119th CONGRESS
2nd Session

A BILL

To improve the maintenance, alteration, and construction of United States courthouses, and for other purposes.

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 shall be known as the Judicial Space and Facilities Management Effectiveness Act of 2026.

SEC. 2. PILOT PROGRAM FOR TRANSFER OF CERTAIN JUDICIAL BRANCH ACCOMMODATIONS AND AUTHORITY OF THE DIRECTOR

Chapter 41 of title 28, United States Code, is amended by inserting after section 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.

"(a) DEFINITIONS. – For purposes of this section –

"(1) the term 'Administrator' means the Administrator of the General Services Administration;

"(2) the term 'court accommodation' includes (but is not limited to) chambers and courtrooms for all courts of the Judicial Branch of the United States (except the Supreme Court) as well as accommodations for all court-related functions and for probation offices, pretrial service offices, Federal Public Defender Organizations, the United States Sentencing Commission, the Administrative Office of the United States Courts, the Federal Judicial Center, and other administrative or clerical personnel associated with the courts of the Judicial Branch of the United States;

"(3) the term 'public building' is defined as set forth in section 3301(a)(5) of title 40 of the United States Code;

"(4) the term 'facility' or 'building' means any building or other structure, including its grounds, approaches, appurtenances, and parking spaces, or any part thereof;

"(5) the term 'property' is defined as set forth in section 102(9) of title 40 of the United States Code;

"(6) the term 'space' means any interest, whether fee simple or otherwise, in real property, including land, buildings, structures, or parts thereof;

"(7) the term 'alter' includes:

"(A) preliminary planning, engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the alteration of any space or facility; and

"(B) repairing, remodeling, improving, or extending or other changes in any space or facility;

"(8) the term 'construct' includes preliminary planning, engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the construction or alteration, as the case may be, of any space or facility;

"(9) the term 'Federal agency' is defined as set forth in section 102(5) of title 40 of the United States Code;

"(10) the term 'Judiciary Buildings Service' is defined as the organization in the judicial branch responsible for managing the functions outlined in subsection (c); and

"(11) the term 'pilot program' is defined as the program of all real property, to include federally owned property and leases, in up to 10 judicial districts, as well as the Thurgood Marshall Federal Judiciary Building, where jurisdiction, custody, and control have been transferred to the Director.

"(b) LIMIT TO PILOT PROGRAM. – This section shall apply only to the pilot program defined in subsection (a)(11).

"(c) AUTHORITY OF DIRECTOR. – The Director shall be authorized to establish a Judiciary Buildings Service under the direction of the Administrative Office of the United States Courts to –

"(1) acquire, by purchase, condemnation, donation, exchange, transfer, or otherwise, any space or facility which the Director determines to be necessary for the provision of court accommodations and manage that space or facility and its operation;

"(2) alter any space or facility which is acquired under the authority of this Act as the Director deems necessary for the provision of court accommodations;

"(3) acquire and exercise any option for the acquisition or lease of any land or an interest in land as the Director deems necessary for the provision of court accommodations;

"(4) construct such facilities as the Director deems necessary for the provision of court accommodations;

"(5) lease, or acquire and exercise any option for the acquisition of a lease, any space or facility as the Director deems necessary for the provision of court accommodations and manage that lease;

"(6) outlease space;

"(7) contract for utility services;

"(8) secure facilities in coordination with the United States Marshals Service and the Federal Protective Service;

"(9) provide by contract or otherwise for the provision of amenities, such as childcare, cafeterias, physical fitness centers, credit unions, and others, to serve tenants and, if appropriate, the public;

"(10) pay rent and make repairs, alterations, and improvements under the terms of a lease for court accommodations entered into by, or transferred to, the Director;

"(11) pay ground rent for buildings owned by the Federal Government or occupied by federal agencies, and pay rent in advance for leased property if required by law or if the Director determines that advance payment is in the Judiciary's interest; and

"(12) perform such other duties as necessary to implement this section.

"(d) DELEGATION OF AUTHORITY. – The Director may delegate any authority authorized by this section. The Director may authorize successive redelegation of authority as permitted by this section.

"(e) ARCHITECTURAL, ENGINEERING, AND CONSTRUCTION SERVICES. – The Director is authorized to employ, by contract or otherwise, the services of architectural, engineering, and construction firms, corporations, or individuals, to the extent the Director may require such services for any space or facility authorized to be constructed or altered under this section.

"(f) OPERATION AND MAINTENANCE. – The Director is authorized to employ, by contract or otherwise, the services of corporations, firms, or individuals for the operation and maintenance of any building under the jurisdiction, custody, and control of the Director, to the extent the Director may require such services.

"(g) CONSTRUCTION. –

"(1) REPLACEMENT OF EXISTING BUILDINGS. – When the Director considers it to be in the best interest of the Judiciary to construct a new space or facility to take the place of an existing space or facility, the Director may demolish the existing building and use the site on which it is located for the site of the proposed space or facility. If the Director believes that it is more advantageous to construct the space or facility on a different site in the same city, the Director may exchange the building and site, or the site, for another site, or may transfer the building and site.

"(2) EXCHANGE OR TRANSFER OF SITES. – When the Director decides that a site acquired for the construction of a space or facility is not suitable for that purpose, the Director may exchange the site for another site or may declare the site to be excess and transfer the site to the Administrator.

"(3) CONSTRUCTION OR ALTERATION BY CONTRACT OR OTHERWISE. – The Administrator may carry out a construction or alteration authorized by this section by contract if the Director considers it to be most advantageous to the Government.

"(h) LEASING. – A lease agreement under this section shall be on terms the Director considers to be in the best interest of the Judicial Branch and necessary for the accommodation of the Judiciary. However, the lease agreement may not bind the Government for more than 20 years, and the obligation of amounts for a lease under this section is limited to the current fiscal year for which payments are due without regard to section 1341(a)(1)(B) of title 31.

"(i) TRANSFER OF COURT ACCOMMODATIONS. –

"(1) The Administrator shall not transfer, dispose of, or close any court accommodation without obtaining the prior consent of the Director.

"(2) Upon request of the Director, and consistent with the implementation described in section 5 of the Judicial Space and Facilities Management Effectiveness Act of 2026, the Administrator shall transfer to the Director the jurisdiction, custody, and control of any requested real property owned or leased by the United States, and any lease made on behalf of the United States, that is occupied by the judicial branch and critical to the constitutional mission of the Judiciary. Any such transfer shall be non-reimbursable. After completion of any such transfer, the Director shall be responsible for performing all building functions for such judicial branch accommodation and to pay the costs of performing such building functions instead of paying rent for that space to the Administrator.

"(j) REQUEST FOR SPACE OR SERVICES TO BE PROVIDED BY THE ADMINISTRATOR. –

"(1) The Director may request that the Administrator provide, acquire, or maintain such court accommodations as may be required by the courts of the United States. Upon such a request of the Director, the Administrator is directed to provide and maintain such court accommodations.

“(2) Where court accommodations are provided by the Administrator in multitenant facilities, the Administrator shall give priority to providing court accommodations in contiguous space.

“(3) Consistent with General Services Administration regulatory requirements and leasing responsibilities, the Administrator shall endeavor to provide such reasonable alterations to court accommodations as shall be requested and financed by the Director.

“(4) The Director may transfer jurisdiction, custody, and control or leasehold interest of any space or facility acquired by the Director to the Administrator for the provision or maintenance of court accommodations.

“(5) The Director may identify and transfer to the Administrator for disposal, pursuant to section 542 of title 40 United States Code, any real property under the jurisdiction, custody, and control of the Director, as the Director deems necessary.

“(6) The Administrator shall provide the Director, on a non-reimbursable basis, information requested by the Director that assists the Director in the development of the funding requests by the Director, including information regarding prospectus-level repair and alteration projects. For projects for which the Director does not request funds, the Administrator shall request funds in accordance with law.

“(7) The Administrator shall provide the Director secure access to systems, databases, and information used to operate and manage federal buildings accommodating the Judiciary, including, but not limited to, building automation and control systems, real property inventories and data, personal property inventories and data, work order management systems, document archives, drawings, studies, and contracting files.

“(k) APPROVAL OF PROPOSED PROJECTS BY CONGRESS. –

“(1) RESOLUTIONS REQUIRED BEFORE APPROPRIATIONS MAY BE MADE. –

“(A) No appropriation shall be used to construct, purchase, or acquire any space or facility to be used as a court accommodation which involves a total expenditure in excess of $10,000,000, adjusted annually for inflation, if such construction, purchase, or acquisition has not been approved by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(B) No appropriation shall be used to alter any space or facility, or part thereof, which is under lease by the Director if the cost of such alteration would exceed $5,000,000, adjusted annually for inflation, unless such alteration has been approved by resolutions adopted by the Committee on Environment and Public

Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

"(2) TRANSMISSION TO CONGRESS OF PROSPECTUS OF PROPOSED PROJECT. – To secure consideration for the approval referred to in paragraph (1) of this subsection, the Director shall transmit to Congress a prospectus of the proposed space or facility, including –

"(A) a brief description of the space or facility to be constructed, altered, purchased, or acquired or the space to be leased;

"(B) the location of the space or facility to be leased and an estimate of the maximum cost to the Federal Government of the facility to be constructed, altered, purchased, or acquired, or the space to be leased;

"(C) a comprehensive plan for providing space for all Judiciary officers and employees in the locality of the proposed facility or the space to be leased, having due regard for suitable space which may continue to be available in existing Federal Government-owned or occupied buildings, especially those buildings that enhance the architectural, historical, social, cultural, and economic environment of the locality;

"(D) with respect to any project for the construction, alteration, or acquisition of any facility, a statement by the Director that suitable alternative space already owned or leased by the Federal Government in proximity to the location chosen for such court accommodation is not available and that suitable rental space is not available at a price commensurate with that to be afforded through the proposed action;

"(E) a statement of rents and other housing costs currently being paid by the Federal Government for Federal agencies to be housed in the facility to be constructed, altered, or acquired, or the space to be leased;

"(F) with respect to any prospectus for the construction, alteration, or acquisition of any facility or space to be leased, an estimate of the future energy performance of the facility or space and a specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project;

"(G) a statement of how the proposed project is consistent with the standards and criteria developed under section 11(b) of the Federal Assets Sale and Transfer Act of 2016;

"(H) information on any space occupied by the Judiciary in the geographical area of the proposed facility, including uses, any proposed consolidations, and, if not proposed to be consolidated, a justification for such determination; and

"(I) a statement by the Director of whether the facility needs of the Judiciary for the proposed space to be leased were formerly met by a federally owned building, including any building identified for disposal or sale.

"(3) LEASE RESOLUTIONS REQUIRED BEFORE APPROPRIATIONS MAY BE MADE. – No appropriation shall be used to lease any space or facility for a permanent court accommodation which involves an average annual expenditure in excess of $10,000,000, adjusted annually for inflation, if such lease has not been approved by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives. For the purpose of securing consideration for such approval, the Director shall transmit to the Congress a prospectus of the proposed space or facility including (but not limited to) the items set forth in paragraph (2) of this subsection that are relevant to the lease and, in addition, a written statement by the Director setting forth the reasons why leasing such space or facility is necessary to meet requirements which cannot be met in public buildings.

"(4) INCREASE OF ESTIMATED MAXIMUM COST. – The estimated maximum cost of any project approved under this section as set forth in any prospectus may be increased by an amount equal to any percentage increase, as determined by the Director, in construction or alteration costs from the date the prospectus is transmitted to Congress. The increase authorized by this subsection may not exceed 10 percent of the estimated maximum cost. The Director shall notify, in writing, the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of any increase of more than 5 percent of an estimated maximum cost or of any increase or decrease in the scope or size of a project of 5 or more percent. Such notification shall include an explanation regarding any such increase or decrease. The scope or size of a project shall not increase or decrease by more than 10 percent unless an amended prospectus is submitted and approved pursuant to this section.

"(5) RECISSIONS OF APPROVAL. – If an appropriation is not made within one year after the date a project for construction, alteration, or acquisition is approved under paragraph (1) of this subsection, the Committee on Environment and Public Works of the Senate or the Committee on Transportation and Infrastructure of the House of Representatives by resolution may rescind its approval before an appropriation is made.

"(6) EMERGENCY LEASES BY THE DIRECTOR. – The Director may enter into emergency leases during any period declared by the President to require emergency leasing authority. An emergency lease may not be for more than 180 days without approval of a prospectus for the lease in accordance with paragraph (3).

“(7) MINIMUM PERFORMANCE REQUIREMENTS FOR LEASED SPACE. – With respect to space to be leased, the Director shall include, to the maximum extent practicable, minimum performance requirements requiring energy efficiency and the use of renewable energy.

“(8) DOLLAR AMOUNT ADJUSTMENT. – The Director annually may adjust any dollar amount referred to in this section to reflect a percentage increase or decrease in construction costs during the prior calendar year, as determined by the composite index of construction costs of the Department of Commerce. Any adjustment shall be expeditiously reported to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(9) NOTIFICATION REQUIREMENT. – For each project approved under this section, the Director shall notify, in writing, the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of any project milestones that are accomplished, including –

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

“(B) the completion of any actions required for the project pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

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

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

“(E) the completion of the project.

“(10) EXPIRATION OF COMMITTEE RESOLUTIONS. – Unless a lease is awarded or a construction, alteration, repair, design, or acquisition project is initiated not later than 5 years after the resolution approvals adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate pursuant to subsections (k)(1) and (k)(3), the resolutions shall be deemed expired.

“(l) JUDICIAL SPACE AND FACILITIES MANAGEMENT FUND. –

“(1) ESTABLISHMENT OF SPECIAL FUND. – There is hereby established in the Treasury of the United States a special fund to be known as the “Judicial Space and Facilities Management Fund” (hereinafter in this section referred to as the “Space and Facilities Fund”). Moneys deposited in the Space and Facilities Fund shall be available until expended for the purposes set forth in this Act. Deposits in the Space and Facilities Fund shall include:

“(A) amounts appropriated to the Judiciary in annual appropriations acts that are available for the activities described in subsection (l)(3) in such amounts as determined by the Director;

“(B) advances or reimbursements from any entity in the judicial branch for the activities and services described in subsection (l)(3);

“(C) advances and reimbursements obtained pursuant to subsection (m) of this section and section 6506(a) of title 40 of the United States Code; and

“(D) such funds as Congress may otherwise appropriate to the Space and Facilities Fund from time to time, including without limitation, funds appropriated for projects approved pursuant to section (k).

“(2) TRANSFER OF DEPOSITS. – The Director may transfer amounts up to $1,000,000 from the Space and Facilities Fund into the fund or account from which the funds were originally appropriated. Any amount transferred from the Space and Facilities Fund in excess of $1,000,000 in any fiscal year may only be transferred if the Committees on Appropriations of the Senate and the House of Representatives are notified at least 15 days in advance of such transfer.

“(3) USE OF THE SPACE AND FACILITIES FUND. – The Space and Facilities Fund shall be available until expended without additional appropriation for the acquisition, alteration, construction, and management of space and facilities and related activities, including –

“(A) the acquisition of space and facilities for court accommodations;

“(B) the lease of space or facilities for court accommodations;

“(C) the construction or alteration of facilities under the jurisdiction, custody, and control of the Director;

“(D) the maintenance of space under the jurisdiction, custody, and control of the Director;

“(E) the management, overhead costs, and information technology requirements associated with the acquisition, construction, lease, maintenance, or management of space under the jurisdiction, custody, and control of the Director; and

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

“(4) REIMBURSEMENT OF THE GENERAL SERVICES ADMINISTRATION. – Moneys deposited into the Space and Facilities Fund shall also be available for rent and reimbursement to the General Services Administration for court accommodations provided, altered, or maintained by the General Services Administration.

"(5) PLAN FOR MEETING SPACE AND FACILITIES MANAGEMENT NEEDS. – The Director shall develop and annually revise, with the approval of the Judicial Conference of the United States, a long-range plan for meeting the space and facilities management needs of the activities funded under this section. Such plan and revisions shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives.

"(m) USE OF SPACE AND FACILITIES. –

"(1) EXCESS SPACE. – The Director is authorized to make available excess space in all facilities under the jurisdiction, custody and control of the Director to non-Judiciary entities on a reimbursable or non-reimbursable basis, as deemed appropriate by the Director.

"(2) FEDERAL AGENCIES. – The Director is authorized to charge Federal agencies, and Federal agencies are authorized to pay, by advance or reimbursement, a reasonable rate for administering the space and other improvements (including the cost of operation, maintenance, rehabilitation, security, administrative overhead, and structural, mechanical, and domestic care) furnished to Federal agencies. Such charges shall not exceed the actual costs incurred by the Director for the provision of such space or services including a charge for the depreciation and future capital upgrades and replacements.

"(3) OUTLEASED SPACE. – The Director is authorized to charge a reasonable rate for outleased space, with the amount to be determined by the Director and the entity.

"(n) REIMBURSEMENT OF ADMINISTRATOR. – The Director shall pay rent and reimburse the Administrator for court accommodations provided or maintained by the General Services Administration at rates to be negotiated with the Director, but in no case shall such rates exceed the actual costs incurred by the General Services Administration for the provision of such space or services.

"(o) AUDIT REQUIREMENTS. – In accordance with section 604(a)(11), the Director shall audit the vouchers and transactions of the Space and Facilities Fund. Audits shall be performed by an independent certified public accounting firm. The Director shall provide reports of audits performed pursuant to this subsection to Congress within 30 days of issuance. Federal agencies occupying space within a Judiciary controlled property shall have access to the audit reports for that property upon request.

"(p) FEDERAL REGULATORY REQUIREMENTS. – Whenever the Director shall acquire, construct, lease, alter, or maintain any court accommodations, whether by contract or otherwise, the Director shall comply with statutory and regulatory provisions which are applicable to all public buildings or which otherwise are applicable to all Federal agencies, including the Judiciary.

"(q) JUDICIAL CONFERENCE OF THE UNITED STATES SUPERVISION AND DIRECTION – The Director shall administer all authorities under this section under the supervision and direction of the Judicial Conference of the United States.

SEC. 3. THURGOOD MARSHALL FEDERAL JUDICIARY BUILDING.

(a) Chapter 65 of title 40 of the United States Code is amended –

(1) in section 6501,

(A) by striking "Definition" from the title of the section and replacing it with "Definitions";

(B) by inserting "(a)" before "In"; and

(C) by adding the following at the end –

"(b) In this chapter, the term "Director" means the Director of the Administrative Office of the United States Courts or the designee of the Director, except that when there is a vacancy in the office of the Director, the Acting Director or, in the absence of the Acting Director, the Deputy Director shall be deemed to be the Director for purposes of this chapter until the vacancy is filled.";

(2) in section 6502, by striking subsection (g) and inserting –

"(g) ACCOUNTING SYSTEM. – The Director shall maintain an accounting system for operation and maintenance of the Building and other improvements which will allow accurate projections of the dates and cost of major repairs, improvements, reconstructions, and replacements of the Building and improvements and other capital expenditures on the Building and improvements.";

(3) by striking section 6503;

(4) by striking section 6504;

(5) in section 6505,

(A) by redesignating such section as section 6503;

(B) by striking subsection (a) and inserting –

"(a) Effective upon the expiration of the 180-day period that begins on the date of the enactment of this section, the jurisdiction, custody, and control of the Thurgood Marshall Federal Judiciary Building shall be assigned to the Director. Such transfer shall be non-reimbursable. After completion of such transfer, the Director shall thereafter be responsible for performing all building functions relating to such accommodations and to pay the costs thereof."; and

(C) by striking paragraph (3) of subsection (b) and inserting –

"(3) REIMBURSEMENT. – The Director shall transfer from the Judicial Space and Facilities Management Fund of title 28 amounts necessary to reimburse the United States Capitol Police for expenses incurred in providing exterior security under this subsection. The Capitol Police may accept amounts the Director transfers under this paragraph. Those amounts shall be credited to the appropriation account charged by the Capitol Police in carrying out security duties.";

(6) in section 6506 –

(A) by redesignating such section as section 6504; and

(B) by striking subsections (a) though (f), and inserting –

"(a) PRIORITY. –

"(1) JUDICIAL BRANCH. – Subject to this section, the Director may make available to the judicial branch of the Federal Government all space in the Thurgood Marshall Federal Judiciary Building and other improvements constructed under this chapter.

"(2) OTHER FEDERAL GOVERNMENTAL ENTITIES. – The Director may make available, on a reimbursable basis, to federal government entities which are not part of the judicial branch, and which are not staff of Members of Congress or congressional committees, any space in the Building and other improvements that the Director decides is not needed by the judicial branch.

"(3) OTHER PERSONS. – If any space remains, the Director may sublease it to any person, pursuant to subsection (d).

"(b) SPACE FOR JUDICIAL BRANCH AND OTHER FEDERAL GOVERNMENTAL ENTITIES. – Space made available under paragraph (1) or (2) of subsection (a) is subject to –

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

"(2) reimbursement at an appropriate rental rate established by the Director based on square foot of occupiable space plus an amount necessary to pay each year for the cost of administering the Building and other improvements (including the cost of operation, maintenance, rehabilitation, security, administrative overhead, and structural, mechanical, and domestic care) that is attributable to the space, with the amount to be determined by the Director and, in the case of any federal governmental entity not a part of the judicial branch, the entity.

"(c) SPACE FOR JUDICIAL BRANCH. –

"(1) The Director may assign space made available to the judicial branch under subsection (a)(1) among offices of the judicial branch as the Director considers appropriate.

"(2) Vacating occupied space. –
When the Chief Justice notifies the Director that the judicial branch requires additional space in the Building and other improvements, the Director shall accommodate those requirements within 90 days after the date of the notification, except that if the space was made available to the Administrator of General Services, it shall be vacated expeditiously by not later than a date the Chief Justice and the Director agree on.

"(3) Unoccupied space. –
The Chief Justice has the right of first refusal to use unoccupied space in the Building to meet the needs of the judicial branch.

"(d) OUTLEASED SPACE. –

"(1) RENTAL RATE. – Space outleased by the Director under subsection (a)(3) is subject to reimbursement at a reasonable rate, with the amount to be determined by the Director and the entity.

"(2) COLLECTION OF RENT. – The Director shall collect, and lessees are authorized to pay, rent for space outleased under paragraph (3) of subsection (a).

"(e) DEPOSIT OF RENT AND REIMBURSEMENTS. – Amounts received under subsection (a)(3) (including lease payments and reimbursements) shall be deposited into the Judicial Space and Facilities Management Fund."; and

(7) by striking section 6507.

SEC. 4. CONFORMING AMENDMENTS.

(a) Section 3101 of Title 40 of the United States Code shall be amended by inserting at the beginning thereof "Except as provided in the Judicial Space and Facilities Management Effectiveness Act of 2026."

(b) Section 604(a) of title 28, United States Code is amended –

(1) in paragraph (24), by striking "and" at the end;

(2) by redesignating paragraph (25) as paragraph (26); and

(3) by inserting after paragraph (24) the following: "(25) Oversee and manage the Judiciary Buildings Service as set forth in the Judicial Space and Facilities Management Effectiveness Act of 2026; and".

SEC. 5. IMPLEMENTATION OF ACT.

(a) To ensure the orderly transition of buildings from the General Services Administration to the Judiciary, the Director is authorized to withhold such sums of funds appropriated for the payment of rent to the General Services Administration as are necessary to stand up the Judiciary Buildings Service.

(b) Upon enactment of this Act, and any time thereafter, the Director may request that the Administrator transfer jurisdiction, custody, and control of any real property from the General Services Administration to the Judiciary for the pilot program. The Administrator, upon the Director's request, shall transfer those requested properties and leases within 90 days or at a time mutually agreed upon by the General Services Administration and the Director. In addition, the Administrator will provide to the Director essential information required for the transfer of building management, including but not limited to detailed operating costs, shell costs, budget projections, planned and ongoing projects, condition assessments, drawings, operational procedures, warranties, rental rates for each tenant, occupancy data, agreements, and ongoing contracts.

(c) Two years after enactment of this Act, and every two years thereafter, the Director shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives a report on the implementation and execution of real property authority for the real property and leases transferred as part of the pilot program. The report should also include information regarding a plan and proposed timeline for the orderly transfer of any additional properties and leases beyond the real property and leases already transferred as part of the pilot program.

SEC. 6. SENSE OF CONGRESS

It is the sense of Congress that should the Judiciary prove to be successful in its management of facilities that transfer to its jurisdiction, custody, and control, the extension of real property authority over additional facilities housing the Judiciary should be considered to ensure that the administration of justice is not negatively impacted by deficient facilities.

May 2026

Federal Judiciary Legislative Proposal
"Judicial Space and Facilities Management Effectiveness Act"
Section-by-Section Analysis

Sec. 1. Short Title. Section 1 sets forth the short title of the bill as the "Judicial Space and Facilities Management Effectiveness Act of 2026".

Sec 2. Pilot Program for Transfer of Certain Judicial Branch Accommodations and Authority of the Director. Section 2 amends chapter 41 of title 28 of the United States Code to add a new section 604A authorizing a pilot program for transfer of jurisdiction, custody, and control of certain Judicial Branch accommodations from the Administrator of the General Services Administration (Administrator) to the Director of the Administrative Office of the United States Courts (Director) in up to ten judicial districts.

Subsection (a) of new section 604A defines various terms for purposes of this section. It defines, for example, that the term "Administrator" means the Administrator of the General Services Administration.

Subsection (b) of new section 604A limits the section to apply only to the pilot program defined in subsection (a).

Subsection (c) of new section 604A specifies the general authority of the Director to establish a Judiciary Buildings Service to:

- acquire, alter, construct, and lease space and facilities necessary for the provision of court accommodations, among other matters; and
- perform such other duties as necessary to implement this section.

Subsection (d) of new section 604A authorizes the Director to delegate and successively redelegate such authorities specified by this section.

Subsection (e) of new section 604A authorizes the Director to employ, by contract or otherwise, the services of architectural, engineering, and construction firms, corporations, or individuals, to the extent the Director may require such services for any space or facility authorized to be constructed or altered under this section.

Subsection (f) of new section 604A authorizes the Director to employ, by contract or otherwise, the services of corporations, firms, or individuals for the operation and maintenance of any building under the jurisdiction, custody, and control of the Director.

Subsection (g) of new section 604A sets forth the authority of the Director with respect to the construction of a space or facility and related matters.

Subsection (h) of new section 604A sets forth terms for leasing, including that a lease agreement may not bind the Government for more than 20 years, and authorizes the Director to obligate rent on an annual basis.

Subsection (i) of new section 604A specifies that the Administrator may not transfer, dispose of, or close any court accommodation without the prior consent of the Director. It also requires the Administrator, upon request of the Director, to transfer to the Director any real property owned or leased by the United States, and leases made on behalf of the United States, that is occupied by the judicial branch and critical to the constitutional mission of the Judiciary. It further provides that any such transfer shall be on a non-reimbursable basis. Upon such transfer, the Director shall be responsible for performing all Judicial building services and to pay the costs of performing such services instead of paying rent for that space to the Administrator.

Subsection (j) of new section 604A authorizes the Director to request the Administrator to provide, acquire, or maintain court accommodations as may be required by the courts of the United States, among other matters, and permits the Director to transfer back to the Administrator jurisdiction, custody, and control of any space acquired by the Director pursuant to this Act. It also directs the Administrator to provide to the Director, on a non-reimbursable basis, information requested by the Director pertaining to the development of the funding requests by the Director, including information regarding prospectus-level repair and alteration projects. In addition, subsection (j) requires the Administrator to provide the Director with secure access to systems, databases, and information used to operate and manage federal buildings accommodating the Judiciary.

Subsection (k) of new section 604A requires congressional approval of proposed projects and leases over a prescribed monetary amount. The requirements included in this subsection are similar to those set forth in section 3307 of title 40 of the United States Code.

Subsection (l) of new section 604A establishes a special fund in the United States Treasury, designated as the Judicial Space and Facilities Management Fund (Space and Facilities Fund). Moneys appropriated to or deposited in the Space and Facilities Fund shall be available until expended for the purposes set forth in this section. Subsection (l) sets forth moneys that may be deposited into the Space and Facilities Fund, including funds Congress may appropriate for prospectus-level projects. It also authorizes the Director to transfer any amount up to $1,000,000 from the Space and Facilities Fund into the fund or account from which the funds were originally appropriated. Transfer of any amount above $1,000,000 requires congressional notice.

In addition, subsection (l) sets forth the uses for the Space and Facilities Fund, for example the acquisition and lease of space or facilities for court accommodations and the construction, alteration, and maintenance of space under the jurisdiction, custody, and control of the Director. Moneys deposited in the Space and Facilities Fund shall be available for reimbursement to the General Services Administration for court accommodations provided, altered, or maintained by the General Services Administration. Subsection (l) also requires the Director to develop and annually revise a long-range plan for meeting the space and facilities management needs of the activities funded in new section 604A and to submit that plan to Congress.

Subsection (m) of new section 604A authorizes the Director to make excess space available in all facilities under the Director's jurisdiction, custody, and control to non-Judiciary entities on a reimbursable or non-reimbursable basis. It also authorizes the Director to charge Federal agencies, and authorizes Federal agencies to pay, a reasonable rate for administering the space furnished to Federal agencies. Subsection (m) also authorizes the Director to charge a reasonable rate for outleased space.

Subsection (n) of new section 604A requires the Director to reimburse the Administrator for any court accommodations provided or maintained by the General Services Administration.

Subsection (o) of new section 604A requires the Director to use an independently certified public accounting firm to audit the Space and Facilities Fund. The Director is required to provide audit reports to Congress and, upon request, to federal agencies occupying space within a Judiciary controlled property.

Subsection (p) of new section 604A requires the Director to comply with statutory and regulatory provisions applicable to accommodations in public buildings.

Subsection (q) of new section 604A requires the Director to administer all authorities under the supervision and direction of the Judicial Conference of the United States.

Sec. 3. Thurgood Marshall Federal Judiciary Building. Section 3 amends chapter 65 of title 40 of the United States Code to assign the Director jurisdiction, custody, and control of the Thurgood Marshall Federal Judiciary Building on a non-reimbursable basis.

Sec. 4. Conforming Amendments. Section 4 sets forth conforming amendments to chapter 31 of title 40 of the United States Code and chapter 41 of title 28 of the United States Code.

Sec. 5. Implementation of Act. Section 5 sets forth authorities and responsibilities of the Director necessary for implementation of the Act, including the authority to withhold funds appropriated for rent to stand up the Judiciary Buildings Service in subsection (a).

Subsection (b) of section 5 authorizes the Director, upon enactment, to request transfers of real property from the Administrator to the Director for the pilot program. It requires transfer of those properties and leases within 90 days or a time mutually agreed upon by the General Services Administration and the Director and requires the Administrator to provide the Director with essential information required for the transfer.

Subsection (c) of section 5 requires the Director, two years after enactment, and every two years thereafter, to submit a report to Congress on the implementation and execution of real property authority and a plan, and proposed timeline, for orderly transfer of any additional properties.

Sec. 6. Sense of Congress. Section 6 sets forth a sense of Congress that should the Judiciary be successful in its management of pilot program facilities, extension of real property authority over additional facilities should be considered.