. SUNSET.**

6 (a) DEFINITIONS.—In this section—

7 (1) the term “Administrator” means the Ad-
8 ministrator of General Services; and

9 (2) the term “Director” means the Director of
10 the Administrative Office of the United States
11 Courts.

12 (b) SUNSET OF TRANSFER AUTHORITY OF DIREC-
13 TOR.—The authority of the Director under section 604A
14 of title 28, United States Code, as added by section 2 of
15 this Act, to request the transfer of jurisdiction, custody,
16 and control of real property and leases from the Adminis-
17 trator shall cease to have effect on the date that is 7 years
18 after the date of enactment of this Act.

19 (c) ORDERLY TRANSFER OF ASSETS BACK TO
20 GSA.—

21 (1) IN GENERAL.—On the date that is 10 years
22 after the date of enactment of this Act, the Director
23 and the Administrator shall begin an orderly trans-
24 fer back to the Administrator of the real property

1 and leases previously transferred to the Director
2 under the authority described in subsection (b).

3 (2) SUNSET OF REMAINING AUTHORITY OF DI-
4 RECTOR.—On the date on which the Administrator
5 certifies to Congress that all the real property and
6 leases described in paragraph (1) have been trans-
7 ferred back to the Administrator, the remaining au-
8 thority of the Director under this Act and the
9 amendments made by this Act shall cease to have ef-
10 fect.

11 (d) REPEAL.—Effective on the date that is 15 years
12 after the date of enactment of this Act, this Act is re-
13 pealed, and each provision of law amended by this Act is
14 amended to read as it read on the day before the date
15 of enactment of this Act.

16 **SEC. 8. SENSE OF CONGRESS.**

17 It is the sense of Congress that, if the Judiciary
18 proves to be successful in managing real property and
19 leases for which jurisdiction, custody, and control are
20 transferred under section 604A of title 28, United States
21 Code, as added by section 2 of this Act, the extension of
22 real property authority over additional facilities housing
23 the Judiciary should be considered to ensure that the ad-
24 ministration of justice is not negatively impacted by defi-
25 cient facilities.

1 **SEC. 9. SEVERABILITY.**

2 If any provision of this Act or any amendment made
3 by this Act, or the application of any such provision or
4 amendment to any person or circumstance, is held invalid,
5 the validity of the remainder of this Act and the amend-
6 ments made by this Act, and the application of such provi-
7 sion or amendment to any other person or circumstance
8 shall not be affected thereby.