

114TH CONGRESS  
1ST SESSION

# S. 1750

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

JULY 13, 2015

Mr. WARNER (for himself, Mr. BLUNT, Mr. PORTMAN, Mr. WICKER, Mr. KIRK, Mr. GRAHAM, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

---

## 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 2015” 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 COM-**  
13   **MISSION.**

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 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 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 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 CHAIR.—Ap-  
13 peals of the decisions of the Chair relating to the ap-  
14 plication of the rules of the Senate or the House of  
15 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 SENATE AND HOUSE OF REPRESENT-  
17          ATIVES.—This section is enacted by Congress—

18               (1) as an exercise of the rulemaking power of  
19               the Senate and the House of Representatives, re-  
20               spectively, 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 one 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 one 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 one of the uses described in subsection  
7           (a), a Federal agency may select among any other  
8           remaining ways to implement the recommendations  
9           of 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) by 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 2015;

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 agen-**  
23 **cies**

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 BUREAU OF OVERSEAS BUILD-**  
9                           **ING 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) COMMISSION.—On request of the Chairperson of  
2 the Commission, the Director and Administrator shall—

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

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

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

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

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

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

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

24 (5) the actual annual operating costs associated  
25 with the property;

1           (6) the total cost of capital expenditures associ-  
2           ated with the property;

3           (7) sustainability metrics associated with the  
4           property;

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

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

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

13 **SEC. 16. EXCESS PROPERTY.**

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

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

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

23          (b) **EXCEPTIONS.**—

24           (1) **IN GENERAL.**—Subsection (a) shall not  
25           apply to any property, if the Federal agency in con-

1        trol of the property submits a report to each com-  
2        mittee described in paragraph (2) that—

3                (A) identifies the property; and

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

7        (2) COMMITTEES.—The committees referred to  
8        under paragraph (1) are—

9                (A) the Committee on Transportation and  
10        Infrastructure of the House of Representatives;

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

14                (C) the Committee on Homeland Security  
15        and Governmental Affairs of the Senate;

16                (D) the Committee on Environment and  
17        Public Works of the Senate; and

18                (E) the Committees on Appropriations of  
19        the House of Representatives and the Senate.

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

21        The following actions shall not be subject to judicial  
22        review:

23                (1) An action of the Commission under section  
24        6.

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



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

3 **SEC. 18. FUNDING.**

4           (a) SALARIES AND EXPENSES ACCOUNT.—

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

9                   (A) the amounts deposited in the account  
10                   under subsection (c)(1); and

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

15           (2) NO APPROPRIATIONS.—If no amounts are  
16           appropriated for the salaries and expenses of the  
17           Commission for a fiscal year, the Director may sup-  
18           port the activities of the Commission under this Act  
19           for the fiscal year if the Director, in consultation  
20           with the Administrator, approves a transfer to the  
21           Commission of amounts from the Asset Proceeds  
22           and Space Management Fund established under sub-  
23           section (b)(1).

24           (b) ASSET PROCEEDS AND SPACE MANAGEMENT  
25           FUND.—

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

10           (2) TYPES OF FUNDS DEPOSITED.—Notwith-  
11 standing section 3307 of title 40, United States  
12 Code, the fund established under paragraph (1) shall  
13 consist of—

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

20           (B) the proceeds received from each civil-  
21 ian real property action taken pursuant to a  
22 recommendation of the Commission under sec-  
23 tion 9; and

24           (C) any funds made available to a Federal  
25 agency in an appropriations Act for the costs of

1 administering civilian real property, including  
2 operations, maintenance, and security not ex-  
3 pended because of any savings in those costs re-  
4 sulting from implementing a recommendation of  
5 the Commission under section 9.

6 (3) AVAILABILITY OF AMOUNTS.—The amounts  
7 deposited in the fund established under paragraph  
8 (1) shall remain available until expended.

9 (4) TRANSFER OF PROCEEDS.—

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

19 (B) TYPES OF COSTS.—The costs de-  
20 scribed in subparagraph (A) shall include any  
21 costs associated with—

22 (i) sales transactions;

23 (ii) transferring functions from a Fed-  
24 eral asset or property to another Federal  
25 civilian property, including construction,

1           constructing replacement facilities, con-  
2           ducting advance planning, and design;

3           (iii) colocation, redevelopment, dis-  
4           posal, and reconfiguration of space; and

5           (iv) any other action recommended by  
6           the Commission for a Federal agency.

7           (5) NET PROCEEDS.—

8           (A) DEFINITION OF NET PROCEEDS.—In  
9           this paragraph, the term “net proceeds” means  
10          difference between—

11           (i) the proceeds described in para-  
12          graph (2)(B); and

13           (ii) the amounts transferred under  
14          paragraph (4).

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

24           (i) 100 percent of all proceeds de-  
25          scribed in paragraph (2)(B) for the fiscal

1 year until such date as the total amount of  
2 those proceeds for the fiscal year exceeds  
3 \$50,000,000; and

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

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

11 (1) \$20,000,000, to the Civilian Property Re-  
12 alignment Commission—Salaries and Expenses ac-  
13 count established under subsection (a)(1), to remain  
14 available until expended, for salaries and expenses of  
15 the Commission; and

16 (2) \$62,000,000, to the Civilian Property Re-  
17 alignment Commission—Asset Proceeds and Space  
18 Management Fund established under subsection  
19 (b)(1), to remain available until expended, for use in  
20 carrying out activities relating to the implementation  
21 of the recommendations of the Commission.

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

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

1       “(d) CONSIDERATION OF LIFE-CYCLE COST RE-  
2 QUIRED.—

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

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

8                   “(i) Investment costs.

9                   “(ii) Capital costs.

10                  “(iii) Installation costs.

11                  “(iv) Energy costs.

12                  “(v) Operating costs.

13                  “(vi) Maintenance costs.

14                  “(vii) Replacement costs.

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

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

20                   “(ii) 50 years.

21           “(2) REQUIREMENT.—The Administrator shall  
22 ensure that the life-cycle cost of a public building is  
23 considered in the construction or lease of a public  
24 building described in paragraph (3).

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

4           “(A) construction or lease of the building  
5 begins after the date of the enactment of the  
6 Civilian Property Realignment Act of 2015;

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

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

12           “(D) Federal funding comprises more than  
13 50 percent of the funding for the estimated  
14 construction or lease costs of the building.”.

○