



U.S. House of Representatives
Committee on Transportation and Infrastructure

John L. Mica
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

October 21, 2011

James W. Coon II, Chief of Staff

James H. Zola, Democrat Chief of Staff

The Honorable Martha Johnson
Administrator
General Services Administration
1800 F Street, NW
Washington, DC 20405

Dear Administrator Johnson:

It has come to our attention the General Services Administration (GSA) would like to proceed with the construction of a new courthouse in Los Angeles, California. Given the absence of new judges to fill additional courtrooms, the reported change in the scope of the proposal, and the Committee on Transportation and Infrastructure's October 13, 2011 vote to cancel the project and sell the vacant site, we write to urge GSA not to obligate any funds for this purpose. In addition, on November 4, 2011, our Subcommittee intends to hold a hearing specifically on the cost implications and current need for an additional Los Angeles courthouse.

As you know, our Subcommittee and the Government Accountability Office (GAO) fully documented the dramatic overbuilding in courthouses GSA constructed over the last ten years. The primary causes of this overbuilding and waste of hundreds of millions of taxpayer dollars were a reliance on unrealistic projections of new judges and the absence of courtroom sharing. In this case, we know the projections on which the new courthouse was authorized are completely inaccurate. For example, the prospectuses authorized by the Committee on July 26, 2000, and July 21, 2004, projected an increase of 12 and then 14 new judges, respectively. Yet, since that time, there are six less judges than in 2004 and five fewer district judges than in 2000. None of the projections have been realized, and much of the information included in the prospectuses authorized by the Committee is outdated and inaccurate.

In addition, it is not clear to the Committee how the latest GSA proposal would comply with the authorizing resolutions – which require courtroom sharing and maximum use of the existing courtrooms – or the AOUSC's courtroom sharing policy. We are deeply concerned the construction of a third courthouse will result in either dozens of vacant courtrooms or the abandonment or extreme underutilization of the existing Spring Street and Roybal courthouses.

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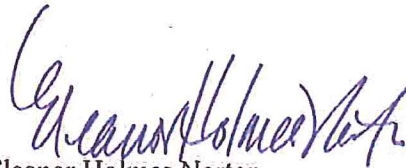
At a time when GSA is halting critical projects across the country, we believe GSA must carefully prioritize the use of the construction funds it does have. In this case, the Committee authorized the project more than ten years ago and the last appropriations occurred six years ago. Since that time, the primary justification for the courthouse – a significant increase in the number of judges – never materialized and the scope and design parameters changed dramatically from those on which this Committee and the Committee on Appropriations based its approvals. Given these changes we do not believe proceeding would be a wise use of scarce taxpayer dollars or consistent with GSA's legal authority under 40 U.S.C. 3307. In light of this, we expect GSA to refrain from obligating funds for this purpose pending submission of a new prospectus and the specific authorization for the project as currently planned.

Thank you for your attention to this matter. We look forward to working with you on this in the near future.

Sincerely,



Jeff Denham
Chairman
Subcommittee on Economic Development,
Public Buildings, and
Emergency Management



Eleanor Holmes Norton
Ranking Member
Subcommittee on Economic Development,
Public Buildings, and
Emergency Management

Cc: Mr. Robert Peck, Commissioner, Public Buildings Service
The Honorable Jo Ann Emerson
The Honorable Jose Serrano