

## Calendar No. 437

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### FEDERAL BUILDINGS PERSONNEL TRAINING ACT OF 2010

—————  
JUNE 21, 2010.—Ordered to be printed  
—————

Mrs. BOXER, from the Committee on Environment and Public Works, submitted the following

### R E P O R T

[To accompany S. 3250]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred the bill (S. 3250) to provide for the training of Federal building personnel, and for other purposes, having considered the same, reports favorably thereon and recommends that the bill do pass.

#### PURPOSES OF THE LEGISLATION

S. 3250 would require the Administrator of the U.S. General Services Administration to develop core competencies to be possessed and demonstrated by certain federal buildings personnel.

#### GENERAL STATEMENT AND BACKGROUND

The American Recovery and Reinvestment Act included a substantial investment of \$5.5 billion apportioned to the General Services Administration (GSA) to upgrade its facilities. In order to safeguard this substantial investment, the GSA must have all of the tools necessary to not only upgrade its infrastructure, but also to ensure that these buildings are properly maintained and operated at their highest performance levels.

The Government Accountability Office has noted that federal agencies face a number of challenges in meeting their energy management goals (GAO 10-22). One of those challenges is the rapid building and retrofitting of federal facilities, without a focus on the individuals whose responsibility it is to operate and maintain these facilities. To this point, a recent study by the International Facili-

ties Management Association showed that for every \$1 spent on facility management training, organizations reported receiving an average of \$3.95 in return.

As the nation continues to invest in making federal buildings more energy efficient by building and retrofitting them to high-performance standards, we must also ensure that they perform up to these standards. This legislation will help to ensure that federal buildings are operated in a way that maximizes their performance—assuring that they retain value throughout their lifecycles and that the taxpayer investment in these properties is both protected and leveraged through the cost savings involved with efficient building operations and management.

While continuing to invest in America's infrastructure, it is important to protect Federal assets through proper operations and management, employing industry best practices, and stressing the importance of continuing education for facility management professionals.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

Section 1 designates the short title of the bill as the Federal Buildings Personnel Training Act of 2010.

##### *Section 2. Training of Federal building personnel*

###### *Subsection (a) Identification of Core Competencies*

Subsection (a) requires the GSA Administrator to work with relevant professional societies, industry associations and apprenticeship training providers, to identify core competencies necessary for Federal personnel working in a Federal facility. These core competencies shall include building operations and maintenance, energy management, sustainability, water efficiency, safety (including electrical safety), and building performance measures.

###### *Subsection (b) Designation of Relevant Courses, Certifications, Degrees, Licenses, and Registrations*

Subsection (b) requires the GSA Administrator, to work with relevant professional societies, industry associations and apprenticeship training providers, to identify courses, certifications, degrees, licenses or registrations that provide for each core competency listed in subsection (a). Ongoing training will also be identified. To the extent possible, the GSA, out of already existing and appropriated funds, should facilitate these relevant training regimens for the prescribed personnel.

###### *Subsection (c) Identified Competencies*

Subsection (c) requires individuals working within each core competency to demonstrate that they have the required knowledge for that competency. It is not the intention of this legislation to require personnel to demonstrate competencies outside the realm of their routine responsibilities and duties. For example, an individual working in energy management must demonstrate energy management competency.

Subsection (c) also requires individuals to demonstrate the core competency within one year after the core competencies are identi-

fied. If someone is hired after this identification, they will also have one year to demonstrate the core competency. If an individual will work for less than one year, they must demonstrate the core competency at the start of employment.

*Subsection (d) Continuing Education*

Subsection (d) requires the GSA Administrator to work with relevant professional societies, industry associations and apprenticeship training providers, to develop or identify continuing education courses to ensure personnel keep up with new developments and industry best practices and standards.

*Subsection (e) Curriculum with Respect to Facility Management and Operation of High-Performance Buildings*

Subsection (e) requires the GSA Administrator, working with the Department of Energy's Office of Commercial High-Performance Green Buildings, the GSA's Office of Federal High-Performance Green Buildings, other appropriate heads of Federal departments and agencies, and industry and labor groups, to develop a recommended curriculum relating to facility management and the operation of high-performance buildings. This recommendation will be made within 18 months of the legislation's enactment.

*Subsection (f) Applicability of this Section to Functions Performed Under Contract*

Subsection (f) requires that the legislation apply to non-Federal personnel performing the prescribed functions, and that a contractor shall provide training to non-Federal personnel in a manner that is approved by the Administrator.

LEGISLATIVE HISTORY

S. 3250 was introduced by Senators Carper and Collins on March 22, 2010. The bill was read twice and referred to the Senate Committee on Environment and Public Works. The Committee met on May 20, 2010, when S. 3250 was ordered reported favorably without amendment by voice vote.

ROLLCALL VOTES

There were no rollcall votes. The Committee on Environment and Public Works met to consider S. 3250 on May 20, 2010. S. 3250 was reported favorably without amendment by a voice vote.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b)(2) of rule XXVI of the Standing Rules of the Senate, the Committee states that there are not expected to be significant costs to private entities under this legislation.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the Committee finds that S. 3250 would impose no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

JUNE 16, 2010.

Hon. BARBARA BOXER,  
*Chairman, Committee on Environment and Public Works,*  
*U.S. Senate, Washington, DC.*

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 3250, the Federal Buildings Personnel Training Act of 2010.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

*S. 3250—Federal Buildings Personnel Training Act of 2010*

Summary: S. 3250 would require the General Services Administration (GSA) to develop and implement a governmentwide program to train and certify personnel performing building operations and maintenance activities in federal buildings.

CBO estimates that implementing S. 3250 would increase the administrative costs of GSA and other federal agencies by \$22 million over the 2011–2015 period, assuming the availability of appropriated funds. S. 3250 also could affect direct spending by agencies not funded through annual appropriations, such as the Tennessee Valley Authority and the Bonneville Power Administration; therefore, pay-as-you-go procedures would apply. CBO estimates, however, that any net increase in spending for training programs by those agencies would not be significant. Enacting S. 3250 would not affect revenues.

S. 3250 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated Cost to the Federal Government: The estimated budgetary impact of S. 3250 is shown in the following table. The costs of this legislation fall within budget function 800 (general government) and all budget functions that include rental payments for federal facilities.

	By fiscal year, in millions of dollars—					
	2011	2012	2013	2014	2015	2011-2015
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Estimated Authorization Level .....	3	4	5	5	5	22
Estimated Outlays .....	3	4	5	5	5	22

Basis of estimate: For this estimate, CBO assumes that S. 3250 will be enacted in fiscal year 2010 and that spending will follow historical patterns for similar activities.

S. 3250 would direct GSA to identify, within 18 months, the core competencies needed by personnel at federal facilities who perform building operations and maintenance. GSA would then identify training courses, professional certifications, and licenses that would be needed by federal facilities personnel.

Information from GSA and private contractors suggests that about 40,000 people are involved in federal building operations, including about 1,500 federal employees. Based on information from GSA, CBO estimates that implementing S. 3250 would increase GSA's administrative costs by about \$2 million over the 2011–2012 period to develop core competencies in building management and to identify a certification program for federal building managers and personnel. In addition, we estimate that federal agencies would incur additional training costs for federal employees or federal contractors that provide building management services to the federal government. According to information provided by GSA and similar governmentwide training programs, CBO estimates those costs would reach about \$5 million annually by 2013.

**Pay-As-You-Go considerations:** The Statutory Pay-As-You-Go Act of 2010 establishes budget reporting and enforcement procedures for legislation affecting direct spending or revenues. S. 3250 could affect direct spending by agencies not funded through annual appropriations, such as the Tennessee Valley Authority and the Bonneville Power Administration; therefore, pay-as-you-go procedures would apply. CBO estimates, however, that any net increase in spending for training programs or contracts for federal building operations by those agencies would not be significant. Enacting S. 3250 would not affect revenues. The net budgetary changes that are subject to pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR S. 3250, THE FEDERAL BUILDINGS PERSONNEL TRAINING ACT OF 2010, AS ORDERED REPORTED BY THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS ON MAY 20, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (–) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact .....	0	0	0	0	0	0	0	0	0	0	0	0	0

**Intergovernmental and private-sector impact:** S. 3250 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Estimate prepared by: Federal costs: Matthew Pickford; Impact on state, local, and tribal governments: Elizabeth Cove Delisle; Impact on the private sector: Paige Piper/Bach.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

#### CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.