

113TH CONGRESS
1ST SESSION

S. 1715

To decrease the deficit by realigning, consolidating, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2013

Mr. WARNER (for himself, Mr. BLUNT, Mr. HELLER, Mr. GRAHAM, Mr. WICKER, Mr. KIRK, and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To decrease the deficit by realigning, consolidating, disposing, and improving the efficiency of 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.**

4 This Act may be cited as the “Civilian Property Re-
5 alignment Act of 2013” or “CPRA”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

1 (1) to consolidate the footprint of Federal
2 buildings and facilities;

3 (2) to maximize the rate of use of Federal
4 buildings and facilities;

5 (3) to reduce the reliance of the Federal Gov-
6 ernment on leased space;

7 (4) to sell or redevelop high-value assets that
8 are underused to obtain the highest and best value
9 for the taxpayer and maximize the return to the tax-
10 payer;

11 (5) to reduce the operating and maintenance
12 costs of Federal civilian real properties through the
13 realignment of real properties by consolidating, co-
14 locating, and reconfiguring space, and by imple-
15 menting other operational efficiencies;

16 (6) to reduce redundancy, overlap, and costs as-
17 sociated with field offices;

18 (7) to create incentives for Federal agencies to
19 achieve greater efficiency in inventories of civilian
20 real property;

21 (8) to facilitate and expedite the disposal of
22 unneeded civilian properties; and

23 (9) to assist Federal agencies in achieving sus-
24 tainability goals of the Federal Government by re-

1 ducing excess space, inventory, and energy consump-
2 tion, as well as by leveraging new technologies.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of General Serv-
7 ices.

8 (2) ASSET PROCEEDS AND SPACE MANAGEMENT
9 FUND.—The term “Asset Proceeds and Space Man-
10 agement Fund” means the Civilian Property Re-
11 alignment Commission—Asset Proceeds and Space
12 Management Fund established by section 18(c)(1).

13 (3) COMMISSION.—The term “Commission”
14 means the Civilian Property Realignment Commis-
15 sion established by section 4(a)(1).

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

19 (5) DISPOSAL.—The term “disposal” means
20 any action that constitutes the removal of any Fed-
21 eral civilian real property from the Federal inven-
22 tory, including sale, deed, demolition, or exchange.

23 (6) FEDERAL AGENCY.—The term “Federal
24 agency” means—

1 (A) an executive department or inde-
2 pendent establishment in the executive branch
3 of the Government; and

4 (B) a wholly owned Government corpora-
5 tion.

6 (7) FEDERAL CIVILIAN REAL PROPERTY; CIVIL-
7 IAN REAL PROPERTY.—

8 (A) IN GENERAL.—The terms “Federal ci-
9 vilian real property” and “civilian real prop-
10 erty” mean any Federal real property asset.

11 (B) INCLUSIONS.—The terms “Federal ci-
12 vilian real property” and “civilian real prop-
13 erty” include—

14 (i) Federal buildings (as defined in
15 section 3301 of title 40, United States
16 Code); and

17 (ii) occupied and improved grounds,
18 leased space, or other physical structures
19 under the custody and control of any Fed-
20 eral agency.

21 (C) EXCLUSIONS.—The terms “Federal ci-
22 vilian real property” and “civilian real prop-
23 erty” do not include—

24 (i) any military installation (as de-
25 fined in section 2910 of the Defense Base

1 Closure and Realignment Act of 1990 (10
2 U.S.C. 2687 note; Public Law 101–510));

3 (ii) any property that is excepted from
4 the definition of the term “property”
5 under section 102 of title 40, United
6 States Code;

7 (iii) a designated wilderness study
8 area or other areas managed for wilderness
9 characteristics;

10 (iv) Indian and native Eskimo prop-
11 erty held in trust by the Federal Govern-
12 ment as described in section
13 3301(a)(5)(C)(iii) of title 40, United
14 States Code;

15 (v) property operated and maintained
16 by the Tennessee Valley Authority pursu-
17 ant to the Tennessee Valley Authority Act
18 of 1933 (16 U.S.C. 831 et seq.);

19 (vi) postal property owned by the
20 United States Postal Service; or

21 (vii) any property the Director of the
22 Office of Management and Budget ex-
23 cludes for reasons of national security.

1 (8) FIELD OFFICE.—The term “field office”
2 means any office of a Federal agency that is not the
3 headquarters office location for the Federal agency.

4 (9) SECRETARY.—The term “Secretary” means
5 the Secretary of Housing and Urban Development.

6 (10) SMALL BUSINESS CONCERN.—The term
7 “small business concern” has the meaning given the
8 term in section 3 of the Small Business Act (15
9 U.S.C. 632).

10 **SEC. 4. CIVILIAN PROPERTY REALIGNMENT COMMISSION.**

11 (a) ESTABLISHMENT.—

12 (1) IN GENERAL.—There is established an inde-
13 pendent commission, to be known as the “Civilian
14 Property Realignment Commission”.

15 (2) DUTIES.—The Commission shall carry out
16 the duties described in section 6.

17 (3) MEMBERSHIP.—

18 (A) IN GENERAL.—The Commission shall
19 be composed of—

20 (i) a Chairperson appointed by the
21 President, by and with the advice and con-
22 sent of the Senate;

23 (ii) 2 members appointed by the
24 President;

1 (iii) 1 member appointed by the Ma-
2 jority Leader of the Senate;

3 (iv) 1 member appointed by the Mi-
4 nority Leader of the Senate;

5 (v) 1 member appointed by the Speak-
6 er of the House of Representatives; and

7 (vi) 1 member appointed by the Mi-
8 nority Leader of the House of Representa-
9 tives.

10 (B) TERMS.—The term for each member
11 of the Commission shall be 10 years.

12 (C) VACANCIES.—Vacancies on the Com-
13 mission shall be filled in the same manner in
14 which an original appointment was made.

15 (D) QUALIFICATIONS.—To the maximum
16 extent practicable, in selecting individuals for
17 appointment to the Commission, the President,
18 the Majority and Minority Leaders of the Sen-
19 ate, and the Speaker and Minority Leader of
20 the House of Representatives shall ensure the
21 membership of the Commission includes individ-
22 uals with expertise representative of—

23 (i) commercial real estate and redev-
24 opment;

- 1 (ii) government management or oper-
2 ations;
3 (iii) community development, includ-
4 ing transportation and planning; and
5 (iv) historic preservation.

6 (4) CONFLICTS OF INTEREST.—No member of
7 the Commission or staff of a member of the Com-
8 mission shall participate in developing or issuing a
9 recommendation of the Commission if the member
10 or staff of a member has an economic interest in an
11 entity seeking to acquire any property to be dis-
12 posed, transferred, consolidated, colocated, reconfig-
13 ured, or redeveloped under this Act.

14 (b) COMMISSION MEETINGS.—

15 (1) OPEN MEETINGS.—Each meeting of the
16 Commission, other than meetings in which classified
17 information is to be discussed, shall—

18 (A) be open to the public;

19 (B) be broadcast on the website established
20 by the Commission under section 6(h);

21 (C) be announced in the Federal Register
22 and the Federal website established by the
23 Commission at least 14 calendar days in ad-
24 vance of the meeting; and

1 (D) have released before the meeting an
2 agenda and a listing of materials relevant to the
3 topics to be discussed.

4 (2) QUORUM AND MEETINGS.—Of the members
5 of the Commission—

6 (A) 5 members shall constitute a quorum
7 for the purposes of conducting business; and

8 (B) 3 or more Commission members shall
9 constitute a meeting of the Commission.

10 (3) TRANSPARENCY OF INFORMATION.—All the
11 proceedings, information, and deliberations of the
12 Commission shall be open, on request, to the chair-
13 person and the ranking minority party member, and
14 the respective subcommittee chairperson and ranking
15 minority party member, of—

16 (A) the Committee on Transportation and
17 Infrastructure of the House of Representatives;

18 (B) the Committee on Oversight and Gov-
19 ernment Reform of the House of Representa-
20 tives;

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

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

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

3 (4) GOVERNMENT ACCOUNTABILITY OFFICE.—
4 All proceedings, information, and deliberations of
5 the Commission shall be open, on request, to the
6 Comptroller General of the United States.

7 (c) COMPENSATION AND TRAVEL EXPENSES.—

8 (1) COMPENSATION.—

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

19 (B) RATE OF PAY FOR CHAIRPERSON.—
20 The Chairperson of the Commission shall be
21 paid for each day referred to in subparagraph
22 (A) at a rate equal to the daily equivalent of
23 the minimum annual rate of basic pay payable
24 for level III of the Executive Schedule under
25 section 5314, of title 5, United States Code.

1 (2) TRAVEL.—A member of the Commission
2 shall receive travel expenses, including per diem in
3 lieu of subsistence, in accordance with sections 5702
4 and 5703 of title 5, United States Code.

5 (d) EXECUTIVE DIRECTOR.—

6 (1) APPOINTMENT.—The Commission—

7 (A) shall appoint an Executive Director;

8 and

9 (B) shall not be required to comply with
10 title 5, United States Code, governing appoint-
11 ments in the competitive service.

12 (2) RATE OF PAY FOR EXECUTIVE DIRECTOR.—

13 The Executive Director shall be paid at the rate of
14 basic pay payable for level IV of the Executive
15 Schedule under section 5315 of title 5, United
16 States Code.

17 (e) STAFF.—

18 (1) ADDITIONAL PERSONNEL.—Subject to para-
19 graph (2), the Executive Director, with the approval
20 of the Commission, may appoint and fix the pay of
21 additional personnel.

22 (2) DETAIL EMPLOYEES FROM OTHER AGEN-
23 CIES.—On request of the Executive Director, the
24 head of any Federal agency may detail any of the
25 personnel of that agency to the Commission to assist

1 the Commission in carrying out the duties of the
2 Commission under this Act.

3 (3) QUALIFICATIONS.—Appointments shall be
4 made with consideration of a balance of expertise
5 consistent with the qualifications of representatives
6 described in subsection (a)(3)(D).

7 (f) CONTRACTING AUTHORITY.—

8 (1) EXPERTS AND CONSULTANTS.—Subject to
9 the availability of appropriations, the Commission
10 may procure by contract the temporary or intermit-
11 tent services of experts and consultants pursuant to
12 section 3109 of title 5, United States Code.

13 (2) SPACE.—

14 (A) IN GENERAL.—The Administrator, in
15 consultation with the Commission, shall identify
16 suitable excess space within the Federal prop-
17 erty inventory to house the operations of the
18 Commission.

19 (B) LEASING.—If no space described in
20 subparagraph (A) is available, the Commission
21 may, notwithstanding section 3317 of title 40,
22 United States Code (as added by section 12(a)),
23 and subject to the availability of appropriations,
24 lease space to house the operations of the Com-
25 mission.

1 (3) **PERSONAL PROPERTY.**—Subject to the
2 availability of appropriations, the Commission may
3 acquire personal property.

4 (4) **USE OF SMALL BUSINESS CONCERNS.**—In
5 exercising the authority of the Commission under
6 this section and section 5, the Commission shall use,
7 to the maximum extent practicable, small business
8 concerns.

9 (g) **TERMINATION.**—The Commission and the au-
10 thority of the Commission shall terminate on the date that
11 is 10 years after the date of enactment of this Act.

12 **SEC. 5. DEVELOPMENT OF RECOMMENDATIONS FOR THE**
13 **COMMISSION.**

14 (a) **SUBMISSIONS OF AGENCY INFORMATION AND**
15 **RECOMMENDATIONS.**—Not later than 120 days after the
16 date of enactment of this Act, and not later than 90 days
17 after the beginning of each fiscal year thereafter, the head
18 of each Federal agency shall submit to the Administrator
19 and the Director a report that includes—

20 (1) current data of all Federal civilian real
21 properties owned, leased, or controlled by the respec-
22 tive agency (including all relevant information pre-
23 scribed by the Administrator and the Director), in-
24 cluding data relating to—

25 (A) the age and condition of the property;

- 1 (B) operating costs;
- 2 (C) history of capital expenditures;
- 3 (D) sustainability metrics;
- 4 (E) number of Federal employees and
5 functions housed in the respective property; and
- 6 (F) square footage (including gross, rent-
7 able, and usable square footage); and
- 8 (2) recommendations with respect to the prop-
9 erty that include—
- 10 (A) Federal civilian properties that can be
11 disposed, transferred, consolidated, colocated,
12 reconfigured, or redeveloped—
- 13 (i) to reduce the civilian real property
14 inventory;
- 15 (ii) to reduce the operating costs of
16 the Federal Government; and
- 17 (iii) to create the highest value and
18 return for the taxpayer;
- 19 (B) operational efficiencies that may be re-
20 alized by the Federal Government in the oper-
21 ation and maintenance of Federal civilian real
22 properties;
- 23 (C) opportunities to pursue enhanced use
24 leasing in underused buildings in an effort to

1 realize highest and best use of the buildings for
2 the taxpayers; and

3 (D) opportunities to reduce the number of
4 high-value leases in the Federal inventory
5 through relocation to less costly properties.

6 (b) STANDARDS AND CRITERIA.—Not later than 60
7 days after each date specified in subsection (a), subject
8 to subsection (c), the Director, in consultation with the
9 Administrator, shall—

10 (1) review agency recommendations submitted
11 pursuant to subsection (a);

12 (2) develop consistent standards and criteria
13 against which agency recommendations will be re-
14 viewed, which shall be developed taking into consid-
15 eration—

16 (A) the extent to which a Federal building
17 or facility aligns with the current mission of the
18 applicable Federal agency;

19 (B) the extent to which there are opportu-
20 nities to consolidate similar operations across
21 multiple agencies or within agencies;

22 (C) the extent and timing of potential costs
23 and savings, including the number of years, be-
24 ginning with the date of completion of the pro-
25 posed recommendation;

1 (D) the economic impact on State and
2 local communities in the vicinity of the Federal
3 building or facility;

4 (E) the extent to which the use rate is
5 being maximized and is consistent with non-
6 governmental industry standards for the given
7 function or operation;

8 (F) the extent to which reliance on leasing
9 for long-term space needs is reduced;

10 (G) the extent to which the Federal build-
11 ing or facility could be redeveloped or otherwise
12 used to produce the highest and best value and
13 return for the taxpayer;

14 (H) the extent to which the operating and
15 maintenance costs are reduced through consoli-
16 dating, collocating, and reconfiguring space, and
17 through realizing other operational efficiencies;
18 and

19 (I) the extent to which energy consumption
20 is reduced; and

21 (3) develop recommendations for the Commis-
22 sion based on those standards and criteria.

23 (c) SPECIAL RULE FOR USE RATES.—

24 (1) IN GENERAL.—Standards developed by the
25 Director under subsection (b) shall incorporate and

1 apply clear standard use rates consistent throughout
2 each category of space and with nongovernment
3 space use rates.

4 (2) UNDERUTILIZATION OF RATES.—To the ex-
5 tent use rates are underutilized by a given agency,
6 the Director shall recommend realignment, coloca-
7 tion, consolidation, or another type of action to im-
8 prove space use.

9 (d) SUBMISSION TO THE COMMISSION.—

10 (1) IN GENERAL.—The standards, criteria, and
11 recommendations developed pursuant to subsection
12 (b) shall be—

13 (A) submitted to the Commission with all
14 supporting information, data, analyses, and
15 documentation;

16 (B) published in the Federal Register; and

17 (C) submitted to the committees referred
18 to in section 4(b)(3) and the Comptroller Gen-
19 eral of the United States.

20 (2) ACCESS TO INFORMATION.—The Commis-
21 sion shall have access to—

22 (A) all information pertaining to the rec-
23 ommendations, including supporting informa-
24 tion, data, analyses, and documentation sub-
25 mitted pursuant to subsection (a);

1 (B) on request of the Commission to a
2 Federal agency, any additional information per-
3 taining to the properties of the Federal agency;
4 and

5 (C) all information in the Federal Real
6 Property Profile.

7 **SEC. 6. DUTIES OF COMMISSION.**

8 (a) IN GENERAL.—The goal of the Commission shall
9 be to identify a total savings to the Federal Government
10 of not less than \$9,000,000,000 from the disposal of Fed-
11 eral property under this Act, which may be achieved
12 through activities such as the sale of Federal property and
13 the termination of leases, colocation, maintenance, oper-
14 ations, and security activities.

15 (b) IDENTIFICATION OF PROPERTY REDUCTION OP-
16 PORTUNITIES.—The Commission shall identify opportuni-
17 ties for the Federal Government to reduce significantly—

18 (1) the Federal inventory of civilian real prop-
19 erty;

20 (2) the costs incurred by the Federal Govern-
21 ment in administering that property, including oper-
22 ations, maintenance, and security; and

23 (3) the number of high-value leases in the Fed-
24 eral inventory through relocation to less costly prop-
25 erties.

1 (c) IDENTIFICATION OF HIGH-VALUE ASSETS.—

2 (1) IDENTIFICATION OF CERTAIN PROP-
3 ERTIES.—Not later than 180 days after the date of
4 enactment of this Act, the Commission shall—

5 (A) identify for potential sale not fewer
6 than 5 Federal properties that—

7 (i) are not on the list of surplus or ex-
8 cess properties as of that date; and

9 (ii) each have an anticipated sale
10 price, as determined by the Commission, of
11 not less than \$500,000,000; and

12 (B) submit a list of the properties so iden-
13 tified to the President and Congress, which
14 shall be—

15 (i) treated as a recommendation for
16 the Commission under section 5; and

17 (ii) subject to the approval process de-
18 scribed in sections 7 and 8.

19 (2) INFORMATION AND DATA.—

20 (A) IN GENERAL.—To assist the Commis-
21 sion in carrying out paragraph (1), each Fed-
22 eral agency shall provide to the Commission, on
23 request of the Commission, any information and
24 data regarding the properties of the Federal
25 agency.

1 (B) FAILURE TO COMPLY.—The Commis-
2 sion shall notify the committees described in
3 section 4(b)(3) of any failure by any Federal
4 agency to comply with a request of the Commis-
5 sion.

6 (3) TRANSFER.—Not later than 60 days after
7 the date of approval of the list of properties sub-
8 mitted under paragraph (1), each Federal agency
9 with custody, control, or administrative jurisdiction
10 over an identified property shall transfer custody
11 and control of, and administrative jurisdiction over,
12 that property to the Administrator.

13 (4) SALE.—Not later than 120 days after the
14 date of approval of the list of properties submitted
15 under paragraph (1), and notwithstanding any other
16 provision of law (except as provided in section
17 10(d)), the Administrator shall sell the properties on
18 the list at fair market value, at highest and best use,
19 for cash at auction.

20 (5) PROCEEDS.—The proceeds of the sale under
21 paragraph (4) shall be distributed pursuant to sub-
22 sections (b) and (c) of section 18.

23 (6) PROHIBITION ON LEASE-BACK.—The Fed-
24 eral Government may not lease back any property
25 disposed or leased under this subsection.

1 (d) ANALYSIS OF INVENTORY.—The Commission—

2 (1) shall carry out an independent analysis of
3 the inventory of Federal civilian real property and
4 the recommendations submitted under section 5;

5 (2) shall not be bound or limited by the rec-
6 ommendations; and

7 (3) in any case in which the Commission deter-
8 mines that a Federal agency has failed to provide
9 necessary information, data, or adequate rec-
10 ommendations that meet the standards and criteria
11 developed under section 5(b), shall develop such rec-
12 ommendations as the Commission considers to be
13 appropriate based on existing data contained in the
14 Federal Real Property Profile or other relevant in-
15 formation.

16 (e) RECEIPT OF INFORMATION AND PROPOSALS.—

17 Notwithstanding any other provision of law, the Commis-
18 sion—

19 (1) may receive and consider proposals, infor-
20 mation, and other data submitted by State and local
21 officials and the private sector; and

22 (2) shall make any such information received
23 publicly available.

24 (f) ACCOUNTING SYSTEM.—The Commission shall—

1 (1) not later than 120 days after the date of
2 enactment of this Act, develop and implement a sys-
3 tem of accounting, to be used to independently
4 evaluate the costs of and returns on the rec-
5 ommendations provided to the Commission under
6 this Act;

7 (2) determine which of the recommendations
8 would provide the highest return to the taxpayer;
9 and

10 (3) establish a standard performance period for
11 use in carrying out paragraphs (1) and (2).

12 (g) PUBLIC HEARINGS.—

13 (1) IN GENERAL.—After reviewing and per-
14 forming independent analyses of the recommenda-
15 tions received under section 5, the Commission shall
16 conduct public hearings on the recommendations.

17 (2) TESTIMONY.—All testimony before the
18 Commission at a public hearing under this sub-
19 section shall be presented under oath.

20 (h) REPORTING OF INFORMATION AND REC-
21 COMMENDATIONS.—

22 (1) IN GENERAL.—Not later than 120 days
23 after the date of receipt of recommendations under
24 section 5, and biennially thereafter, the Commission
25 shall, at a minimum, submit to the President, and

1 publicly post on a Federal website maintained by the
2 Commission, a report containing the findings, con-
3 clusions, and recommendations of the Commission
4 for the consolidation, exchange, colocation, reconfig-
5 uration, lease reductions, sale, and redevelopment of
6 Federal civilian real properties, and for other oper-
7 ational efficiencies, that may be realized in the oper-
8 ation and maintenance of those properties by the
9 Federal Government.

10 (2) CONSENSUS IN MAJORITY.—The Commis-
11 sion—

12 (A) shall seek to develop consensus rec-
13 ommendations; but

14 (B) if a consensus cannot be obtained, may
15 include in the report under paragraph (1) rec-
16 ommendations that are supported by a majority
17 of the Commission.

18 (i) FEDERAL WEBSITE.—The Commission shall es-
19 tablish and maintain a Federal website for the purpose
20 of making relevant information publically available.

21 (j) REVIEW BY GAO.—The Comptroller General of
22 the United States shall submit to Congress and the Com-
23 mission a report containing a detailed analysis of the rec-
24 ommendations provided by the Commission under sub-

1 section (h), including the process used to develop the rec-
2 ommendations.

3 **SEC. 7. REVIEW BY THE PRESIDENT.**

4 (a) REVIEW AND REPORT.—The President shall—

5 (1) on receipt of the recommendations of the
6 Commission under section 6, conduct a review of the
7 recommendations; and

8 (2) not later than 30 days after the date of re-
9 ceipt of the recommendations, submit to the Com-
10 mission and Congress a report that describes the ap-
11 proval or disapproval of the President of the rec-
12 ommendations.

13 (b) APPROVAL AND DISAPPROVAL.—If the Presi-
14 dent—

15 (1) approves the recommendations of the Com-
16 mission, the President shall submit a copy of the
17 recommendations to Congress, together with a cer-
18 tification of the approval;

19 (2) disapproves of the recommendations of the
20 Commission, in whole or in part—

21 (A) the President shall submit to the Com-
22 mission and Congress the reasons for the dis-
23 approval; and

24 (B) not later than 30 days after the date
25 of disapproval, the Commission shall submit to

1 the President and Congress a revised list of rec-
2 ommendations;

3 (3) approves the revised recommendations of
4 the Commission submitted under paragraph (2)(B),
5 the President shall submit a copy of the revised rec-
6 ommendations to Congress, together with a certifi-
7 cation of the approval; and

8 (4) does not submit to Congress an approval
9 and certification in accordance with paragraph (1)
10 or (3) by the date that is 30 days after the date of
11 receipt of the recommendations or revised rec-
12 ommendations, the review process under this section
13 shall terminate until the following year.

14 **SEC. 8. CONGRESSIONAL CONSIDERATION OF THE REC-**
15 **COMMENDATIONS.**

16 (a) **DEFINITION OF JOINT RESOLUTION.**—In this
17 section, the term “joint resolution” means only a joint res-
18 olution—

19 (1) that is introduced during the 10-day period
20 beginning on the date on which the President sub-
21 mits an approval and certification of recommenda-
22 tions to Congress under paragraph (1) or (3) of sec-
23 tion 7(b);

24 (2) that does not have a preamble;

1 (3) the matter after the resolving clause of
2 which is as follows: “That Congress disapproves the
3 recommendations of the Civilian Property Realign-
4 ment Commission as submitted by the President on
5 _____”, the blank space being filled
6 in with the appropriate date; and

7 (4) the title of which is as follows: “A Joint
8 Resolution disapproving the recommendations of the
9 Civilian Property Realignment Commission”.

10 (b) RESOLUTION OF DISAPPROVAL.—Not later than
11 45 days after the date on which the President submits
12 to Congress an approval and certification of recommenda-
13 tions under paragraph (1) or (3) of section 7(b), Congress
14 may enact a joint resolution to disapprove the rec-
15 ommendations of the Commission.

16 (c) COMPUTATION OF TIME PERIOD.—For the pur-
17 poses of this section, the days on which either House of
18 Congress is not in session because of adjournment of more
19 than 3 days to a day certain shall be excluded in the com-
20 putation of the period of time described in subsection
21 (a)(1).

22 (d) REFERRAL.—

23 (1) HOUSE OF REPRESENTATIVES.—A joint
24 resolution that is introduced in the House of Rep-
25 resentatives shall be referred to the Committee on

1 Transportation and Infrastructure of the House of
2 Representatives.

3 (2) SENATE.—A joint resolution that is intro-
4 duced in the Senate shall be referred to the Com-
5 mittee on Environment and Public Works of the
6 Senate.

7 (e) DISCHARGE.—If the committee to which a joint
8 resolution is referred has not reported the joint resolution
9 (or an identical resolution) by the end of the 20-day period
10 beginning on the date on which the President submits the
11 report to Congress under section 7(a)(2)—

12 (1) the committee shall be, at the end of that
13 period, discharged from further consideration of the
14 joint resolution; and

15 (2) the joint resolution shall be placed on the
16 appropriate calendar of the House involved.

17 (f) CONSIDERATION.—

18 (1) IN GENERAL.—On or after the third day
19 after the date on which the committee to which a
20 joint resolution is referred has reported, or has been
21 discharged (under subsection (e)) from further con-
22 sideration of, such a joint resolution, it is in order,
23 regardless of whether a previous motion to the same
24 effect has been disagreed to, for any Member of the

1 respective House to move to proceed to the consider-
2 ation of the joint resolution.

3 (2) MOTIONS.—

4 (A) IN GENERAL.—A Member may make a
5 motion described in paragraph (1) only on the
6 date after the calendar day on which the Mem-
7 ber announces to the House concerned the in-
8 tention of the Member to make the motion, ex-
9 cept that, in the case of the House of Rep-
10 resentatives, the motion may be made without
11 such a prior announcement if the motion is
12 made by direction of the committee to which
13 the joint resolution was referred.

14 (B) PRIVILEGE; AMENDMENT.—A motion
15 made under paragraph (1) is—

16 (i) highly privileged in the House of
17 Representatives, privileged in the Senate,
18 and not debatable; and

19 (ii) not subject to amendment, a mo-
20 tion to postpone, or a motion to proceed to
21 the consideration of other business.

22 (C) OTHER MOTIONS.—

23 (i) IN GENERAL.—A motion to recon-
24 sider the vote by which a motion made

1 under paragraph (1) is agreed to or dis-
2 agreed to shall not be in order.

3 (ii) AGREEMENT.—If a motion to pro-
4 ceed to consideration of the joint resolution
5 is agreed to—

6 (I) the respective House shall im-
7 mediately proceed to the consideration
8 of the joint resolution without inter-
9 vening motion, order, or other busi-
10 ness; and

11 (II) the joint resolution shall re-
12 main the unfinished business of the
13 respective House until disposed of.

14 (3) DEBATE.—

15 (A) IN GENERAL.—Debate on a joint reso-
16 lution and on all debatable motions and appeals
17 in connection with the joint resolution shall be
18 limited to not more than 2 hours, divided equal-
19 ly between those favoring and those opposing
20 the joint resolution.

21 (B) AMENDMENTS.—An amendment to the
22 joint resolution is not in order.

23 (C) MOTION TO FURTHER LIMIT DE-
24 BATE.—A motion further to limit debate on the
25 joint resolution is in order and not debatable.

1 (D) OTHER MOTIONS.—A motion to post-
2 pone, to proceed to the consideration of other
3 business, to recommit the joint resolution, or to
4 reconsider the vote by which the resolution is
5 agreed to or disagreed to is not in order.

6 (4) VOTE.—Immediately following the conclu-
7 sion of the debate on a joint resolution and a single
8 quorum call at the conclusion of the debate, if re-
9 quested in accordance with the rules of the appro-
10 priate House, the vote on final passage of the joint
11 resolution shall occur.

12 (5) APPEALS OF DECISIONS OF THE CHAIR.—
13 Appeals of the decisions of the Chair relating to the
14 application of the rules of the Senate or the House
15 of Representatives, as the case may be, to the proce-
16 dure relating to a joint resolution shall be decided
17 without debate.

18 (g) CONSIDERATION BY OTHER HOUSE.—

19 (1) IN GENERAL.—If, before the passage by a
20 House of Congress of a joint resolution of that
21 House, that House receives from the other House of
22 Congress a joint resolution, the following procedures
23 shall apply:

24 (A) NO COMMITTEE REFERRAL.—The joint
25 resolution of the other House shall not be re-

1 ferred to a committee and may not be consid-
2 ered in the House receiving the joint resolution
3 except in the case of final passage as provided
4 in subparagraph (B).

5 (B) RESOLUTION PROCEDURE.—With re-
6 spect to a joint resolution of the House receiv-
7 ing the joint resolution, the procedure in that
8 House shall be the same as if no joint resolu-
9 tion had been received from the other House,
10 but the vote on final passage shall be on the
11 joint resolution of the other House.

12 (2) NO CONSIDERATION.—On disposition of the
13 joint resolution received from the other House, it
14 shall no longer be in order to consider the joint reso-
15 lution that originated in the receiving House.

16 (h) RULES OF THE SENATE AND HOUSE OF REP-
17 RESENTATIVES.—This section is enacted by Congress—

18 (1) as an exercise of the rulemaking power of
19 the Senate and House of Representatives, respec-
20 tively, and as such—

21 (A)(i) is deemed to be a part of the rules
22 of each House, respectively; but

23 (ii) is applicable only with respect to the
24 procedure to be followed in that House in the
25 case of a joint resolution; and

1 (B) supersedes other rules only to the ex-
2 tent that this section is inconsistent with those
3 rules; and

4 (2) with full recognition of the constitutional
5 right of either House to change the rules (so far as
6 relating to the procedure of that House) at any time,
7 in the same manner, and to the same extent as in
8 the case of any other rule of that House.

9 (i) FAILURE TO PASS RESOLUTION OF DIS-
10 APPROVAL.—If Congress fails to pass a joint resolution
11 by the date that is 45 calendar days after the date of sub-
12 mission by the President to Congress of the recommenda-
13 tions of the Commission, each Federal agency shall be re-
14 quired to implement and carry out all of the recommenda-
15 tions of the Commission pursuant to section 9.

16 **SEC. 9. IMPLEMENTATION OF RECOMMENDATIONS OF**
17 **COMMISSION.**

18 (a) CARRYING OUT RECOMMENDATIONS.—

19 (1) IN GENERAL.—Each Federal agency shall,
20 in consultation with the Administrator—

21 (A) on the date specified in section 8(i),
22 immediately begin preparations to carry out the
23 recommendations of the Commission;

24 (B) not later than 90 days after the date
25 specified in section 8(i), develop a plan for the

1 implementation of those recommendations, in-
2 cluding a timeline with measurable milestones
3 and deadlines;

4 (C) not later than 1 year after the date
5 specified in section 8(i), provide an update to
6 the Commission and the Administrator on the
7 plan developed under subparagraph (B); and

8 (D) not later than the end of the 3-year
9 period beginning on the date on which the
10 President submits the recommendations of the
11 Commission to Congress, complete implementa-
12 tion of all recommended actions.

13 (2) ACTIONS.—Each recommended action taken
14 by a Federal agency shall be economically beneficial
15 and cost-neutral or otherwise result in savings to the
16 Federal Government.

17 (3) FAILURE TO IMPLEMENT RECOMMENDA-
18 TIONS.—If a Federal agency fails to carry out the
19 plan described in paragraph (1)(B) and implement
20 the recommendations of the Commission within the
21 period described in paragraph (1)(D), the Adminis-
22 trator shall—

23 (A) assume the authority of that Federal
24 agency; and

1 (B) implement the recommendations of the
2 Commission for that Federal agency.

3 (b) ACTIONS OF FEDERAL AGENCIES.—In imple-
4 menting any recommended action relating to any Federal
5 building or facility under this Act, a Federal agency may,
6 in consultation with the Administrator, pursuant to sub-
7 section (c), take all such necessary and proper actions, in-
8 cluding—

9 (1) constructing replacement facilities, per-
10 forming such other activities, and conducting such
11 advance planning and design as is required to trans-
12 fer functions from a Federal asset or property to an-
13 other Federal civilian property;

14 (2) providing outplacement assistance to civilian
15 employees employed by any Federal agency at a
16 Federal civilian property impacted by the rec-
17 ommended action; and

18 (3) reimbursing other Federal agencies for ac-
19 tions performed at the request of the Commission.

20 (c) NECESSARY AND PROPER ACTIONS.—

21 (1) IN GENERAL.—In acting on a recommenda-
22 tion of the Commission, a Federal agency shall—

23 (A) act within any authority delegated to
24 the Federal agency; and

1 (B) if the Federal agency has not been del-
2 egated authority to act on the recommendation,
3 the Federal agency shall work in partnership
4 with the Administrator to carry out the rec-
5 ommendation.

6 (2) ACTIONS OF ADMINISTRATOR.—The Admin-
7 istrator—

8 (A) may take such necessary and proper
9 actions, including the sale, conveyance, or ex-
10 change of civilian real property, as are required
11 to implement the recommendations of the Com-
12 mission in accordance with subsection (a); and

13 (B) shall enter into and use commission-
14 based contracts for real estate services to assist
15 in carrying out property transactions required
16 by the recommendations of the Commission.

17 (d) DISCRETION OF ADMINISTRATOR REGARDING
18 TRANSACTIONS.—For any transaction identified, rec-
19 ommended, or commenced as a result of this Act, any oth-
20 erwise required legal priority given to, or requirement to
21 enter into, a transaction to convey a Federal civilian real
22 property for less than fair market value, for no consider-
23 ation at all, or in a transaction that mandates the exclu-
24 sion of other market participants, shall be at the discretion
25 of the Administrator.

1 **SEC. 10. DISPOSAL OF REAL PROPERTIES.**

2 (a) IN GENERAL.—Notwithstanding any other provi-
3 sion of law, any recommendation or commencement of a
4 disposal or realignment of civilian real property shall not
5 be subject to—

6 (1) the first section through section 3 of the
7 Act of May 19, 1948 (16 U.S.C. 667b et seq.);

8 (2) sections 107 and 317 of title 23, United
9 States Code;

10 (3) section 545(b)(8) of title 40, United States
11 Code;

12 (4) sections 550, 553, and 554 of title 40,
13 United States Code;

14 (5) section 1304(b) of title 40, United States
15 Code;

16 (6) section 501 of the McKinney-Vento Home-
17 less Assistance Act (42 U.S.C. 11411);

18 (7) section 47151 of title 49, United States
19 Code;

20 (8) section 11(d) of the Surplus Property Act
21 of 1944 (50 U.S.C. App. 1622(d));

22 (9) any other provision of law authorizing the
23 conveyance of real property under the administrative
24 jurisdiction of the Federal Government for no con-
25 sideration; or

1 (10) any congressional notification requirement
2 (other than that under section 545(e) of title 40,
3 United States Code).

4 (b) CONTINUATION OF CERTAIN REQUIREMENTS.—
5 Nothing in subsection (a) modifies, alters, or amends any
6 other required environmental or historical review, record-
7 keeping, or notice requirement otherwise applicable to a
8 conveyance of Federal civilian real property.

9 (c) PUBLIC BENEFIT.—

10 (1) IN GENERAL.—For those properties that
11 the Commission determines should be reviewed for
12 potential use for the homeless or for any other pub-
13 lic benefit under a provision of law described in sub-
14 section (a), the Commission shall submit to the Sec-
15 retary, on the same date on which the report of the
16 Commission is submitted to the President under sec-
17 tion 6(g), any such information on the building or
18 property that concerns the decision regarding the
19 disposal of the civilian property.

20 (2) ACTION BY SECRETARY.—Not later than 30
21 days after the date on which the Commission makes
22 a submission of information under subsection (a),
23 the Secretary shall provide to the Commission a re-
24 port summarizing a determination of the suitability
25 of the civilian real properties recommended to be

1 disposed as properties appropriate for use in assist-
2 ing the homeless.

3 (3) NOTICE OF INTEREST.—Not later than 60
4 days after the date on which the Commission sub-
5 mits a report to the President under section 6(g)
6 and the recommendations of the Commission are re-
7 leased to the public, any representatives of the
8 homeless proposing interest in the use of property
9 that the Commission has determined should be re-
10 viewed for potential use by the homeless or for any
11 other public benefit under a provision of law de-
12 scribed in subsection (a) may submit a notice of in-
13 terest to the Commission and the Secretary that
14 contains—

15 (A) a description of the homeless assist-
16 ance program that the representative proposes
17 to carry out at the installation;

18 (B) an assessment of the need for the pro-
19 gram;

20 (C) a description of the extent to which the
21 program is or will be coordinated with other
22 homeless assistance programs in the commu-
23 nities in the vicinity of the property;

1 (D) a description of the buildings and
2 property that are necessary in order to carry
3 out the program;

4 (E) a description of the financial plan, the
5 organization, and the organizational capacity of
6 the representative to carry out the program;
7 and

8 (F) an assessment of the time required to
9 commence implementation of the program.

10 (4) HUD APPROVAL.—The Secretary shall—

11 (A) not later than 60 days after the date
12 on which the Commission submits the report to
13 the President under section 6(g), review and
14 certify submissions under this subsection from
15 representatives of the homeless; and

16 (B) if more than 1 notice of interest is en-
17 tered for a property, indicate to the Commis-
18 sion which planned use of the property for the
19 homeless has more merit.

20 (5) INTERESTED PARTIES.—

21 (A) IN GENERAL.—Not later than 30 days
22 after the date on which the Commission sub-
23 mits the report to the President under section
24 6(g) and the recommendations of the Commis-
25 sion are publicly released, any parties proposing

1 interest in a property that the Commission has
2 determined should be reviewed for any other
3 public benefit programs described in subsection
4 (a), for a use that is not homeless assistance,
5 may submit a notice of interest to the Commis-
6 sion and to the Federal agency that is otherwise
7 tasked by law to review applications for the
8 public benefit conveyance program under which
9 the party is applying.

10 (B) REQUIREMENTS.—A notice of interest
11 under this paragraph shall contain the informa-
12 tion otherwise required by the law establishing
13 the public benefit conveyance program.

14 (6) ASSESSMENT OF VALIDITY AND MERIT.—

15 (A) IN GENERAL.—A Federal agency that
16 has been tasked with reviewing applications for
17 public benefit conveyance programs, and that
18 receives a notice of interest with information
19 pertaining to the certification of the validity of
20 a proposed public benefit conveyance operating
21 under 1 of the uses under subsection (a) that
22 are not homeless assistance, shall—

23 (i) review and certify submissions
24 from parties proposing such future use for
25 the property; and

1 (ii) not later than 60 days after the
2 date on which the Commission submits the
3 report to the President under section 6(g),
4 submit to the Commission an assessment
5 of the validity and merits of the informa-
6 tion contained in the notice of interest.

7 (B) SELECTION OF USE.—If more than 1
8 notice of interest is entered for a property, the
9 head of the reviewing agency shall indicate to
10 the Commission which planned use of the prop-
11 erty has more merit.

12 (7) COMPILATION OF INFORMATION AND AS-
13 SESSMENTS.—The Commission shall—

14 (A) compile all information and assess-
15 ments regarding submitted notices of interest
16 about properties; and

17 (B) as soon as practicable after the date
18 on which the recommendations of the Commis-
19 sion are required to be implemented by Federal
20 agencies under section 8(i), forward the infor-
21 mation and assessments to the Federal agencies
22 that maintain custody and control over the civil-
23 ian real properties to be disposed for use in im-
24 plementing the recommendations of the Com-
25 mission.

1 (8) USE OF PROPERTY.—

2 (A) IN GENERAL.—If a property reviewed
3 by the Secretary is determined to be fit for use
4 by the homeless and the Secretary has identi-
5 fied a representative of the homeless whose no-
6 tice of interest is certified, or, in the event of
7 more than 1 notice of interest on the property,
8 whose notice of interest is determined by the
9 Secretary to have the most merit, the Federal
10 agency maintaining custody or control of the
11 property, in accordance with subsection (a),
12 shall commence conveyance of the property to
13 that representative of the homeless after the
14 date on which the recommendations of the
15 Commission are required to be implemented by
16 Federal agencies under section 8(i).

17 (B) UNFIT FOR USE; NO NOTICE OF IN-
18 TEREST.—If a property reviewed by the Sec-
19 retary is determined to be unfit for use by the
20 homeless, or if there is no identified notice of
21 interest on the property by a representative of
22 the homeless, the Federal agency maintaining
23 custody or control of the property shall deter-
24 mine whether—

1 (i) there are any parties that have ex-
2 pressed interest in the property for a use
3 described in subsection (a) other than
4 homeless assistance; and

5 (ii) any Federal reviewing agency has
6 certified 1 of those uses.

7 (C) CONVEYANCE.—If a Federal agency
8 maintaining custody or control of a property de-
9 termines that there is an identified notice of in-
10 terest in the property for a certified use under
11 subparagraph (B), as soon as practicable after
12 the date on which the recommendations of the
13 Commission are required to be implemented by
14 Federal agencies under section 8(i), the Federal
15 agency shall—

16 (i) commence conveyance of the prop-
17 erty to the party that proposed the cer-
18 tified use; and

19 (ii) if more than 1 party has ex-
20 pressed interest in the property—

21 (I) select which party shall re-
22 ceive the property; and

23 (II) commence conveyance of the
24 property to the party.

1 (9) OTHER OPTIONS FOR USE OF PROPERTY.—

2 If, after the date on which the recommendations of
3 the Commission are required to be implemented by
4 Federal agencies under section 8(i), a property does
5 not qualify, or there is no interest in a property re-
6 viewed, for 1 of the uses described in subsection (a),
7 a Federal agency may select among any other re-
8 maining ways to implement the recommendations of
9 the Commission with respect to the property.

10 (d) ENVIRONMENTAL CONSIDERATIONS.—

11 (1) NEPA APPLICATION.—Nothing in this Act
12 shall be construed to modify, alter, or amend the
13 National Environmental Policy Act of 1969 (42
14 U.S.C. 4321 et seq.).

15 (2) DISPOSAL OR REALIGNMENT OF PROP-
16 ERTY.—A Federal agency may dispose of or realign
17 property without regard to any provision of law, as
18 described in subsection (a), restricting the use of
19 funds for disposal or realignment of Federal civilian
20 property included in any appropriations or author-
21 ization Act.

22 (3) TRANSFER OF REAL PROPERTY.—

23 (A) IN GENERAL.—In implementing rec-
24 ommendations of the Commission under section
25 8(i) for properties that have been identified in

1 those recommendations and are in compliance
2 with the Comprehensive Environmental Re-
3 sponse, Compensation, and Liability Act of
4 1980 (42 U.S.C. 9601 et seq.), including sec-
5 tion 120(h) of that Act (42 U.S.C. 9620(h)), a
6 Federal agency may enter into an agreement
7 with any person to transfer real property by
8 deed.

9 (B) ADDITIONAL TERMS.—

10 (i) IN GENERAL.—The head of the
11 Federal agency disposing of property under
12 this paragraph may require any additional
13 terms and conditions in connection with an
14 agreement authorized by subparagraph (A)
15 as are appropriate to protect the interests
16 of the United States.

17 (ii) NO EFFECT ON RIGHTS AND OBLI-
18 GATIONS.—Additional terms and condi-
19 tions described in clause (i) shall not affect
20 or diminish any right or obligation of a
21 Federal agency under section 120(h) of the
22 Comprehensive Environmental Response,
23 Compensation, and Liability Act of 1980
24 (42 U.S.C. 9620(h)).

1 (4) INFORMATION DISCLOSURE.—As part of an
2 agreement pursuant to this Act, a Federal agency
3 shall disclose to the person to whom property or fa-
4 cilities will be transferred, before entering into any
5 agreement with the person, any information of the
6 Federal agency regarding the environmental restora-
7 tion, waste management, and environmental compli-
8 ance activities described in this Act that relate to
9 the property or facilities.

10 (e) CONSTRUCTION OF CERTAIN ACTS.—Nothing in
11 this section modifies, alters, or amends—

12 (1) the Comprehensive Environmental Re-
13 sponse, Compensation, and Liability Act of 1980 (42
14 U.S.C. 9601 et seq.); or

15 (2) the Solid Waste Disposal Act (42 U.S.C.
16 6901 et seq.).

17 **SEC. 11. CONGRESSIONAL APPROVAL OF PROPOSED**
18 **PROJECTS.**

19 Section 3307(b) of title 40, United States Code, is
20 amended—

21 (1) in paragraph (6), by striking “and” at the
22 end;

23 (2) in paragraph (7), by striking the period at
24 the end and inserting a semicolon; and

25 (3) adding at the end the following:

1 “(8) a statement of how the proposed project is
2 consistent with section 5(b) of the Civilian Property
3 Realignment Act of 2013;

4 “(9) for all proposed leases, including operating
5 leases, the amount of the net present value of—

6 “(A) the total estimated legal obligations
7 of the Federal Government over the life of the
8 contract; and

9 “(B) the cost of constructing new space;
10 and

11 “(10) with respect to any prospectus for the
12 construction, alteration, or acquisition of the build-
13 ing or space to be leased, a statement by the Admin-
14 istrator describing the use of life-cycle cost analysis
15 and any increased design, construction, or acquisi-
16 tion costs identified by the analysis that are offset
17 by lower long-term costs.”.

18 **SEC. 12. LIMITATION OF CERTAIN LEASING AUTHORITIES.**

19 (a) **LIMITATION ON CERTAIN LEASING AUTHORI-**
20 **TIES.**—Chapter 33 of title 40, United States Code, is
21 amended by adding at the end the following:

22 **“3317. LIMITATION ON LEASING AUTHORITY OF OTHER**
23 **AGENCIES.**

24 “(a) **DEFINITION OF PUBLIC BUILDING.**—In this
25 section, the term ‘public building’ includes leased space.

1 “(b) LEASING AUTHORITY.—

2 “(1) LIMITATION.—Notwithstanding any other
3 provision of law, subject to paragraph (2), no execu-
4 tive agency may lease space for the purposes of a
5 public building, except as provided in section 585
6 and this chapter.

7 “(2) EXCEPTION.—Paragraph (1) shall not
8 apply to the United States Postal Service, the De-
9 partment of Veterans Affairs, or any property the
10 President excludes for reasons of national security.

11 “(c) CONSTRUCTION.—Nothing in this section—

12 “(1) establishes any new authority for an execu-
13 tive agency to enter into a lease; or

14 “(2) limits the authority of the Administration
15 under section 3314.”.

16 (b) CLERICAL AMENDMENT.—The analysis for chap-
17 ter 33 of title 40, United States Code, is amended by add-
18 ing at the end the following:

“3317. Limitation on leasing authority of other agencies.”.

19 **SEC. 13. IMPLEMENTATION REVIEW BY GAO.**

20 Not later than 1 year after the date of enactment
21 of this Act, and annually thereafter, the Comptroller Gen-
22 eral of the United States shall submit to Congress an an-
23 nual report that—

1 (1) reviews and describes the implementation
2 activities of Federal agencies pursuant to section 9;
3 and

4 (2) contains any recommendations of the Comp-
5 troller General for the improvement of those imple-
6 mentation activities.

7 **SEC. 14. REALIGNMENT OF REAL PROPERTY OWNED OR**
8 **MANAGED BY THE BUREAU OF OVERSEAS**
9 **BUILDING OPERATIONS.**

10 (a) LIST OF ASSETS.—On an annual basis, the Com-
11 mission shall identify and compile a list of assets located
12 outside of the United States and the territories of the
13 United States that are owned or managed by the Bureau
14 of Overseas Building Operations of the Department of
15 State that may—

16 (1) be sold for proceeds so as to reduce the ci-
17 vilian real property inventory and operating costs of
18 the Federal Government; or

19 (2) be otherwise disposed of, transferred, con-
20 solidated, colocated, or reconfigured so as to reduce
21 the operating costs of the Federal Government.

22 (b) LIST TO SECRETARY OF STATE.—The Commis-
23 sion shall provide each list compiled pursuant to sub-
24 section (a) to the Secretary of State.

1 (c) REVIEW AND REPORT.—Not later than 90 cal-
2 endar days after the date of receipt of a list compiled pur-
3 suant to subsection (b), the Department of State shall—

4 (1) review the list; and

5 (2) submit to the Commission a report that in-
6 cludes the conclusions of the review.

7 (d) RECOMMENDATIONS OF CERTAIN CIVILIAN REAL
8 PROPERTY ASSETS.—In accordance with section 6, the
9 Commission may make recommendations involving civilian
10 real property assets described in subsection (a) only if—

11 (1) the assets are on the list provided to the
12 Department of State pursuant to this section; and

13 (2) the Department of State has submitted a
14 report on the list to the Commission pursuant to
15 subsection (c)(2).

16 (e) REMOVAL OF CERTAIN CIVILIAN REAL PROP-
17 ERTY TRANSACTION ASSETS.—In accordance with section
18 6, not later than 20 calendar days after the date of sub-
19 mission of the report of the Commission to the President
20 under section 6(g), the Secretary of State may remove any
21 transaction that involves a civilian real property asset de-
22 scribed in subsection (a) from the list of recommendations
23 developed under section 6.

24 (f) APPEAL BY SECRETARY OF STATE.—Nothing in
25 this section restricts the ability of the Secretary of State

1 to appeal to the Director or Commission for funding by
2 the Asset Proceeds and Space Management Fund to sup-
3 port the cost of implementing a recommendation.

4 (g) PROCEEDS.—

5 (1) IN GENERAL.—For the purposes of this
6 Act, proceeds from the disposal of assets described
7 in subsection (a) shall be deposited in the Asset Pro-
8 ceeds and Space Management Fund established
9 under section 18(c).

10 (2) DISPOSAL UNDER OTHER AUTHORITY.—
11 Proceeds from the disposal of assets by the Depart-
12 ment of State that are not disposed of pursuant to
13 this Act shall be retained by the Department of
14 State.

15 **SEC. 15. FEDERAL REAL PROPERTY PROFILE.**

16 (a) CONGRESSIONAL COMMITTEES.—

17 (1) IN GENERAL.—On the request of the chair-
18 person and ranking member of any committee de-
19 scribed in paragraph (2), the Director and the Ad-
20 ministrator shall—

21 (A) provide access to the Federal Real
22 Property Profile established in accordance with
23 Executive Order 13327 (40 U.S.C. 121 note;
24 relating to Federal real property asset manage-
25 ment), to that committee; and

1 (B) make all information in the Federal
2 Real Property Profile available to that com-
3 mittee.

4 (2) COMMITTEES.—The committees referred to
5 in paragraph (1) are—

6 (A) the Committee on Transportation and
7 Infrastructure of the House of Representatives;

8 (B) the Committee on Oversight and Gov-
9 ernment Reform of the House of Representa-
10 tives;

11 (C) the Committee on Homeland Security
12 and Governmental Affairs of the Senate;

13 (D) the Committee on Environment and
14 Public Works of the Senate; and

15 (E) the Committees on Appropriations of
16 the House of Representatives and the Senate.

17 (b) GOVERNMENT ACCOUNTABILITY OFFICE.—On
18 the request of the Comptroller General, the Director and
19 the Administrator shall—

20 (1) provide access to the Federal Real Property
21 Profile established in accordance with Executive
22 Order 13327 (40 U.S.C. 121 note; relating to Fed-
23 eral real property asset management), to the Gov-
24 ernment Accountability Office; and

1 (2) make all information in the Federal Real
2 Property Profile available to the Government Ac-
3 countability Office.

4 (c) CONGRESSIONAL RESEARCH SERVICE.—On re-
5 quest of the Director of the Congressional Research Serv-
6 ice, the Director and the Administrator shall—

7 (1) provide access to the Federal Real Property
8 Profile established in accordance with Executive
9 Order 13327 (40 U.S.C. 121 note; relating to Fed-
10 eral real property asset management), to the Con-
11 gressional Research Service; and

12 (2) make all information in the Federal Real
13 Property Profile available to the Congressional Re-
14 search Service.

15 (d) CONGRESSIONAL BUDGET OFFICE.—On request
16 of the Director of the Congressional Budget Office, the
17 Director and the Administrator shall—

18 (1) provide access to the Federal Real Property
19 Profile established in accordance with Executive
20 Order 13327 (40 U.S.C. 121 note; relating to Fed-
21 eral real property asset management), to the Con-
22 gressional Budget Office; and

23 (2) make all information in the Federal Real
24 Property Profile available to the Congressional
25 Budget Office.

1 (e) THE COMMISSION.—On request of the Chair-
2 person of the Commission, the Director and Administrator
3 shall—

4 (1) provide access to the Federal Real Property
5 Profile established in accordance with Executive
6 Order 13327 (40 U.S.C. 121 note; relating to Fed-
7 eral real property asset management), to the Com-
8 mission; and

9 (2) make all information in the Federal Real
10 Property Profile available to the Commission.

11 (f) REAL PROPERTY PROFILE IMPROVEMENTS.—In
12 carrying out the duties of the Administrator relating to
13 maintaining the Federal Real Property Profile established
14 in accordance with Executive Order 13327 (40 U.S.C. 121
15 note; relating to Federal real property asset management),
16 the Administrator shall ensure that the data collected and
17 reported from each Federal agency includes—

18 (1) the age and condition of the property;

19 (2) the size of the property, expressed in square
20 footage and acreage;

21 (3) the geographical location of the property,
22 including an address and description;

23 (4) the extent to which the property is being
24 utilized;

1 (5) the actual annual operating costs associated
2 with the property;

3 (6) the total cost of capital expenditures associ-
4 ated with the property;

5 (7) sustainability metrics associated with the
6 property;

7 (8) the number of Federal employees and func-
8 tions housed at the property;

9 (9) the extent to which the mission of the Fed-
10 eral agency is dependent on the property; and

11 (10) the estimated amount of capital expendi-
12 tures projected to maintain and operate the property
13 for each of the 5 calendar years after the date of en-
14 actment of this Act.

15 **SEC. 16. EXCESS PROPERTY.**

16 (a) IN GENERAL.—Except as provided in subsection
17 (b), not later than 3 years after the date of enactment
18 of this Act, each Federal agency shall dispose, transfer,
19 exchange, consolidate, collocate, reconfigure, or redevelop
20 any property that, on the date of enactment of this Act,
21 is—

22 (1) excess property (as defined in section 102
23 of title 40, United States Code); and

24 (2) under the control of that Federal agency.

25 (b) EXCEPTIONS.—

1 (1) IN GENERAL.—Subsection (a) shall not
2 apply to any property, if the Federal agency in con-
3 trol of the property submits a report to each com-
4 mittee described in paragraph (2) that—

5 (A) identifies the property; and

6 (B) states the reasons the Federal agency
7 is not able to carry out subsection (a) with re-
8 spect to that property.

9 (2) COMMITTEES.—The committees referred to
10 under paragraph (1) are—

11 (A) the Committee on Transportation and
12 Infrastructure of the House of Representatives;

13 (B) the Committee on Oversight and Gov-
14 ernment Reform of the House of Representa-
15 tives;

16 (C) the Committee on Homeland Security
17 and Governmental Affairs of the Senate;

18 (D) the Committee on Environment and
19 Public Works of the Senate; and

20 (E) the Committees on Appropriations of
21 the House of Representatives and the Senate.

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

23 The following actions shall not be subject to judicial
24 review:

1 (1) An action of the Commission under section
2 6.

3 (2) An action of the President under section 7.

4 (3) An action of the Commission, the Secretary,
5 or a Federal agency under section 10(c).

6 **SEC. 18. FUNDING.**

7 (a) SALARIES AND EXPENSES ACCOUNT.—

8 (1) ESTABLISHMENT.—There is established in
9 the Treasury an account, to be known as the “Civil-
10 ian Property Realignment Commission—Salaries
11 and Expenses” account, consisting of—

12 (A) the amounts deposited in the account
13 under subsection (c)(1); and

14 (B) such amounts as are provided in ap-
15 propriations Acts for those necessary payments
16 for salaries and other administrative expenses
17 of the Commission.

18 (2) NO APPROPRIATIONS.—If no amounts are
19 appropriated for the salaries and expenses of the
20 Commission for a fiscal year, the Director may sup-
21 port the activities of the Commission under this Act
22 for the fiscal year if the Director, in consultation
23 with the Administrator, approves a transfer to the
24 Commission of amounts from the Asset Proceeds

1 and Space Management Fund established under sub-
2 section (b)(1).

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

5 (1) ESTABLISHMENT.—There is established
6 within the Federal Buildings Fund established by
7 section 592 of title 40, United States Code, a fund
8 to be known as the “Civilian Property Realignment
9 Commission—Asset Proceeds and Space Manage-
10 ment Fund”, which shall be used solely for the pur-
11 poses of carrying out actions pursuant to rec-
12 ommendations of the Commission approved under
13 section 8.

14 (2) TYPES OF FUNDS DEPOSITED.—Notwith-
15 standing section 3307 of title 40, United States
16 Code, the fund established under paragraph (1) shall
17 consist of—

18 (A) such amounts as are provided in ap-
19 propriations Acts, to remain available until ex-
20 pended, for the consolidation, colocation, ex-
21 change, redevelopment, reconfiguration of space
22 and other actions recommended by the Commis-
23 sion for Federal agencies;

24 (B) the proceeds received from each civil-
25 ian real property action taken pursuant to a

1 recommendation of the Commission under sec-
2 tion 9; and

3 (C) any funds made available to a Federal
4 agency in an appropriations Act for the costs of
5 administering civilian real property, including
6 operations, maintenance, and security not ex-
7 pended because of any savings in those costs re-
8 sulting from implementing a recommendation of
9 the Commission under section 9.

10 (3) AVAILABILITY OF AMOUNTS.—The amounts
11 deposited in the fund established under paragraph
12 (1) shall remain available until expended.

13 (4) TRANSFER OF PROCEEDS.—

14 (A) IN GENERAL.—The Commission, in
15 carrying out the duties of the Commission and
16 with the consent of the Administrator, may
17 transfer from the fund established under para-
18 graph (1) to a Federal agency such amounts as
19 are necessary from the proceeds described in
20 paragraph (2)(B) to cover costs associated with
21 implementing the recommendations of the Com-
22 mission under section 9.

23 (B) TYPES OF COSTS.—The costs de-
24 scribed in subparagraph (A) shall include any
25 costs associated with—

- 1 (i) sales transactions;
- 2 (ii) transferring functions from a Fed-
3 eral asset or property to another Federal
4 civilian property, including construction,
5 constructing replacement facilities, con-
6 ducting advance planning, and design;
- 7 (iii) colocation, redevelopment, dis-
8 posal, and reconfiguration of space; and
- 9 (iv) any other action recommended by
10 the Commission for a Federal agency.

11 (5) NET PROCEEDS.—

12 (A) DEFINITION OF NET PROCEEDS.—In
13 this paragraph, the term “net proceeds” means
14 difference between—

- 15 (i) the proceeds described in para-
16 graph (2)(B); and
- 17 (ii) the amounts transferred under
18 paragraph (4).

19 (B) DEPOSIT.—The Administrator shall
20 determine the proportion of the net proceeds
21 that are deposited in the general fund of the
22 Treasury and the Civilian Property Realign-
23 ment Commission—Asset Proceeds and Space
24 Management Fund for a fiscal year, except
25 that, of the total amount of net proceeds for a

1 fiscal year, the general fund of the Treasury
2 shall receive—

3 (i) 100 percent of all proceeds de-
4 scribed in paragraph (2)(B) for the fiscal
5 year until such date as the total amount of
6 those proceeds for the fiscal year exceeds
7 \$50,000,000; and

8 (ii) not less than 80 percent of the net
9 proceeds thereafter for the fiscal year.

10 (c) INITIAL FUNDING.—Notwithstanding any other
11 provision of law, not later than 30 days after the date of
12 enactment of this Act, the Administrator shall transfer
13 from the Federal Buildings Fund established under sec-
14 tion 592 of title 40, United States Code—

15 (1) \$20,000,000, to the Civilian Property Re-
16 alignment Commission—Salaries and Expenses ac-
17 count established under subsection (a)(1), to remain
18 available until expended, for salaries and expenses of
19 the Commission; and

20 (2) \$62,000,000, to Civilian Property Realign-
21 ment Commission—Asset Proceeds and Space Man-
22 agement Fund established under subsection (b)(1),
23 to remain available until expended, for use in car-
24 rying out activities relating to the implementation of
25 the recommendations of the Commission.

1 **SEC. 19. CONSIDERATION OF LIFE-CYCLE COST REQUIRED.**

2 Section 3305 of title 40, United States Code, is
3 amended by adding at the end the following:

4 “(d) CONSIDERATION OF LIFE-CYCLE COST RE-
5 QUIRED.—

6 “(1) DEFINITIONS.—In this subsection:

7 “(A) LIFE-CYCLE COST.—The term ‘life-
8 cycle cost’ means the sum of the following
9 costs, as estimated for the lifetime of a build-
10 ing:

11 “(i) Investment costs.

12 “(ii) Capital costs.

13 “(iii) Installation costs.

14 “(iv) Energy costs.

15 “(v) Operating costs.

16 “(vi) Maintenance costs.

17 “(vii) Replacement costs.

18 “(B) LIFETIME OF A BUILDING.—The
19 term ‘lifetime of a building’ means, with respect
20 to a building, the greater of—

21 “(i) the period of time during which
22 the building is projected to be used; or

23 “(ii) 50 years.

24 “(2) REQUIREMENT.—The Administrator shall
25 ensure that the life-cycle cost of a public building is

1 considered in the construction or lease of a public
2 building described in paragraph (3).

3 “(3) FEDERAL PUBLIC BUILDINGS SUBJECT TO
4 REQUIREMENT.—A public building is subject to the
5 requirement under paragraph (2) if—

6 “(A) construction or lease of the building
7 begins after the date of the enactment of the
8 Civilian Property Realignment Act of 2013;

9 “(B) the estimated construction costs of
10 the building exceed \$1,000,000;

11 “(C) in the case of a lease, the square foot-
12 age of the property is more than 25,000 square
13 feet; and

14 “(D) Federal funding comprises more than
15 50 percent of the funding for the estimated
16 construction or lease costs of the building.”.

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