

112TH CONGRESS
2D SESSION

H. R. 6264

To authorize a pilot program for Federal agencies to enter into contracts with the private sector for property management, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2012

Mrs. MYRICK (for herself and Mr. LATOURETTE) 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

A BILL

To authorize a pilot program for Federal agencies to enter into contracts with the private sector for property management, 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 “GSA Path to Privatiza-
5 tion Act”.

6 **SEC. 2. PROPERTY MANAGEMENT PILOT PROGRAM.**

7 (a) IN GENERAL.—The Director shall establish and
8 conduct a pilot program to be known as the “Federal Real

1 Property Management Privatization Pilot Program”,
2 which shall provide for certain Federal agencies to enter
3 into contracts with the private sector to assist in planning,
4 acquiring, managing, and disposing of leased Federal
5 property.

6 (b) MANAGEMENT PLAN.—Not later than 90 days
7 after the date of the enactment of this Act, the Director
8 shall develop a management plan for the pilot program
9 and submit to Congress a report on the plan. The plan
10 and report shall describe—

- 11 (1) how the pilot program will be implemented;
- 12 (2) individuals who will exercise operational au-
13 thority over the pilot program;
- 14 (3) the qualifications of such individuals; and
- 15 (4) a timeline for implementation of the pilot
16 program.

17 (c) PARTICIPATION.—

- 18 (1) GUIDANCE.—Not later than 120 days after
19 the date of enactment of this Act, the Director shall
20 issue guidance to Federal agencies on participation
21 in the pilot program. The guidance shall provide
22 such criteria for approval for participation in the
23 program as the Director considers appropriate, in-
24 cluding the form, manner, and time for submission
25 of applications for participation.

1 (2) PARTICIPATION BY SUBUNITS.—Not later
2 than 120 days after the issuance of guidance under
3 paragraph (1), the head of a Federal agency, or an
4 administrative subunit of the agency considered ap-
5 propriate by the Director, may apply to the Director
6 to participate in the pilot program.

7 (d) CONTRACTS FOR PROPERTY MANAGEMENT
8 SERVICES.—

9 (1) IN GENERAL.—On behalf of an agency ap-
10 proved under subsection (c), the Director or his des-
11 ignee shall issue a solicitation for one or more con-
12 tracts with the private sector for services described
13 in paragraph (3).

14 (2) CONSIDERATIONS.—In entering into a con-
15 tract pursuant to a solicitation issued under para-
16 graph (1), the Director shall consider—

17 (A) the long-term and short-term impact
18 on costs to the Federal Government; and

19 (B) opportunities to use underutilized Fed-
20 eral space.

21 (3) SERVICES.—The services described in this
22 paragraph are services performed by the Public
23 Buildings Service of the General Services Adminis-
24 tration as of the date of the enactment of this Act

1 and include the following with respect to leased Fed-
2 eral property:

3 (A) Office space planning.

4 (B) Negotiations of new leases.

5 (C) Maintenance, custodial services, and
6 basic upkeep.

7 (D) Capital improvement contracts subject
8 to available funds.

9 (E) Disposal of leased space.

10 (e) WAIVER OF CERTAIN RULES.—For purposes of
11 the pilot program, the Director may waive such regula-
12 tions of the General Services Administration relating to
13 the lease of Federal property that, as determined by the
14 Director, would impose unreasonable burdens on agencies
15 participating in the program on entering into contracts
16 under subsection (d).

17 (f) DELEGATION.—Upon request of the head of a
18 Federal agency, the Director shall delegate to the head
19 of the agency authority of the Director under subsection
20 (d) for exercise within that agency.

21 (g) EXEMPTION FROM MCKINNEY-VENTO HOME-
22 LESS ASSISTANCE ACT.—Any disposal of leased space
23 conducted under the pilot program shall not be subject
24 to section 501 of the McKinney-Vento Homeless Assist-
25 ance Act (42 U.S.C. 11411).

1 (h) SUNSET.—The pilot program shall terminate 15
2 years after the date of the enactment of this Act.

3 **SEC. 3. REPORTS.**

4 Not later than two years after the date of the enact-
5 ment of this Act, the Comptroller General of the United
6 States shall submit to Congress a report on the effective-
7 ness of the pilot program, including any savings and per-
8 formance improvements, and the effects of the exemption
9 under section 2(f) on homelessness.

10 **SEC. 4. DEFINITIONS.**

11 In this Act:

12 (1) FEDERAL AGENCY.—The term “Federal
13 agency” means an Executive agency as defined in
14 section 105 of title 5, United States Code.

15 (2) DIRECTOR.—The term “Director” means
16 the Director of the Office of Management and Budg-
17 et.

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