

From: Transportation Committee Republicans
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To: Matesic, Hannah (OST)
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COMMITTEE ON
**TRANSPORTATION
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SAM GRAVES, CHAIRMAN

PRESS RELEASE

Chairman Perry Statement from Hearing to Examine Costs to Taxpayers in Federal Courthouse Design and Construction

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Washington, D.C. - *Opening remarks, as prepared, of Economic Development, Public Buildings, and Emergency Management Subcommittee Chairman Scott Perry (R-PA) from today's hearing, entitled, "Federal Courthouse Design and Construction: Examining the Costs to the Taxpayer":*

I want to thank our witnesses for being here today to discuss the costs associated with designing, constructing, and operating federal courthouses.

In 2021, the United States Courts updated their official Design Guide for designing and constructing new federal courthouses. Following the publication of the new Design Guide, this subcommittee requested that the Government Accountability Office (GAO) examine the changes that were made, and the extent to which these changes would have an impact on the size and cost of courthouses. We made this request because there has been a long history of taxpayer dollars wasted on overbuilt federal courthouses.

In 2010, GAO reviewed 33 courthouses built between 2000 and 2010 and found they were over-built by 3.56 million square feet, costing the taxpayer \$835 million, plus \$51 million annually, in additional operation and maintenance costs. Following those findings, this committee agreed on a bipartisan basis to stop authorizing new courthouses until the Courts updated their process for setting their courthouse priorities.

Only after the Courts updated their Asset Management Planning (AMP) process and used it to adjust their priority list for new courthouses did this committee restart authorizing courthouse projects.

In 2021, the Courts issued a revised Design Guide for new courthouses. Since no courthouses have been constructed using the 2021 Design Guide, to conduct the 2024 report, GAO looked at six recently constructed courthouses that had been built using the previous 2007 Design Guide. GAO found that, if the new Design Guide had been used for these six courthouses, it would have increased the size by almost six percent and the construction costs by almost 12 percent.

Just to reiterate, in 2010, GAO found that courthouses were overbuilt by more than three million square feet. The new Design Guide now will result in six percent more space. This is at least questionable, if not unacceptable.

On top of this, despite the results of its own research arm – the Federal Judicial Center – indicating that courtrooms sit dark most days, District Court judges have continued to argue that each of them is entitled to a dedicated courtroom even though state and local courts across this country, many of which handle far more cases, routinely share courtrooms without issue.

To accommodate this perceived entitlement, the Federal Judiciary often includes vacant or unfilled judgeships when calculating the number of courtrooms required in a new courthouse. This results in overbuilt facilities with unused courtrooms and significantly increased construction and maintenance costs.

I expect that we will hear that a major driver of the design changes is safety and security, particularly the size of circulation spaces. I agree that security is an important and legitimate consideration. However, the Courts' own methodology for prioritizing courthouse projects assigns security just ten percent of the weighted score, while courtroom and chamber needs make up 50 percent.

What is even more concerning is that the expansion of the circulation patterns is based, in part, on an outdated 2012 review of then-existing courthouses, some of which were the subject of GAO's 2010 review that found they were overbuilt. It seems the changes in the Design Guide had little to do with addressing security issues.

I am also surprised by how much of the Design Guide focuses on things like millwork and floor and wall finishes and includes notes like polished cement is "unacceptable."

Frankly, it's hard to believe that, at a time when Congress and the President are focused on downsizing the federal government and balancing the budget, the Judiciary remains so tone deaf to fiscal realities.

The United States Courts' Courthouse Project Priorities for Fiscal Year 2026 includes a request for \$863 million for new courthouse construction. The United States Courts are asking Congress, and more importantly our bosses – the American taxpayers – to spend hundreds of millions of dollars on new courthouse construction despite decades of oversight that has found that Design Guides have enabled the construction of courthouses that are too large and too costly.

Going forward, Congress must take a hard look at the construction priorities of the United States Courts, especially the 2021 Design Guide, to ensure that taxpayer dollars are not being wasted. We need to ensure that proposals for new courthouses that this committee must authorize make sense, reduce costs to the taxpayer, and are not overbuilt.

Click [here](#) for more information from today's hearing, including video and witness testimony.



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