

## Infrastructure GSA RENT, OTHER RENT AND WHITE OAK CONSOLIDATION

The following table displays funding levels for FY 2012 through FY 2014.

### FDA Program Resources Table

(Dollars in thousands)

	FY 2012	FY 2012	FY 2013	FY 2014	+/- FY
	Enacted	Actual	CR	Request	2012
					Enacted
<b>Program Level</b>	<b>\$337,111</b>	<b>\$321,259</b>	<b>\$357,539</b>	<b>\$410,861</b>	<b>\$73,750</b>
GSA Rental Payments	\$205,472	\$187,655	\$210,998	\$228,034	\$22,562
Other Rent and Rent Related	\$87,658	\$89,803	\$102,239	\$120,905	\$33,247
FDA White Oak Consolidation	\$43,981	\$43,801	\$44,302	\$61,922	\$17,941
<b>Budget Authority</b>	<b>\$266,490</b>	<b>\$266,490</b>	<b>\$268,120</b>	<b>\$294,664</b>	<b>\$28,174</b>
GSA Rental Payments	\$160,506	\$160,506	\$161,488	\$162,014	\$1,508
Other Rent and Rent Related	\$65,598	\$65,598	\$65,999	\$74,606	\$9,008
FDA White Oak Consolidation	\$40,386	\$40,386	\$40,633	\$58,044	\$17,658
<b>User Fees</b>					
<b>GSA Rental Payments</b>	<b>\$44,966</b>	<b>\$27,149</b>	<b>\$49,510</b>	<b>\$66,020</b>	<b>\$21,054</b>
PDUFA	\$31,928	\$18,742	\$21,569	\$22,997	(\$8,931)
MDUFMA	\$4,308	\$2,347	\$4,334	\$6,216	\$1,908
ADUFA	\$1,115	\$559	\$1,122	\$1,180	\$65
AGDUFA	\$340	\$99	\$342	\$440	\$100
Tobacco	\$5,503	\$5,402	\$5,537	\$9,974	\$4,471
Food Reinspection User Fee	\$1,338	\$0	\$1,346	\$1,399	\$61
Food and Feed Recall User Fee	\$434	\$0	\$437	\$454	\$20
Voluntary Qualified Importer Program	\$0	\$0	\$0	\$0	\$0
GDUFA			\$13,815	\$14,138	\$14,138
BSUFA			\$1,008	\$1,033	\$1,033
Med. Products Reinspection <sup>1</sup>				\$1,094	\$1,094
International Courier User Fee <sup>1</sup>				\$313	\$313
Food Establishment Registration & Insp Fee <sup>1</sup>				\$1,438	\$1,438
Food Import Fee <sup>1</sup>				\$4,330	\$4,330
Cosmetics User Fee <sup>1</sup>				\$900	\$900
Food Contact Notification User Fee <sup>1</sup>				\$114	\$114
<b>Other Rent and Rent Related</b>	<b>\$22,060</b>	<b>\$24,205</b>	<b>\$36,240</b>	<b>\$46,299</b>	<b>\$24,239</b>
PDUFA	\$17,996	\$21,062	\$25,130	\$26,794	\$8,798
MDUFMA	\$1,390	\$1,470	\$1,399	\$3,546	\$2,156
ADUFA	\$204	\$76	\$205	\$236	\$32
AGDUFA	\$80	\$18	\$80	\$73	(\$7)
Tobacco	\$1,550	\$1,579	\$1,559	\$3,050	\$1,500
Food Reinspection User Fee	\$592	\$0	\$595	\$619	\$27
Food and Feed Recall User Fee	\$248	\$0	\$249	\$259	\$11
Voluntary Qualified Importer Program	\$0	\$0	\$0	\$0	\$0
GDUFA			\$6,447	\$6,598	\$6,598
BSUFA			\$576	\$590	\$590
Med. Products Reinspection <sup>1</sup>				\$486	\$486
International Courier User Fee <sup>1</sup>				\$180	\$180
Food Establishment Registration & Insp Fee <sup>1</sup>				\$811	\$811
Food Import Fee <sup>1</sup>				\$2,478	\$2,478
Cosmetics User Fee <sup>1</sup>				\$514	\$514
Food Contact Notification User Fee <sup>1</sup>				\$65	\$65
<b>FDA White Oak Consolidation</b>	<b>\$3,595</b>	<b>\$3,415</b>	<b>\$3,669</b>	<b>\$3,878</b>	<b>\$283</b>
PDUFA	\$3,595	\$3,415	\$3,669	\$3,878	\$283

<sup>1</sup> Proposed User fee; the amount includes associated rent activity.

Spending authority has been adjusted pursuant to PL 112-175, Section 101(c) for the applicable user fee programs.

The following are the legal authorities for GSA Rent and Other Rent and Rent Related activities:

The Public Buildings Act of 1959 (40 USC 601-619)  
Public Buildings Act: Public Buildings Amendments of 1972 (P.L. 92-313, 86 Stat. 216)  
Public Buildings Cooperative Use Act of 1976 (P.L. 94-541, 90 Stat 2505)  
Public Buildings Amendments of 1988 (P.L.100-678, 102 Stat 4049)  
The Federal Property and Administrative Services Act of 1949 (40 USC 486[d] and [e])  
Omnibus Appropriations Act of 2009 (P.L. 111-8, 123 Stat. 524)  
Energy Independence & Security Act of 2007 (P.L. 10-140, 121 Stat. 1492)

The following are the legal authorities to establish and consolidate FDA facilities at the White Oak Campus:

The Food and Drug Administration Revitalization Act (21 U.S.C. 379b)  
Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321-399)  
Treasury, Postal Service and General Government Appropriations Act (5 U.S.C.)

Allocation Method: Direct Federal/Intramural

### **Program Description Overview**

The Infrastructure Program supports FDA's mission of protecting the nation's public health by providing the FDA Programs with secure and cost-effective office and laboratory space to perform mission critical work. The Infrastructure Program consists of:  
General Services Administration (GSA) Rental Payments  
Other Rent and Rent-Related Activities  
The FDA White Oak Consolidation.

### **GSA Rental Payments**

The GSA Rental account includes FDA rental payments to cover FDA's office and laboratory facilities.

FDA currently occupies 5.9 million square feet of GSA-owned or -leased office, laboratory, and warehouse space. More than two-thirds of the GSA rent charges for GSA-owned or GSA-leased space are for facilities in the Washington, D.C. area. The largest amounts include charges for CFSAN's College Park complex and the White Oak, Maryland Campus, now housing most of FDA Headquarters, CDER, and CDRH. In total, FDA occupies GSA space comprising approximately 290 buildings including District Offices, Regional Offices, laboratories, and resident posts across the nation and in Puerto Rico.

The GSA Rent program continues to conduct numerous activities to ensure that the FDA workforce has the space and security necessary to carry out FDA's mission of protecting the public health in an efficient and effective manner.

In FY 2012, FDA vacated one Headquarters location in Rockville, MD, and relocated the two offices occupying that building to telework hotels that were established in underutilized space in another leased building in Rockville and in a building on the White Oak Campus. FDA also accepted occupancy of a Child Care Center on the White Oak Campus and acquired expansion space in a warehouse facility in Beltsville, MD, near the White Oak Campus.

During FY 2012, FDA's OCI opened one new Field Office and has plans to expand another Field Office. ORA will vacate one Resident Post, acquire expansion space for three Resident Posts, relocate ten Resident Posts, and open four new Resident Posts. ORA will also relocate one District Office and acquire expansion space for six District Offices.

FDA is working with the Department of Health and Human Services (DHHS) to promote maximum utilization of Federal workspace, consistent with mission requirements, and to maximize its value to the Government. FDA strives to be cost effective and energy efficient when it acquires the necessary space to meet the mission and nationally recognized standards.

### **Other Rent and Rent-Related Activities**

The Other Rent and Rent-Related Activities account includes commercial rent and rent-related charges that are not part of the GSA Rent account. These funds cover costs for operating and maintaining FDA and GSA facilities located nationwide. Costs include commercial rent, operation and maintenance contracts, janitorial and grounds maintenance contracts, and above standard security and guard services contract costs. The program also funds standard utilities in FDA owned facilities, essential overtime utilities in laboratories and data centers, and other above-standard level services not provided by GSA in GSA-managed facilities. These accounts directly support the FDA workforce in meeting its public health mission by providing safe, efficient and secure facilities.

FDA is undertaking numerous energy saving projects to decrease long term energy usage and associated operating and maintenance costs while increasing the life span and efficiency of facilities. These efficiencies will help FDA realize significant savings in Other Rent and Rent Related Activities. The implementation of these projects supports Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management, and Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance. These projects contribute to meeting the requirements of DHHS' Efficient Energy Management Assessments, the Energy Policy Act of 2005, the DHHS Sustainable and High Performance Buildings

Policy, HHS Sustainable Buildings Plan, and the 2006 Federal Leadership in High Performance and Sustainable Buildings Memorandum of Understanding.

FDA continues to investigate strategies to save federal funding on overhead while efficiently supporting the FDA mission.

FDA is considering a second energy saving contract for the Muirkirk Road Campus in Laurel, Maryland. Washington Gas and FDA conducted an investment grade audit in March 2011. The estimated capital investment is \$2.0 million, with utility cost savings of approximately \$252,095 annually in water, sewer, electricity and fuel costs. This change will generate a simple pay back in approximately 7.94 years.

Washington Gas also identified facility improvement measures including electrical upgrades and replacement of the aged switchgear system and HVAC control upgrades. The replacement of this equipment improves the facility condition index.

FDA is also considering a Utility Service Contract (UESC) for the ORA District Laboratory and Office in Irvine, California with the Southern California Edison Electric Power Company. If determined to be cost effective and economically feasible, FDA will proceed with awarding the contract in FY13. Based on the Preliminary Audit, the estimated capital investment is \$1.5 million and cost savings will be about \$160,000 per year with a simple pay back of 9.4 years.

GSA is currently performing audits in FDA occupied leased facilities, such as the Wiley building in College Park, MD (preliminary audit prepared by Washington Gas dated April 2012 is currently under FDA and FEMP review), and in the Queens, NY, lab. UESCs in these GSA leased buildings will, if implemented, provide energy savings.

Awarding additional UESCs and procuring renewable energy will contribute to DHHS sustainability goals established in the DHHS Strategic Sustainability Plan developed in accordance with Executive Order 13514, Federal Leadership in Environmental, Energy and Economic Performance. More specifically, FDA's activities related to UESCs and renewable energy will help reduce Scope 1 and 3 greenhouse gas emissions.

### **White Oak**

FDA's Headquarters' consolidation to the White Oak Campus is replacing and centralizing existing geographically disparate facilities with new, state-of-the art laboratories, office buildings and support facilities into one location. While the GSA appropriation funds the design and construction of the new buildings at White Oak, FDA's appropriation and PDUFA user fees fund building infrastructure, fit-out, specialized equipment and move costs. FDA initiated relocation activities to White Oak in FY 2002.

The total number of employees currently working on the White Oak Campus is 5,768. Presently, FDA plans to relocate an additional 2,500 employees to the Life Sciences-

Biodefense Complex on the White Oak Campus for a total White Oak population of 8,268 by the end of FY 2014. GSA requested no funding in FY 2013 or FY 2014 for the FDA project. If adequate GSA design and construction funds are appropriated in FY 2015 for the remaining buildings identified in the 2009 Master Plan, FDA plans to relocate approximately 621 employees, for a total on Campus of 8,889 and the current phase of the consolidation will conclude in FY 2018.

Currently completed design plans include:

The Southeast Parking Garage — plans completed in May 2009 but garage has not been funded for construction — will be constructed pending the FY 2015 GSA construction appropriation. The date of completion is to be determined.

Buildings 52/72 and 10 (Vivarium) — Construction ongoing; the Life Sciences-Biodefense Laboratories II and III and the vivarium, and Office Building 71 — to house CBER and CDER staff: Construction began in the fourth quarter of FY 2010, and will be completed by FY 2014.

Building 75 — Construction ongoing; an office and laboratory support facility intended to house CBER, other CDER, and ORA program requirements. Construction began in the fourth quarter of FY 2011, and will be completed by FY 2014.

Because GSA did not receive ample design and construction funding in FY 2012 and FY 2013 for the White Oak Campus, the design for Buildings 25, 45 (Distribution Facility) and the Communications Facility were placed on-hold in anticipation of future year funds.

FDA is working with GSA on a strategy to secure GSA design and construction funds for the remaining facilities in the FY 2009 Master Plan of the 130-acre White Oak Campus. If necessary, FDA will retain existing leases and attempt to absorb program growth in existing space until the White Oak facilities are available.

FDA White Oak funding will be used for facility-related costs not funded by GSA, including relocation costs. These costs include:

information technology (IT) and telecommunications equipment for Building 75

general internal communications including audiovisual equipment

Campus infrastructure including security equipment and cabling

furniture, high density filing systems, IT and telecommunication and AV equipment

physical move for Life Sciences-Biodefense Complex, from NIH Campus and nearby

leased locations, and decommissioning/surplus furniture and lab equipment in existing locations being vacated.

### **FIVE YEAR FUNDING TABLE – GSA RENT**

The following table displays funding levels from FY 2010 through FY 2013, plus the FY 2014 request.

<b>Fiscal Year</b>	<b>Program Level</b>	<b>Budget Authority</b>	<b>User Fees</b>
FY 2010 Actual	\$177,709,000	\$145,261,000	\$32,448,000
FY 2011 Actual	\$178,120,000	\$150,763,000	\$27,357,000
FY 2012 Actual	\$187,655,000	\$160,506,000	\$27,149,000
FY 2013 CR	\$210,998,000	\$161,488,000	\$49,510,000
FY 2014 Request	\$228,034,000	\$162,014,000	\$66,020,000

### **FIVE YEAR FUNDING TABLE – OTHER RENT AND RENT-RELATED ACTIVITIES**

The following table displays funding levels from FY 2010 through FY 2013, plus the FY 2014 request.

<b>Fiscal Year</b>	<b>Program Level</b>	<b>Budget Authority</b>	<b>User Fees</b>
FY 2010 Actual	\$85,668,000	\$64,861,000	\$20,807,000
FY 2011 Actual	\$87,235,000	\$61,095,000	\$26,140,000
FY 2012 Actual	\$89,803,000	\$65,598,000	\$24,205,000
FY 2013 CR	\$102,239,000	\$65,999,000	\$36,240,000
FY 2014 Request	\$120,905,000	\$74,606,000	\$46,299,000

### **FIVE YEAR FUNDING TABLE – WHITE OAK**

The following table displays funding levels from FY 2010 through FY 2013, plus the FY 2014 request.

<b>Fiscal Year</b>	<b>Program Level</b>	<b>Budget Authority</b>	<b>User Fees</b>
FY 2010 Actual	\$38,536,000	\$38,536,000	\$0
FY 2011 Actual	\$41,874,000	\$38,459,000	\$3,415,000
FY 2012 Actual	\$43,801,000	\$40,386,000	\$3,415,000
FY 2013 CR	\$44,302,000	\$40,633,000	\$3,669,000
FY 2014 Request	\$61,922,000	\$58,044,000	\$3,878,000

## **Summary of Budget Request**

The FY 2014 budget request for the Infrastructure Program is \$410,861,000. This amount is an increase of \$73,750,000 above the FY 2012 Enacted Level. This request includes \$294,664,000 in Budget Authority and \$116,197,000 in User Fees.

### **GSA Rental Payments**

The FY 2014 budget request for GSA Rental Payments is \$228,034,000. This amount is an increase of \$22,562,000 above the FY 2012 Enacted Level. The GSA Rental increase includes \$1,508,000 in Budget Authority and \$21,054,000 in User Fees. The total request includes \$162,014,000 in Budget Authority and \$66,020,000 in User Fees.

The rental properties that provide office and laboratory space for FDA's approximately 12,000 employees are essential facilities that allow FDA to perform its vital public health mission. FY 2013 President's Budget funding request for GSA Rental Payments covers the cost of rental payments to GSA for FDA's 5.9 million square feet of GSA rented office and laboratory space, as well as payments to the Department of Homeland Security for guard services and security systems at these facilities.

### **Other Rent and Rent-Related**

The FY 2014 budget request for Other Rent and Rent-Related is \$120,905,000. This amount is an increase of \$33,247,000 above the FY 2012 Enacted Level. The Other Rent and Rent-Related increase includes \$9,008,000 in Budget Authority and \$24,239,000 in User Fees. The total request includes \$74,606,000 in Budget Authority and \$46,299,000 in User Fees.

It is important that FDA keep its infrastructure up-to-date and efficient to support our staff while executing our regulatory mission. This budget request allows FDA to operate, maintain and secure its facilities in an appropriate and sustainable manner. This budget request will cover the escalating costs in commercial rent, security, service contracts, and utilities without reducing essential FDA programs.

### **White Oak**

The FY 2014 budget request for White Oak Consolidation is \$61,922,000. This amount is an increase of \$17,941,000 above the FY 2012 Enacted level. The White Oak Consolidation increase includes \$17,658,000 in Budget Authority and \$283,000 in User Fees. The total request includes \$58,044,000 in Budget Authority and \$3,878,000 in User Fees.

The budget request allows FDA to fund furniture, commissioning and equipment outfitting, and decommissioning related to the Life Sciences-Biodefense Complex, including above GSA-standard costs such as specialized equipment and associated

infrastructure, e.g., reinforced floors for equipment and special ventilation systems for the BSL-3. It will also include the installation, testing, commissioning, and functioning of the specialized equipment including: building automation operation and monitoring, HEPA filter tests, air sensors, primary bio-containment device effectiveness, and room pressurization control and power tests.

The request will fund security, communications network, information technology and telecommunications equipment and infrastructure, AV equipment, and security equipment and cabling. The consolidation and operation of the safety program at White Oak to support the critical Bio-Safety Laboratories including infrastructure requirements is also included in the request.

There are currently 5,768 employees on Campus and as construction proceeds and the consolidation expands, that number will increase to 8,268 by FY 2014. The request will fund security equipment and communications networks for: the Auxiliary Support Facilities; expanded support services, such as the expansion of the Central Utility Plant, additional infrastructure to support the employees in the new laboratories and office complexes; labor and loading dock services and a centralized safety program, that was provided by NIH in the space FDA occupied on their Campus before the move. The request also provides funds for operational and logistical functions on the White Oak Campus including those vital to support the LSCB, such as specialized equipment maintenance.