

# Union Calendar No. 448

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4465

**[Report No. 114–578, Parts I and II]**

To decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2016

Mr. DENHAM (for himself, Mr. CHAFFETZ, Mr. SHUSTER, Mr. CUMMINGS, Mr. DEFAZIO, Mr. BARLETTA, and Mr. CARSON of Indiana) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MAY 23, 2016

Additional sponsor: Mr. LAMALFA

MAY 23, 2016

Reported from the Committee on Transportation and Infrastructure

MAY 23, 2016

Reported from the Committee on Oversight and Government Reform with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 4, 2016]

# **A BILL**

To decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4        (a) *SHORT TITLE.*—*This Act may be cited as the*  
 5 *“Federal Assets Sale and Transfer Act of 2016”.*

6        (b) *TABLE OF CONTENTS.*—

*Sec. 1. Short title; table of contents.*

*Sec. 2. Purposes.*

*Sec. 3. Definitions.*

*Sec. 4. Board.*

*Sec. 5. Board meetings.*

*Sec. 6. Compensation and travel expenses.*

*Sec. 7. Executive Director.*

*Sec. 8. Staff.*

*Sec. 9. Contracting authority.*

*Sec. 10. Termination.*

*Sec. 11. Development of recommendations to Board.*

*Sec. 12. Board duties.*

*Sec. 13. Review by OMB.*

*Sec. 14. Implementation of Board recommendations.*

*Sec. 15. Authorization of appropriations.*

*Sec. 16. Funding.*

*Sec. 17. Congressional approval of proposed projects.*

*Sec. 18. Preclusion of judicial review.*

*Sec. 19. Implementation review by GAO.*

*Sec. 20. Agency retention of proceeds.*

*Sec. 21. Federal real property database.*

*Sec. 22. Streamlining McKinney-Vento Homeless Assistance Act.*

*Sec. 23. Additional property.*

7 **SEC. 2. PURPOSES.**

8        *The purpose of this Act is to reduce the costs of Federal*  
 9 *real estate by—*

10            (1) *consolidating the footprint of Federal build-*

11 *ings and facilities;*

12            (2) *maximizing the utilization rate of Federal*

13 *buildings and facilities;*

14            (3) *reducing the reliance on leased space;*

1           (4) *selling or redeveloping high value assets that*  
2           *are underutilized to obtain the highest and best value*  
3           *for the taxpayer and maximize the return to the tax-*  
4           *payer;*

5           (5) *reducing the operating and maintenance*  
6           *costs of Federal civilian real properties;*

7           (6) *reducing redundancy, overlap, and costs as-*  
8           *sociated with field offices;*

9           (7) *creating incentives for Federal agencies to*  
10          *achieve greater efficiency in their inventories of civil-*  
11          *ian real property;*

12          (8) *facilitating and expediting the sale or dis-*  
13          *posal of unneeded Federal civilian real properties;*

14          (9) *improving the efficiency of real property*  
15          *transfers for the provision of services to the homeless;*  
16          *and*

17          (10) *assisting Federal agencies in achieving the*  
18          *Government’s sustainability goals by reducing excess*  
19          *space, inventory, and energy consumption, as well as*  
20          *by leveraging new technologies.*

21 **SEC. 3. DEFINITIONS.**

22          *In this Act, unless otherwise expressly stated, the fol-*  
23          *lowing definitions apply:*

24               (1) *ADMINISTRATOR.*—*The term “Adminis-*  
25               *trator” means the Administrator of General Services.*

1           (2) *BOARD.*—*The term “Board” means the Public*  
2 *Buildings Reform Board established by section 4.*

3           (3) *CERCLA.*—*The term “CERCLA” means the*  
4 *Comprehensive Environmental Response, Compensation,*  
5 *and Liability Act of 1980 (42 U.S.C. 9601 et*  
6 *seq.).*

7           (4) *FEDERAL AGENCY.*—*The term “Federal agency”*  
8 *means an executive department or independent*  
9 *establishment in the executive branch of the Govern-*  
10 *ment, and a wholly owned Government corporation.*

11           (5) *FEDERAL CIVILIAN REAL PROPERTY AND CI-*  
12 *VILIAN REAL PROPERTY.*—

13           (A) *IN GENERAL.*—*The terms “Federal ci-*  
14 *vilian real property” and “civilian real prop-*  
15 *erty” refer to Federal real property assets, in-*  
16 *cluding public buildings as defined in section*  
17 *3301(a) of title 40, United States Code, occupied*  
18 *and improved grounds, leased space, or other*  
19 *physical structures under the custody and control*  
20 *of any Federal agency.*

21           (B) *EXCLUSIONS.*—*Subparagraph (A) shall*  
22 *not be construed as including any of the fol-*  
23 *lowing types of property:*

24           (i) *Properties that are on military in-*  
25 *stallations (including any fort, camp, post,*

1           *naval training station, airfield proving*  
2           *ground, military supply depot, military*  
3           *school, or any similar facility of the De-*  
4           *partment of Defense).*

5           *(ii) A base, camp, post, station, yard,*  
6           *center, or homeport facility for any ship or*  
7           *activity under the jurisdiction of the Coast*  
8           *Guard.*

9           *(iii) Properties that are excluded for*  
10          *reasons of national security by the Director*  
11          *of the Office of Management and Budget.*

12          *(iv) Properties that are excepted from*  
13          *the definition of the term “property” under*  
14          *section 102 of title 40, United States Code.*

15          *(v) Indian and Native Alaskan prop-*  
16          *erties, including—*

17                  *(I) any property within the limits*  
18                  *of an Indian reservation to which the*  
19                  *United States owns title for the benefit*  
20                  *of an Indian tribe; and*

21                  *(II) any property title that is held*  
22                  *in trust by the United States for the*  
23                  *benefit of an Indian tribe or indi-*  
24                  *vidual or held by an Indian tribe or*

1                   *individual subject to restriction by the*  
2                   *United States against alienation.*

3                   *(vi) Properties operated and main-*  
4                   *tained by the Tennessee Valley Authority*  
5                   *pursuant to the Tennessee Valley Authority*  
6                   *Act of 1933 (16 U.S.C. 831 et seq.).*

7                   *(vii) Postal properties owned by the*  
8                   *United States Postal Service.*

9                   *(viii) Properties used in connection*  
10                  *with Federal programs for agricultural, rec-*  
11                  *reational, or conservation purposes, includ-*  
12                  *ing research in connection with the pro-*  
13                  *grams.*

14                  *(ix) Properties used in connection with*  
15                  *river, harbor, flood control, reclamation, or*  
16                  *power projects.*

17                  *(x) Properties located outside the*  
18                  *United States operated or maintained by*  
19                  *the Department of State or the United*  
20                  *States Agency for International Develop-*  
21                  *ment.*

22                  (6) *FIELD OFFICE.*—*The term “field office”*  
23                  *means any Federal office that is not the headquarters*  
24                  *office location for the Federal agency.*

1           (7) *HUD*.—*The term “HUD” means the Depart-*  
2           *ment of Housing and Urban Development.*

3           (8) *OMB*.—*The term “OMB” means the Office of*  
4           *Management and Budget.*

5           (9) *VALUE OF TRANSACTIONS*.—*The term “value*  
6           *of transactions” means the sum of the estimated pro-*  
7           *ceeds and estimated costs, based on the accounting*  
8           *system developed or identified under section 12(e), as-*  
9           *sociated with the transactions included in Board rec-*  
10          *ommendations.*

11 **SEC. 4. BOARD.**

12          (a) *ESTABLISHMENT*.—*There is established an inde-*  
13          *pendent board to be known as the Public Buildings Reform*  
14          *Board.*

15          (b) *DUTIES*.—*The Board shall carry out the duties as*  
16          *specified in this Act.*

17          (c) *MEMBERSHIP*.—

18                 (1) *IN GENERAL*.—*The Board shall be composed*  
19                 *of a Chairperson appointed by the President, by and*  
20                 *with the advice and consent of the Senate, and 6*  
21                 *members appointed by the President.*

22                 (2) *APPOINTMENTS*.—*In selecting individuals for*  
23                 *appointments to the Board, the President shall con-*  
24                 *sult with—*



1           (A) *the Speaker of the House of Representa-*  
2           *tives concerning the appointment of 2 members;*

3           (B) *the majority leader of the Senate con-*  
4           *cerning the appointment of 2 members;*

5           (C) *the minority leader of the House of*  
6           *Representatives concerning the appointment of 1*  
7           *member; and*

8           (D) *the minority leader of the Senate con-*  
9           *cerning the appointment of 1 member.*

10          (3) *TERMS.—The term for each member of the*  
11          *Board shall be 6 years.*

12          (4) *VACANCIES.—Vacancies shall be filled in the*  
13          *same manner as the original appointment.*

14          (5) *QUALIFICATIONS.—In selecting individuals*  
15          *for appointment to the Board, the President shall en-*  
16          *sure that the Board contains individuals with exper-*  
17          *tise representative of the following:*

18                 (A) *Commercial real estate and redevelop-*  
19                 *ment.*

20                 (B) *Space optimization and utilization.*

21                 (C) *Community development, including*  
22                 *transportation and planning.*

23 **SEC. 5. BOARD MEETINGS.**

24          (a) *OPEN MEETINGS.—Each meeting of the Board,*  
25          *other than meetings in which classified information is to*

1 *be discussed, shall be open to the public. Any open meeting*  
2 *shall be announced in the Federal Register and the Federal*  
3 *Web site established by the Board at least 14 calendar days*  
4 *in advance of a meeting. For all public meetings, the Board*  
5 *shall release an agenda and a listing of materials relevant*  
6 *to the topics to be discussed.*

7       **(b) QUORUM AND MEETINGS.**—*Five Board members*  
8 *shall constitute a quorum for the purposes of conducting*  
9 *business and 3 or more Board members shall constitute a*  
10 *meeting of the Board.*

11       **(c) TRANSPARENCY OF INFORMATION.**—*All the pro-*  
12 *ceedings, information, and deliberations of the Board shall*  
13 *be open, upon request, to the Chairperson and ranking mi-*  
14 *nority party member, and their respective subcommittee*  
15 *Chairperson and subcommittee ranking minority party*  
16 *member, of—*

17               **(1) the Committee on Transportation and Infra-**  
18               **structure of the House of Representatives;**

19               **(2) the Committee on Oversight and Government**  
20               **Reform of the House of Representatives;**

21               **(3) the Committee on Homeland Security and**  
22               **Governmental Affairs of the Senate;**

23               **(4) the Committee on Environment and Public**  
24               **Works of the Senate; and**

1           (5) *the Committees on Appropriations of the*  
2           *House of Representatives and the Senate.*

3           (d) *GOVERNMENT ACCOUNTABILITY OFFICE.—All pro-*  
4           *ceedings, information, and deliberations of the Board shall*  
5           *be open, upon request, to the Comptroller General of the*  
6           *United States.*

7   **SEC. 6. COMPENSATION AND TRAVEL EXPENSES.**

8           (a) *COMPENSATION.—*

9           (1) *RATE OF PAY FOR MEMBERS.—Each member,*  
10          *other than the Chairperson, shall be paid at a rate*  
11          *equal to the daily equivalent of the minimum annual*  
12          *rate of basic pay payable for level IV of the Executive*  
13          *Schedule under section 5315 of title 5, United States*  
14          *Code, for each day (including travel time) during*  
15          *which the member is engaged in the actual perform-*  
16          *ance of duties vested in the Board.*

17          (2) *RATE OF PAY FOR CHAIRPERSON.—The*  
18          *Chairperson shall be paid for each day referred to in*  
19          *paragraph (1) at a rate equal to the daily equivalent*  
20          *of the minimum annual rate of basic pay payable for*  
21          *level III of the Executive Schedule under section 5314*  
22          *of title 5, United States Code.*

23          (b) *TRAVEL.—Members shall receive travel expenses,*  
24          *including per diem in lieu of subsistence, in accordance*  
25          *with sections 5702 and 5703 of title 5, United States Code.*

1 **SEC. 7. EXECUTIVE DIRECTOR.**

2 (a) *APPOINTMENT.*—*The Board shall appoint an Exec-*  
3 *utive Director, who may be appointed without regard to*  
4 *the provisions of title 5, United States Code, governing ap-*  
5 *pointments in the competitive service.*

6 (b) *RATE OF PAY.*—*The Executive Director shall be*  
7 *paid at the rate of basic pay payable for level IV of the*  
8 *Executive Schedule under section 5315 of title 5, United*  
9 *States Code.*

10 **SEC. 8. STAFF.**

11 (a) *ADDITIONAL PERSONNEL.*—*Subject to subsection*  
12 *(b), the Executive Director may request additional per-*  
13 *sonnel detailed from Federal agencies.*

14 (b) *REQUESTS FOR DETAIL EMPLOYEES.*—*Upon re-*  
15 *quest of the Executive Director and approval of the Board*  
16 *and the Director of OMB, the head of any Federal agency*  
17 *shall detail the requested personnel of that agency to the*  
18 *Board to assist the Board in carrying out its duties under*  
19 *this Act.*

20 (c) *QUALIFICATIONS.*—*Appointments shall be made*  
21 *with consideration of a balance of expertise consistent with*  
22 *the qualifications of representatives described in section*  
23 *4(c)(5).*

24 **SEC. 9. CONTRACTING AUTHORITY.**

25 (a) *EXPERTS AND CONSULTANTS.*—*The Board, to the*  
26 *extent practicable and subject to appropriations Acts, shall*

1 *use contracts, including nonappropriated contracts, entered*  
2 *into by the Administrator for services necessary to carry*  
3 *out the duties of the Board.*

4 (b) *OFFICE SPACE.*—*The Administrator, in consulta-*  
5 *tion with the Board, shall identify and provide, without*  
6 *charge, suitable office space within the existing Federal*  
7 *space inventory to house the operations of the Board.*

8 (c) *PERSONAL PROPERTY.*—*The Board shall use per-*  
9 *sonal property already in the custody and control of the*  
10 *Administrator.*

11 **SEC. 10. TERMINATION.**

12 *The Board shall cease operations and terminate 6*  
13 *years after the date of enactment of this Act.*

14 **SEC. 11. DEVELOPMENT OF RECOMMENDATIONS TO BOARD.**

15 (a) *SUBMISSIONS OF AGENCY INFORMATION AND REC-*  
16 *OMMENDATIONS.*—*Not later than 120 days after the date*  
17 *of enactment of this Act, and not later than 120 days after*  
18 *the first day of each fiscal year thereafter until the termi-*  
19 *nation of the Board, the head of each Federal agency shall*  
20 *submit to the Administrator and the Director of OMB the*  
21 *following:*

22 (1) *CURRENT DATA.*—*Current data of all Fed-*  
23 *eral civilian real properties owned, leased, or con-*  
24 *trolled by the agency, including all relevant informa-*  
25 *tion prescribed by the Administrator and the Director*

1       of OMB, including data related to the age and condi-  
2       tion of the property, operating costs, history of cap-  
3       ital expenditures, sustainability metrics, number of  
4       Federal employees and functions housed in the respec-  
5       tive property, and square footage (including gross,  
6       rentable, and usable).

7               (2) AGENCY RECOMMENDATIONS.—*Recommendations of the agency on the following:*

9                       (A) *Federal civilian real properties that can*  
10                      *be sold for proceeds or otherwise disposed of, re-*  
11                      *ported as excess, declared surplus, outleased, or*  
12                      *otherwise no longer meeting the needs of the*  
13                      *agency, excluding leasebacks or other such ex-*  
14                      *change agreements where the property continues*  
15                      *to be used by the agency.*

16                     (B) *Federal civilian real properties that*  
17                      *can be transferred, exchanged, consolidated, co-*  
18                      *located, reconfigured, or redeveloped, so as to re-*  
19                      *duce the civilian real property inventory, reduce*  
20                      *the operating costs of the Government, and create*  
21                      *the highest value and return for the taxpayer.*

22                     (C) *Operational efficiencies that the Govern-*  
23                      *ment can realize in its operation and mainte-*  
24                      *nance of Federal civilian real properties.*

25               (b) STANDARDS AND CRITERIA.—

1           (1) *DEVELOPMENT OF STANDARDS AND CRI-*  
2           *TERIA.*—Not later than 60 days after the deadline for  
3           submissions of agency recommendations under sub-  
4           section (a), the Director of OMB, in consultation with  
5           the Administrator, shall—

6                     (A) review the agency recommendations;

7                     (B) develop consistent standards and cri-  
8                     teria against which the agency recommendations  
9                     will be reviewed; and

10                    (C) submit to the Board the recommenda-  
11                    tions developed pursuant to paragraph (2).

12           (2) *RECOMMENDATIONS TO BOARD.*—The Direc-  
13           tor of OMB and the Administrator shall jointly de-  
14           velop recommendations to the Board based on the  
15           standards and criteria developed under paragraph  
16           (1).

17           (3) *FACTORS.*—In developing the standards and  
18           criteria under paragraph (1), the Director of OMB,  
19           in consultation with the Administrator, shall incor-  
20           porate the following factors:

21                    (A) The extent to which the civilian real  
22                    property could be sold (including property that  
23                    is no longer meeting the needs of the Govern-  
24                    ment), redeveloped, outleased, or otherwise used

1           to produce the highest and best value and return  
2           for the taxpayer.

3           (B) *The extent to which the operating and*  
4           *maintenance costs are reduced through consoli-*  
5           *dating, co-locating, and reconfiguring space, and*  
6           *through realizing other operational efficiencies.*

7           (C) *The extent to which the utilization rate*  
8           *is being maximized and is consistent with non-*  
9           *governmental industry standards for the given*  
10          *function or operation.*

11          (D) *The extent and timing of potential costs*  
12          *and savings, including the number of years, be-*  
13          *ginning with the date of completion of the pro-*  
14          *posed recommendation.*

15          (E) *The extent to which reliance on leasing*  
16          *for long-term space needs is reduced.*

17          (F) *The extent to which a civilian real*  
18          *property aligns with the current mission of the*  
19          *Federal agency.*

20          (G) *The extent to which there are opportu-*  
21          *nities to consolidate similar operations across*  
22          *multiple agencies or within agencies.*

23          (H) *The economic impact on existing com-*  
24          *munities in the vicinity of the civilian real*  
25          *property.*



1           (I) *The extent to which energy consumption*  
2           *is reduced.*

3           (J) *The extent to which public access to*  
4           *agency services is maintained or enhanced.*

5           (c) *SPECIAL RULE FOR UTILIZATION RATES.—Stand-*  
6           *ards developed by the Director of OMB pursuant to sub-*  
7           *section (b) shall incorporate and apply clear standard utili-*  
8           *zation rates to the extent that such standard rates increase*  
9           *efficiency and provide performance data. The utilization*  
10          *rates shall be consistent throughout each applicable category*  
11          *of space and with nongovernment space utilization rates.*  
12          *To the extent the space utilization rate of a given agency*  
13          *exceeds the utilization rates to be applied under this sub-*  
14          *section, the Director of OMB may recommend realignment,*  
15          *co-location, consolidation, or other type of action to improve*  
16          *space utilization.*

17          (d) *SUBMISSION TO BOARD.—*

18               (1) *IN GENERAL.—The Director of OMB shall*  
19               *submit the standards, criteria, and recommendations*  
20               *developed pursuant to subsection (b) to the Board*  
21               *with all supporting information, data, analyses, and*  
22               *documentation.*

23               (2) *PUBLICATION.—The standards, criteria, and*  
24               *recommendations developed pursuant to subsection (b)*  
25               *shall be published in the Federal Register and trans-*

1       mitted to the committees listed in section 5(c) and to  
2       the Comptroller General of the United States.

3           (3) *ACCESS TO INFORMATION.*—*The Board shall*  
4       *also have access to all information pertaining to the*  
5       *recommendations developed pursuant to subsection*  
6       *(b), including supporting information, data, analyses,*  
7       *and documentation submitted pursuant to subsection*  
8       *(a). Upon request, a Federal agency shall provide to*  
9       *the Board any additional information pertaining to*  
10      *the civilian real properties under the custody, control,*  
11      *or administrative jurisdiction of the Federal agency.*  
12      *The Board shall notify the committees listed in sec-*  
13      *tion 5(c) of any failure by an agency to comply with*  
14      *a request of the Board.*

15 **SEC. 12. BOARD DUTIES.**

16       (a) *IDENTIFICATION OF PROPERTY REDUCTION OP-*  
17      *PORTUNITIES.*—*The Board shall identify opportunities for*  
18      *the Government to reduce significantly its inventory of ci-*  
19      *vilian real property and reduce costs to the Government.*

20       (b) *IDENTIFICATION OF HIGH VALUE ASSETS.*—

21           (1) *IDENTIFICATION OF CERTAIN PROPERTIES.*—  
22      *Not later than 180 days after Board members are ap-*  
23      *pointed pursuant to section 4, the Board shall—*

24                   (A) *identify not fewer than 5 Federal civil-*  
25                   *ian real properties that are not on the list of*

1           *surplus or excess as of such date with a total fair*  
2           *market value of not less than \$500,000,000 and*  
3           *not more than \$750,000,000; and*

4                     *(B) transmit the list of the Federal civilian*  
5           *real properties to the Director of OMB and Con-*  
6           *gress as Board recommendations and subject to*  
7           *the approval process described in section 13.*

8           (2) *INFORMATION AND DATA.*—*In order to meet*  
9           *the goal established under paragraph (1), each Fed-*  
10          *eral agency shall provide, upon request, any and all*  
11          *information and data regarding its civilian real*  
12          *properties to the Board. The Board shall notify the*  
13          *committees listed in section 5(c) of any failure by an*  
14          *agency to comply with a request of the Board.*

15                  (3) *FACTORS.*—*In identifying properties pursu-*  
16          *ant to paragraph (1), the Board shall consider the*  
17          *factors listed in section 11(b)(3).*

18                  (4) *LEASEBACK RESTRICTIONS.*—*None of the ex-*  
19          *isting improvements on properties sold under this*  
20          *subsection may be leased back to the Government.*

21                  (5) *REPORT OF EXCESS.*—*Not later than 60 days*  
22          *after the approval of Board recommendations pursu-*  
23          *ant to paragraph (1), Federal agencies with custody,*  
24          *control, or administrative jurisdiction over the identi-*

1 *fied properties shall submit a Report of Excess to the*  
2 *General Services Administration.*

3 (6) *SALE.*—

4 (A) *INITIATION OF SALE.*—*Not later than*  
5 *120 days after the acceptance by the Adminis-*  
6 *trator of the Report of Excess and notwith-*  
7 *standing any other provision of law (including*  
8 *section 501 of the McKinney-Vento Homeless As-*  
9 *sistance Act (42 U.S.C. 11411), but except as*  
10 *provided in section 14(g)), the General Services*  
11 *Administration shall initiate the sale of the ci-*  
12 *vilian real properties described in paragraph*  
13 *(1).*

14 (B) *COMPLETION OF SALE.*—*Not later than*  
15 *1 year after the acceptance of the Report of Ex-*  
16 *cess, the Administrator shall sell the civilian real*  
17 *properties at fair market value at highest and*  
18 *best use, unless the Director of OMB determines*  
19 *it is in the financial interest of the Government*  
20 *to execute a sale more than a year after the ac-*  
21 *ceptance of the Report of Excess, but not greater*  
22 *than two years after the acceptance of the Report*  
23 *of Excess.*

24 (c) *ANALYSIS OF INVENTORY.*—*The Board shall per-*  
25 *form an independent analysis of the inventory of Federal*

1 *civilian real property and the recommendations submitted*  
2 *pursuant to section 11. The Board shall not be bound or*  
3 *limited by the recommendations submitted pursuant to sec-*  
4 *tion 11. If, in the opinion of the Board, an agency fails*  
5 *to provide needed information, data, or adequate rec-*  
6 *ommendations that meet the standards and criteria, the*  
7 *Board shall develop such recommendations as the Board*  
8 *considers appropriate based on existing data contained in*  
9 *the Federal Real Property Profile or other relevant informa-*  
10 *tion.*

11 *(d) INFORMATION AND PROPOSALS.—*

12 *(1) RECEIPT.—Notwithstanding any other provi-*  
13 *sion of law, the Board may receive and consider pro-*  
14 *posals, information, and other data submitted by*  
15 *State and local officials and the private sector.*

16 *(2) CONSULTATION.—The Board shall consult*  
17 *with State and local officials on information, pro-*  
18 *posals, and other data that the officials submit to the*  
19 *Board.*

20 *(3) AVAILABILITY.—Information submitted to the*  
21 *Board shall be made publicly available.*

22 *(e) ACCOUNTING SYSTEM.—Not later than 120 days*  
23 *after the date of enactment of this Act, the Board shall iden-*  
24 *tify or develop and implement a system of accounting to*  
25 *be used to independently evaluate the costs of and returns*

1 *on the recommendations. Such accounting system shall be*  
2 *applied in developing the Board's recommendations and de-*  
3 *termining the highest return to the taxpayer. In applying*  
4 *the accounting system, the Board shall set a standard per-*  
5 *formance period of not less than 15 years.*

6 (f) *PUBLIC HEARING.—The Board shall conduct pub-*  
7 *lic hearings. All testimony before the Board at a public*  
8 *hearing under this subsection shall be presented under oath.*

9 (g) *REPORTING OF INFORMATION AND RECOMMENDA-*  
10 *TIONS.—*

11 (1) *IN GENERAL.—Subject to the schedule and*  
12 *limitations specified in paragraph (2), the Board*  
13 *shall transmit to the Director of OMB, and publicly*  
14 *post on a Federal Web site maintained by the Board,*  
15 *reports containing the Board's findings, conclusions,*  
16 *and recommendations for—*

17 (A) *the consolidation, exchange, co-location,*  
18 *reconfiguration, lease reductions, sale, outlease,*  
19 *and redevelopment of Federal civilian real prop-*  
20 *erties; and*

21 (B) *other operational efficiencies that can*  
22 *be realized in the Government's operation and*  
23 *maintenance of such properties.*

24 (2) *SCHEDULE AND LIMITATIONS.—*

1           (A) *FIRST ROUND.*—Not later than 2 years  
2           after the date of transmittal of the list of prop-  
3           erties recommended pursuant to subsection (b),  
4           the Board shall transmit to the Director of OMB  
5           the first report required under paragraph (1).  
6           The total value of transactions contained in the  
7           first report may not exceed \$2,500,000,000.

8           (B) *SECOND ROUND.*—Not earlier than 3  
9           years after the date of transmittal of the first re-  
10          port, the Board shall transmit to the Director of  
11          OMB the second report required under para-  
12          graph (1). The total value of transactions con-  
13          tained in the second report may not exceed  
14          \$4,750,000,000.

15          (3) *CONSENSUS IN MAJORITY.*—The Board shall  
16          seek to develop consensus recommendations, but if a  
17          consensus cannot be obtained, the Board may include  
18          in the reports required under this subsection rec-  
19          ommendations that are supported by a majority of  
20          the Board.

21          (h) *FEDERAL WEB SITE.*—The Board shall establish  
22          and maintain a Federal Web site for the purposes of mak-  
23          ing relevant information publicly available.

24          (i) *REVIEW BY GAO.*—The Comptroller General of the  
25          United States shall transmit to Congress and the Board a

1 *report containing a detailed analysis of the recommenda-*  
2 *tions and selection process.*

3 **SEC. 13. REVIEW BY OMB.**

4       *(a) REVIEW OF RECOMMENDATIONS.—Upon receipt of*  
5 *the Board's recommendations pursuant to subsections (b)*  
6 *and (g) of section 12, the Director of OMB shall conduct*  
7 *a review of the recommendations.*

8       *(b) REPORT TO BOARD AND CONGRESS.—Not later*  
9 *than 30 days after the receipt of the Board's recommenda-*  
10 *tions, the Director of OMB shall transmit to the Board and*  
11 *Congress a report that sets forth the Director of OMB's ap-*  
12 *proval or disapproval of the Board's recommendations.*

13       *(c) APPROVAL AND DISAPPROVAL.—*

14             *(1) APPROVAL.—If the Director of OMB ap-*  
15 *proves the Board's recommendations, the Director of*  
16 *OMB shall transmit a copy of the recommendations*  
17 *to Congress, together with a certification of such ap-*  
18 *proval.*

19             *(2) DISAPPROVAL.—If the Director of OMB dis-*  
20 *approves the Board's recommendations, in whole or*  
21 *in part, the Director of OMB shall transmit a copy*  
22 *of the recommendations to Congress and the reasons*  
23 *for disapproval of the recommendations to the Board*  
24 *and Congress.*



1           (3) *REVISED RECOMMENDATIONS.*—Not later  
2           than 30 days after the receipt of reasons for dis-  
3           approval under paragraph (2), the Board shall trans-  
4           mit to the Director of OMB revised recommendations  
5           for approval.

6           (4) *APPROVAL OF REVISED RECOMMENDA-*  
7           *TIONS.*—If the Director of OMB approves the revised  
8           recommendations received under paragraph (3), the  
9           Director of OMB shall transmit a copy of the revised  
10          recommendations to Congress, together with a certifi-  
11          cation of such approval.

12          (d) *TERMINATION OF PROCESS FOR GIVEN ROUND.*—  
13          If the Director of OMB does not transmit to Congress an  
14          approval and certification described in paragraph (1) or  
15          (4) of subsection (c) on or before the 30th day following  
16          the receipt of the Board's recommendations or revised rec-  
17          ommendations, as the case may be, the process shall termi-  
18          nate until the following round, as described in section 12.

19 **SEC. 14. IMPLEMENTATION OF BOARD RECOMMENDATIONS.**

20          (a) *DEADLINES.*—

21                  (1) *PREPARATION.*—Federal agencies shall—

22                          (A) not later than 60 days after the Direc-  
23                          tor of OMB transmits the Board's recommenda-  
24                          tions to Congress pursuant to paragraph (1) or  
25                          (4) of section 13(c), immediately begin prepara-

1           *tions to carry out the Board's recommendations;*  
2           *and*

3                     *(B) not later than 2 years after such trans-*  
4                     *mittal, initiate all activities necessary to carry*  
5                     *out the Board's recommendations.*

6           *(2) COMPLETION.—Not later than 6 years after*  
7           *the Director of OMB transmits the Board's rec-*  
8           *ommendations to Congress pursuant to paragraph (1)*  
9           *or (4) of section 13(c), Federal agencies shall complete*  
10           *all recommended actions. All actions shall be eco-*  
11           *nomically beneficial, cost neutral, or otherwise favor-*  
12           *able to the Government.*

13                    *(3) EXTENUATING CIRCUMSTANCES.—For actions*  
14                    *that will take longer than the 6-year period described*  
15                    *in paragraph (2) due to extenuating circumstances,*  
16                    *Federal agencies shall notify the Director of OMB*  
17                    *and Congress, as soon as the extenuating cir-*  
18                    *cumstance presents itself, with an estimated time to*  
19                    *complete the relevant action.*

20           *(b) ACTIONS OF FEDERAL AGENCIES RELATED TO CI-*  
21           *VILIAN REAL PROPERTIES.—In taking actions related to*  
22           *any civilian real property under this Act, Federal agencies*  
23           *may take, pursuant to subsection (c), all such necessary and*  
24           *proper actions, including—*

1           (1) *acquiring land, constructing replacement fa-*  
2 *cilities, performing such other activities, and con-*  
3 *ducting advance planning and design as may be re-*  
4 *quired to transfer functions from a Federal asset or*  
5 *property to another Federal civilian property;*

6           (2) *reimbursing other Federal agencies for ac-*  
7 *tions performed at the request of the Board; and*

8           (3) *taking such actions as are practicable to*  
9 *maximize the value of Federal civilian real property*  
10 *to be sold by clarifying zoning and other limitations*  
11 *on use of such property.*

12       (c) *ACTIONS OF FEDERAL AGENCIES TO IMPLEMENT*  
13 *BOARD RECOMMENDATIONS.—*

14           (1) *USE OF EXISTING LEGAL AUTHORITIES.—*

15           (A) *IN GENERAL.—Except as provided in*  
16 *paragraph (2), when acting on a recommenda-*  
17 *tion of the Board, a Federal agency shall—*

18                   (i) *in consultation with the Adminis-*  
19 *trator, continue to act within the Federal*  
20 *agency’s existing legal authorities, including*  
21 *legal authorities delegated to the Federal*  
22 *agency by the Administrator; or*

23                   (ii) *work in partnership with the Ad-*  
24 *ministrator to carry out such actions.*

1 (B) *NECESSARY AND PROPER ACTIONS.*—

2 *The Administrator may take such necessary and*  
3 *proper actions, including the sale, conveyance, or*  
4 *exchange of civilian real property, as required to*  
5 *implement the Board's recommendations in the*  
6 *time period required under subsection (a).*

7 (2) *EXPERTS.*—*A Federal agency may enter into*  
8 *no cost, nonappropriated contracts for expert commer-*  
9 *cial real estate services to carry out the Federal agen-*  
10 *cy's responsibilities pursuant to the recommendations.*

11 (d) *DISCRETION OF ADMINISTRATOR REGARDING*  
12 *TRANSACTIONS.*—*For any transaction identified, rec-*  
13 *ommended, or commenced as a result of this Act, any other-*  
14 *wise required legal priority given to, or requirement to*  
15 *enter into, a transaction to convey a Federal civilian real*  
16 *property for less than fair market value, for no consider-*  
17 *ation at all, or in a transaction that mandates the exclusion*  
18 *of other market participants, shall be at the discretion of*  
19 *the Administrator.*

20 (e) *RELATIONSHIP TO OTHER LAWS.*—*Any rec-*  
21 *ommendation or commencement of a sale, disposal, consoli-*  
22 *dation, reconfiguration, co-location, or realignment of civil-*  
23 *ian real property under this Act shall not be subject to—*

24 (1) *section 545(b)(8) of title 40, United States*  
25 *Code;*

1           (2) *sections 550, 553, and 554 of title 40, United*  
2           *States Code;*

3           (3) *any section of the Act entitled “An Act Au-*  
4           *thorizing the transfer of certain real property for*  
5           *wildlife, or other purposes” (16 U.S.C. 667b);*

6           (4) *section 47151 of title 49, United States Code;*

7           (5) *sections 107 and 317 of title 23, United*  
8           *States Code;*

9           (6) *section 1304(b) of title 40, United States*  
10          *Code;*

11          (7) *section 13(d) of the Surplus Property Act of*  
12          *1944 (50 U.S.C. App. 1622(d));*

13          (8) *any other provision of law authorizing the*  
14          *conveyance of real property owned by the Government*  
15          *for no consideration; and*

16          (9) *any congressional notification requirement*  
17          *other than that in section 545 of title 40, United*  
18          *States Code.*

19          (f) *PUBLIC BENEFIT.—*

20                (1) *SUBMISSION OF INFORMATION TO HUD.—The*  
21                *Director of OMB shall submit to the Secretary of*  
22                *HUD, on the same day the Director of OMB submits*  
23                *the Board’s recommendations to Congress pursuant to*  
24                *paragraphs (1) and (4) of section 13(c), all known in-*  
25                *formation on Federal civilian real properties that are*

1 *included in the recommendations (except those rec-*  
2 *ommended under section 12(b)).*

3 *(2) HUD TO REPORT TO BOARD.—Not later than*  
4 *30 days after the submission of information on Fed-*  
5 *eral properties under paragraph (1), the Secretary*  
6 *shall identify any suitable civilian real properties for*  
7 *use as a property benefiting the mission of assistance*  
8 *to the homeless for the purposes of further screening*  
9 *pursuant to section 501 of the McKinney-Vento*  
10 *Homeless Assistance Act (42 U.S.C. 11411).*

11 *(3) ADDITIONAL AUTHORITY.—Following the re-*  
12 *view under paragraph (2), with respect to a civilian*  
13 *real property that is not identified by the Secretary*  
14 *as suitable for use as a property benefiting the mis-*  
15 *sion of assistance to the homeless and that has been*  
16 *recommended for sale by the Board, the Director of*  
17 *OMB may exclude the property from the Board’s rec-*  
18 *ommendations if the Director determines that the*  
19 *property is suitable for use as a public park or recre-*  
20 *ation area by a State or local government and it is*  
21 *in the best interest of taxpayers.*

22 *(g) ENVIRONMENTAL CONSIDERATIONS.—*

23 *(1) TRANSFERS OF REAL PROPERTY.—*

24 *(A) IN GENERAL.—When implementing the*  
25 *recommended actions for civilian real properties*

1           that have been identified in the Board's report,  
2           as specified in section 12(g), and subject to para-  
3           graph (2) and in compliance with CERCLA, in-  
4           cluding section 120(h) of CERCLA (42 U.S.C.  
5           9620(h)), Federal agencies may enter into an  
6           agreement to transfer by deed, pursuant to sec-  
7           tion 120(h)(3) of that Act (42 U.S.C.  
8           9620(h)(3)), civilian real property with any per-  
9           son.

10                   (B) *ADDITIONAL TERMS AND CONDITIONS.*—

11           The head of the disposing agency may require  
12           any additional terms and conditions in connec-  
13           tion with an agreement authorized by subpara-  
14           graph (A) as the head of the disposing agency  
15           considers appropriate to protect the interests of  
16           the United States. Such additional terms and  
17           conditions shall not affect or diminish any rights  
18           or obligations of the Federal agencies under sec-  
19           tion 120(h) of CERCLA (including, without lim-  
20           itation, the requirements of subsections (h)(3)(A)  
21           and (h)(3)(C)(iv) of that section).

22                   (2) *CERTIFICATION CONCERNING COSTS.*—A

23           transfer of Federal civilian real property may be  
24           made under paragraph (1) only if the head of the dis-

1        *posing agency certifies to the Board and Congress*  
2        *that—*

3                *(A) the costs of all environmental restora-*  
4                *tion, waste management, and environmental*  
5                *compliance activities otherwise to be paid by the*  
6                *disposing agency with respect to the property are*  
7                *equal to or greater than the fair market value of*  
8                *the property to be transferred, as determined by*  
9                *the head of the disposing agency; or*

10               *(B) if such costs are lower than the fair*  
11               *market value of the property, the recipient of the*  
12               *property agrees to pay the difference between the*  
13               *fair market value and such costs.*

14               *(3) PAYMENTS TO RECIPIENTS.—In the case of a*  
15               *civilian real property covered by a certification under*  
16               *paragraph (2)(A), the disposing agency may pay the*  
17               *recipient of such property an amount equal to the*  
18               *lesser of—*

19               *(A) the amount by which the costs incurred*  
20               *by the recipient of such property for all environ-*  
21               *mental restoration, waste management, and en-*  
22               *vironmental compliance activities with respect to*  
23               *such property exceed the fair market value of*  
24               *such property as specified in such certification;*  
25               *or*



1           (B) the amount by which the costs (as deter-  
2           mined by the head of the disposing agency) that  
3           would otherwise have been incurred by the Sec-  
4           retary for such restoration, waste management,  
5           and environmental compliance activities with re-  
6           spect to such property exceed the fair market  
7           value of such property as so specified.

8           (4) *INFORMATION TO BE PROVIDED TO RECIPI-*  
9           *ENTS.—As part of an agreement under paragraph*  
10          *(1), the head of the disposing agency shall disclose, in*  
11          *accordance with applicable law, to the person to*  
12          *whom the civilian real property will be transferred*  
13          *information possessed by the disposing agency regard-*  
14          *ing the environmental restoration, waste manage-*  
15          *ment, and environmental compliance activities that*  
16          *relate to the property. The head of the disposing agen-*  
17          *cy shall provide such information before entering into*  
18          *the agreement.*

19          (5) *CONSIDERATION OF ENVIRONMENTAL REME-*  
20          *DATION IN GRANTING TIME EXTENSIONS.—For the*  
21          *purposes of granting time extensions under subsection*  
22          *(a), the Director of OMB shall give the need for sig-*  
23          *nificant environmental remediation to a civilian real*  
24          *property more weight than any other factor in deter-*

1 *mining whether to grant an extension to implement*  
2 *a Board recommendation.*

3 (6) *LIMITATION ON STATUTORY CONSTRU-*  
4 *CTION.—Nothing in this Act may be construed to mod-*  
5 *ify, alter, or amend CERCLA, the National Environ-*  
6 *mental Policy Act of 1969, or the Solid Waste Dis-*  
7 *posal Act (42 U.S.C. 6901 et seq.).*

8 **SEC. 15. AUTHORIZATION OF APPROPRIATIONS.**

9 *There is authorized to be appropriated to carry out*  
10 *this Act an initial appropriation of—*

11 (1) *\$2,000,000 for salaries and expenses of the*  
12 *Board; and*

13 (2) *\$40,000,000 to be deposited into the Asset*  
14 *Proceeds and Space Management Fund for activities*  
15 *related to the implementation of the Board’s rec-*  
16 *ommendations.*

17 **SEC. 16. FUNDING.**

18 (a) *SALARIES AND EXPENSES ACCOUNT.—*

19 (1) *ESTABLISHMENT.—There is established in*  
20 *the Treasury of the United States an account to be*  
21 *known as the “Public Buildings Reform Board Sala-*  
22 *ries and Expenses Account” (in this subsection re-*  
23 *ferred to as the “Account”).*

24 (2) *NECESSARY PAYMENTS.—There shall be de-*  
25 *posited into the Account such amounts, as are pro-*

1 *vided in appropriations Acts, for those necessary pay-*  
2 *ments for salaries and expenses to accomplish the ad-*  
3 *ministrative needs of the Board.*

4 *(b) ASSET PROCEEDS AND SPACE MANAGEMENT*  
5 *FUND.—*

6 *(1) ESTABLISHMENT.—There is established with-*  
7 *in the Federal Buildings Fund established under sec-*  
8 *tion 592 of title 40, United States Code, an account*  
9 *to be known as the Public Buildings Reform Board—*  
10 *Asset Proceeds and Space Management Fund (in this*  
11 *subsection referred to as the “Fund”).*

12 *(2) USE OF AMOUNTS.—Amounts in the Fund*  
13 *shall be used solely for the purposes of carrying out*  
14 *actions pursuant to the Board recommendations ap-*  
15 *proved under section 13.*

16 *(3) DEPOSITS.—The following amounts shall be*  
17 *deposited into the Fund and made available for obli-*  
18 *gation or expenditure only as provided in advance in*  
19 *appropriations Acts (subject to section 3307 of title*  
20 *40, United States Code, to the extent an appropria-*  
21 *tion normally covered by that section exceeds*  
22 *\$20,000,000) for the purposes specified:*

23 *(A) Such amounts as are provided in ap-*  
24 *propriations Acts, to remain available until ex-*  
25 *pended, for the consolidation, co-location, ex-*

1           *change, redevelopment, reconfiguration of space,*  
2           *disposal, and other actions recommended by the*  
3           *Board for Federal agencies.*

4                     *(B) Amounts received from the sale of any*  
5           *civilian real property action taken pursuant to*  
6           *a recommendation of the Board.*

7           (4) *USE OF AMOUNTS TO COVER COSTS.—As pro-*  
8           *vided in appropriations Acts, amounts in the Fund*  
9           *may be made available to cover necessary costs associ-*  
10          *ated with implementing the recommendations pursu-*  
11          *ant to section 14, including costs associated with—*

12                     *(A) sales transactions;*

13                     *(B) acquiring land, construction, con-*  
14           *structing replacement facilities, and conducting*  
15           *advance planning and design as may be required*  
16           *to transfer functions from a Federal asset or*  
17           *property to another Federal civilian property;*

18                     *(C) co-location, redevelopment, disposal,*  
19           *and reconfiguration of space; and*

20                     *(D) other actions recommended by the*  
21           *Board for Federal agencies.*

22          (c) *ADDITIONAL REQUIREMENT FOR BUDGET CON-*  
23          *TENTS.—The President shall transmit along with the Presi-*  
24          *dent's budget submitted pursuant to section 1105 of title*  
25          *31, United States Code, an estimate of proceeds that are*

1 *the result of the Board’s recommendations and the obliga-*  
2 *tions and expenditures needed to support such recommenda-*  
3 *tions.*

4 **SEC. 17. CONGRESSIONAL APPROVAL OF PROPOSED**  
5 **PROJECTS.**

6 *Section 3307(b) of title 40, United States Code, is*  
7 *amended—*

8 *(1) by striking “and” at the end of paragraph*  
9 *(6);*

10 *(2) by striking the period at the end of para-*  
11 *graph (7) and inserting “; and”; and*

12 *(3) by adding at the end the following:*

13 *“(8) a statement of how the proposed project is*  
14 *consistent with the standards and criteria developed*  
15 *under section 11(b) of the Federal Assets Sale and*  
16 *Transfer Act of 2016.”.*

17 **SEC. 18. PRECLUSION OF JUDICIAL REVIEW.**

18 *The following actions shall not be subject to judicial*  
19 *review:*

20 *(1) Actions taken pursuant to sections 12 and*  
21 *13.*

22 *(2) Actions of the Board.*

23 **SEC. 19. IMPLEMENTATION REVIEW BY GAO.**

24 *Upon transmittal of the Board’s recommendations*  
25 *from the Director of OMB to Congress under section 13,*

1 *the Comptroller General of the United States at least annu-*  
2 *ally shall monitor and review the implementation activities*  
3 *of Federal agencies pursuant to section 14, and report to*  
4 *Congress any findings and recommendations.*

5 **SEC. 20. AGENCY RETENTION OF PROCEEDS.**

6       (a) *IN GENERAL.*—Section 571 of title 40, United  
7 *States Code, is amended by striking subsections (a) and (b)*  
8 *and inserting the following:*

9       “(a) *PROCEEDS FROM TRANSFER OR SALE OF REAL*  
10 *PROPERTY.*—

11               “(1) *DEPOSIT OF NET PROCEEDS.*—*Net proceeds*  
12 *described in subsection (c) shall be deposited into the*  
13 *appropriate real property account of the agency that*  
14 *had custody and accountability for the real property*  
15 *at the time the real property is determined to be ex-*  
16 *cess.*

17               “(2) *EXPENDITURE OF NET PROCEEDS.*—*The net*  
18 *proceeds deposited pursuant to paragraph (1) may*  
19 *only be expended, as authorized in annual appropria-*  
20 *tions Acts, for activities described in sections 543 and*  
21 *545, including paying costs incurred by the General*  
22 *Services Administration for any disposal-related ac-*  
23 *tivity authorized by this chapter.*

24               “(3) *DEFICIT REDUCTION.*—*Any net proceeds de-*  
25 *scribed in subsection (c) from the sale, lease, or other*

1        *disposition of surplus real property that are not ex-*  
2        *pended under paragraph (2) shall be used for deficit*  
3        *reduction. Any net proceeds not obligated within 3*  
4        *years after the date of deposit and not expended with-*  
5        *in 5 years after such date shall be deposited as mis-*  
6        *cellaneous receipts in the Treasury.*

7        *“(b) EFFECT ON OTHER SECTIONS.—Nothing in this*  
8        *section is intended to affect section 572(b), 573, or 574.*

9        *“(c) NET PROCEEDS.—The net proceeds described in*  
10       *this subsection are proceeds under this chapter, less expenses*  
11       *of the transfer or disposition as provided in section 572(a),*  
12       *from a—*

13                *“(1) transfer of excess real property to a Federal*  
14        *agency for agency use; or*

15                *“(2) sale, lease, or other disposition of surplus*  
16        *real property.”.*

17        *(b) EFFECTIVE DATE.—The provisions of this section,*  
18        *including the amendments made by this section, shall take*  
19        *effect upon the termination of the Board pursuant to section*  
20        *10 and shall not apply to proceeds from transactions con-*  
21        *ducted under section 14.*

22        **SEC. 21. FEDERAL REAL PROPERTY DATABASE.**

23        *(a) DATABASE REQUIRED.—Not later than 1 year*  
24        *after the date of enactment of this section, the Adminis-*  
25        *trator of General Services shall publish a single, comprehen-*

1 *sive, and descriptive database of all Federal real property*  
2 *under the custody and control of all executive agencies,*  
3 *other than Federal real property excluded for reasons of na-*  
4 *tional security, in accordance with subsection (b).*

5 *(b) REQUIRED INFORMATION FOR DATABASE.—The*  
6 *Administrator shall collect from the head of each executive*  
7 *agency descriptive information, except for classified infor-*  
8 *mation, of the nature, use, and extent of the Federal real*  
9 *property of each such agency, including the following:*

10 *(1) The geographic location of each Federal real*  
11 *property of each such agency, including the address*  
12 *and description for each such property.*

13 *(2) The total size of each Federal real property*  
14 *of each such agency, including square footage and*  
15 *acreage of each such property.*

16 *(3) Whether the Federal real property is cur-*  
17 *rently, or will in the future be, needed to support*  
18 *agency's mission or function.*

19 *(4) The utilization of each Federal real property*  
20 *for each such agency, including whether such property*  
21 *is excess, surplus, underutilized, or unutilized.*

22 *(5) The number of days each Federal real prop-*  
23 *erty is designated as excess, surplus, underutilized, or*  
24 *unutilized.*



1           (6) *The annual operating costs of each Federal*  
2 *real property.*

3           (7) *The replacement value of each Federal real*  
4 *property.*

5       (c) *ACCESS TO DATABASE.—*

6           (1) *FEDERAL AGENCIES.—The Administrator, in*  
7 *consultation with the Director of OMB, shall make*  
8 *the database established and maintained under this*  
9 *section available to other Federal agencies.*

10          (2) *PUBLIC ACCESS.—To the extent consistent*  
11 *with national security and procurement laws, the*  
12 *database shall be accessible by the public at no cost*  
13 *through the Web site of the General Services Adminis-*  
14 *tration.*

15       (d) *TRANSPARENCY OF DATABASE.—To the extent*  
16 *practicable, the Administrator shall ensure that the data-*  
17 *base—*

18           (1) *uses an open, machine-readable format;*

19           (2) *permits users to search and sort Federal real*  
20 *property data; and*

21           (3) *includes a means to download a large*  
22 *amount of Federal real property data and a selection*  
23 *of such data retrieved using a search.*

24       (e) *APPLICABILITY.—Nothing in this section may be*  
25 *construed to require an agency to make available to the pub-*

1 *lic information that is exempt from disclosure pursuant to*  
 2 *section 552(b) of title 5, United States Code.*

3 **SEC. 22. STREAMLINING MCKINNEY-VENTO HOMELESS AS-**  
 4 **SISTANCE ACT.**

5 *Section 501 of the McKinney-Vento Homeless Assist-*  
 6 *ance Act (42 U.S.C. 11411) is amended—*

7 *(1) in subsection (b)(2)—*

8 *(A) by striking “(2)(A)” and inserting*  
 9 *“(2)”;*

10 *(B) by redesignating clauses (i) and (ii) as*  
 11 *subparagraphs (A) and (B), respectively;*

12 *(C) in subparagraph (A) (as so redesign-*  
 13 *ated) by striking “and” at the end;*

14 *(D) in subparagraph (B) (as so redesign-*  
 15 *ated) by striking the period at the end and in-*  
 16 *serting “; and”; and*

17 *(E) by adding at the end the following:*

18 *“(C) in the case of surplus property, the*  
 19 *provision of permanent housing with or without*  
 20 *supportive services is an eligible use to assist the*  
 21 *homeless under this section.”;*

22 *(2) in subsection (c)(1)(A) by striking “in the*  
 23 *Federal Register” and inserting “on the Web site of*  
 24 *the Department of Housing and Urban Development*  
 25 *or the General Services Administration”;*

1           (3) in subsection (d)—

2                   (A) in paragraph (1) by striking “period of  
3           60 days” and inserting “period of 30 days”;

4                   (B) in paragraphs (2) and (4) by striking  
5           “60-day period” and inserting “30-day period”;  
6           and

7                   (C) in paragraph (3) by adding at the end  
8           the following: “If no such review of the deter-  
9           mination is requested within the 20-day period,  
10          such property will not be included in subsequent  
11          publications unless the landholding agency  
12          makes changes to the property (e.g. improve-  
13          ments) that may change the unsuitable deter-  
14          mination and the Secretary subsequently deter-  
15          mines the property is suitable.”;

16          (4) in subsection (e)—

17                   (A) in paragraph (2)—

18                           (i) by striking “(2)” and inserting  
19                           “(2)(A)”;

20                           (ii) in subparagraph (A) (as so des-  
21                           ignated)—

22                                   (I) by striking “90 days” and in-  
23                                   serting “75 days”; and

1                   (II) by striking “a complete ap-  
2                   plication” and inserting “an initial  
3                   application”; and

4                   (iii) by adding at the end the fol-  
5                   lowing:

6                   “(B) An initial application shall set forth—

7                   “(i) the services that will be offered;

8                   “(ii) the need for the services; and

9                   “(iii) the experience of the applicant that dem-  
10                  onstrates the ability to provide the services.”;

11                  (B) in paragraph (3) by striking “25 days  
12                  after receipt of a completed application” and in-  
13                  serting “10 days after receipt of an initial appli-  
14                  cation”; and

15                  (C) by adding at the end the following:

16                  “(4) If the Secretary of Health and Human Services  
17                  approves an initial application, the applicant has 45 days  
18                  in which to provide a final application that sets forth a  
19                  reasonable plan to finance the approved program.

20                  “(5) No later than 15 days after receipt of the final  
21                  application, the Secretary of Health and Human Services  
22                  shall review, make a final determination, and complete all  
23                  actions on the final application. The Secretary of Health  
24                  and Human Services shall maintain a public record of all  
25                  actions taken in response to an application.”; and

1           (5) in subsection (f)(1) by striking “available  
2           by” and inserting “available, at the applicant’s dis-  
3           cretion, by”.

4 **SEC. 23. ADDITIONAL PROPERTY.**

5           Section 549(c)(3)(B)(vii) of title 40, United States  
6 Code, is amended to read as follows:

7                           “(vii) a museum attended by the pub-  
8                           lic, and, for purposes of determining wheth-  
9                           er a museum is attended by the public, the  
10                          Administrator shall consider a museum to  
11                          be public if the nonprofit educational or  
12                          public health institution or organization, at  
13                          minimum, accedes to any request submitted  
14                          for access during business hours;”.

Union Calendar No. 448

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4465**

[Report No. 114-578, Parts I and II]

---

---

**A BILL**

To decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes.

---

---

MAY 23, 2016

Reported from the Committee on Transportation and Infrastructure

MAY 23, 2016

Reported from the Committee on Oversight and Government Reform with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed