

COMMITTEE RESOLUTION

LEASE

DEPARTMENT OF JUSTICE EXECUTIVE OFFICE OF IMMIGRATION REVIEW  
&  
DEPARTMENT OF HOMELAND SECURITY IMMIGRATION AND CUSTOMS  
SAN FRANCISCO, CA  
PCA-09-SF24

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF  
THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for a lease of approximately 87,000 rentable square feet, for the Department of Justice, Executive Office of Immigration Review (EOIR), and the Department of Homeland Security, Immigration and Customs Enforcement, Office of the Principal Legal Advisor (ICE OPLA), currently located at 100 Montgomery Street in San Francisco, California, at an estimated total annual cost of \$5,898,600, for a lease term of up to twenty years, a description of which is attached hereto and by reference made part of this resolution, is approved.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

*Provided*, that to the maximum extent practicable, the Administrator of the General Services Administration shall require that the procurement include energy efficiency requirements as would be required for the construction of a federal building.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Environment and Public Works of the United States Senate prior to exercising any lease authority provided in this resolution.

*Provided further*, that the Administrator shall provide to the Chairman or Ranking Member of the Committee on Environment and Public Works of the Senate, in a timely manner, requested documents and information regarding this prospectus and resulting contractual materials, without redaction other than redactions to exclude business confidential, proprietary, and/or procurement sensitive information.

*Provided further*, the Administrator may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if the lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has

been violated during the term of this lease, the lease shall be void, except for the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

*Provided further*, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance the Administrator shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

*Provided further*, that the Administrator shall not delegate to any other agency the authority granted by this resolution.

  
Chairman

  
Ranking Member

Adopted: November 20, 2024