

105TH CONGRESS  
2D SESSION

# H. R. 3842

To provide that certain Federal property shall be made available to States for State use before being made available to other entities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1998

Mr. PETERSON of Minnesota introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committees on National Security, Small Business, International Relations, and Science, 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

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## A BILL

To provide that certain Federal property shall be made available to States for State use before being made available to other entities, 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.**

4       This Act may be cited as the “Federal Surplus Prop-  
5       erty Improvement Act of 1998”.

1 **SEC. 2. PRIORITY TO STATES FOR THE TRANSFER OF NON-**  
2 **LETHAL EXCESS SUPPLIES OF THE DEPART-**  
3 **MENT OF DEFENSE.**

4 Section 2547 of title 10, United States Code, is  
5 amended—

6 (1) in subsection (a), by striking “The Sec-  
7 retary of Defense” and inserting “Subject to sub-  
8 section (d), the Secretary of Defense”;

9 (2) by redesignating subsection (d) as sub-  
10 section (e); and

11 (3) by inserting after subsection (c), the follow-  
12 ing:

13 “(d) Nonlethal excess supplies of the Department of  
14 Defense shall be made available to a State, a local govern-  
15 ment of a State, or a possession, upon the request of the  
16 State, local government, or possession pursuant to author-  
17 ity provided in another provision of law, before such sup-  
18 plies are made available for humanitarian relief purposes  
19 under this section. Notwithstanding the preceding sen-  
20 tence, the President may make such supplies available for  
21 humanitarian purposes before such supplies are made  
22 available to a State, local government, or possession under  
23 this subsection in order to respond to an emergency pre-  
24 cipitated by a natural disaster.”.

1 **SEC. 3. TRANSFERS OF PROPERTY FOR ENVIRONMENTAL**  
2 **PROTECTION IN FOREIGN COUNTRIES.**

3 Section 607 of the Foreign Assistance Act of 1961  
4 (22 U.S.C. 2357(d)) is amended—

5 (1) in subsection (d)—

6 (A) by redesignating paragraphs (1), (2),  
7 and (3) as subparagraphs (A), (B), (C), respec-  
8 tively;

9 (B) by striking “(d) The” and inserting  
10 “(d)(1) Except as provided in paragraph (2),  
11 the”; and

12 (C) by adding at the end of the following:

13 “(2) No property may be transferred under para-  
14 graph (1) unless the Administrator of General Services de-  
15 termines that there is no Federal or State use require-  
16 ments for the property under any other provision of law.”;  
17 and

18 (2) by adding at the end the following:

19 “(e) Nothing in this section shall prohibit the transfer  
20 of confiscated property to foreign countries.”.

21 **SEC. 4. AMENDMENT TO SMALL BUSINESS ACT.**

22 Section 7(j)(13)(F) of the Small Business Act (15  
23 U.S.C. 636(j)(13)(F)) is amended—

24 (1) by striking the third sentence; and

25 (2) by adding at the end the following: “This  
26 subparagraph shall be carried out with the oversight

1 of the Administrator of General Services in consulta-  
2 tion with State agencies responsible for the distribu-  
3 tion of surplus property.”.

4 **SEC. 5. DEPARTMENT OF ENERGY SCIENCE EDUCATION EN-**  
5 **HANCEMENT ACT AMENDMENT.**

6 Section 3166(b) of the Department of Energy  
7 Science Education Enhancement Act (42 U.S.C. 7381c  
8 (b)) is amended—

9 (1) by striking paragraph (2); and

10 (2) by redesignating paragraphs (3) through  
11 (6) as paragraphs (2) through (5), respectively.

12 **SEC. 6. REPORT ON DISPOSAL AND DONATION OF SURPLUS**  
13 **PERSONAL PROPERTY.**

14 Not later than 180 days after the date of enactment  
15 of this Act, the Administrator of General Services shall  
16 review all statutes relating to the disposal and donation  
17 of surplus personal property and submit to Congress a re-  
18 port on such statutes including—

19 (1) the effectiveness of programs administered  
20 under such statutes (except for any program that  
21 grants access to personal property by local commu-  
22 nities impacted by the closure of a military base),  
23 and the amount and type of property administered  
24 under each such program during fiscal years 1997  
25 and 1998; and

1           (2) legislative recommendations to integrate  
2           and consolidate all such programs to be adminis-  
3           tered by a single Federal authority working with  
4           State agencies while accomplishing the purposes of  
5           such programs.

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