

Calendar No. 558

114TH CONGRESS
2D SESSION**S. 2509**

To improve the Government-wide management of Federal property.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 2016

Mr. CARPER (for himself, Mr. PORTMAN, Mr. JOHNSON, Mr. KING, Ms. HEITKAMP, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JULY 12, 2016

Reported by Mr. JOHNSON, with an amendment

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

A BILL

To improve the Government-wide management of Federal property.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Property Man-
5 agement Reform Act of 2016”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to increase the efficiency
3 and effectiveness of the Federal Government in managing
4 property of the Federal Government by—

5 (1) requiring the United States Postal Service
6 to take appropriate measures to better manage and
7 account for property and modernize the Postal fleet;

8 (2) providing for increased collocation with
9 Postal Service facilities and guidance on Postal
10 Service leasing practices;

11 (3) establishing a Federal Property Council to
12 develop guidance on and ensure the implementation
13 of strategies for better managing Federal property;

14 (4) providing incentives to agencies to dispose
15 of excess property through retention of proceeds;
16 and

17 (5) providing guidance for surplus property do-
18 nations to museums.

19 **SEC. 3. PROPERTY MANAGEMENT.**

20 (a) IN GENERAL.—Chapter 5 of subtitle I of title 40,
21 United States Code, is amended by adding at the end the
22 following:

23 **“Subchapter VII—Property Management**

24 **“§ 621. Definitions**

25 “In this subchapter:

1 “(1) ADMINISTRATOR.—The term ‘Adminis-
2 trator’ means the Administrator of General Services.

3 “(2) COUNCIL.—The term ‘Council’ means the
4 Federal Property Council established by section
5 623(a).

6 “(3) DIRECTOR.—The term ‘Director’ means
7 the Director of the Office of Management and Budg-
8 et.

9 “(4) DISPOSAL.—The term ‘disposal’ means
10 any action that constitutes the removal of any prop-
11 erty from the inventory of the Federal agency, in-
12 cluding sale, transfer, deed, demolition, donation, or
13 exchange.

14 “(5) FEDERAL AGENCY.—The term ‘Federal
15 agency’ means—

16 “(A) an executive department or inde-
17 pendent establishment in the executive branch
18 of the Government; or

19 “(B) a wholly owned Government corpora-
20 tion.

21 “(6) FIELD OFFICE.—The term ‘field office’
22 means any office of a Federal agency that is not the
23 headquarters office location for the Federal agency.

1 “(7) ~~POSTAL PROPERTY.~~—The term ‘postal
2 property’ means any building owned or leased by the
3 United States Postal Service.

4 “(8) ~~PUBLIC-PRIVATE PARTNERSHIP.~~—The
5 term ‘public-private partnership’ means any partner-
6 ship or working relationship between a Federal
7 agency and a corporation, individual, or nonprofit
8 organization for the purpose of financing, con-
9 structing, operating, managing, or maintaining 1 or
10 more Federal real property assets.

11 “(9) ~~UNDERUTILIZED PROPERTY.~~—The term
12 ‘underutilized property’ means a portion or the en-
13 tirety of any real property, including any improve-
14 ments, that is used—

15 “(A) irregularly or intermittently by the
16 accountable Federal agency for program pur-
17 poses of the Federal agency; or

18 “(B) for program purposes that can be
19 satisfied only with a portion of the property.

20 **“§ 622. Collocation among United States Postal Serv-**
21 **ice properties**

22 “(a) ~~IDENTIFICATION OF POSTAL PROPERTY.~~—Each
23 year, the Postmaster General shall—

24 “(1) identify a list of postal properties with
25 space available for use by Federal agencies; and

1 “(2) not later than September 30, submit the
2 list to—

3 “(A) the Committee on Homeland Security
4 and Governmental Affairs of the Senate; and

5 “(B) the Committee on Oversight and Gov-
6 ernment Reform of the House of Representa-
7 tives.

8 “(b) VOLUNTARY IDENTIFICATION OF POSTAL PROP-
9 ERTY.—Each year, the Postmaster General may submit
10 the list under subsection (a) to the Council.

11 “(c) SUBMISSION OF LIST OF POSTAL PROPERTIES
12 TO FEDERAL AGENCIES.—

13 “(1) IN GENERAL.—Not later than 30 days
14 after the completion of a list under subsection (a),
15 the Council shall provide the list to each Federal
16 agency.

17 “(2) REVIEW BY FEDERAL AGENCIES.—Not
18 later than 90 days after the receipt of the list sub-
19 mitted under paragraph (1), each Federal agency
20 shall—

21 “(A) review the list;

22 “(B) review properties under the control of
23 the Federal agency; and

24 “(C) recommend collocations if appro-
25 priate.

1 “(d) TERMS OF COLLOCATION.—On approval of the
 2 recommendations under subsection (c) by the Postmaster
 3 General and the applicable agency head, the Federal agen-
 4 cy or appropriate landholding entity may work with the
 5 Postmaster General to establish appropriate terms of a
 6 lease for each postal property.

7 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
 8 tion exceeds, modifies, or supplants any other Federal law
 9 relating to any competitive bidding process governing the
 10 leasing of postal property.

11 **“§ 623. Establishment of a Federal Property Council**

12 “(a) ESTABLISHMENT.—There is established a Fed-
 13 eral Property Council.

14 “(b) PURPOSE.—The purpose of the Council shall
 15 be—

16 “(1) to develop guidance and ensure implemen-
 17 tation of an efficient and effective property manage-
 18 ment strategy;

19 “(2) to identify opportunities for the Federal
 20 Government to better manage property and assets of
 21 the Federal Government; and

22 “(3) to reduce the costs of managing property
 23 of the Federal Government, including operations,
 24 maintenance, and security associated with Federal
 25 property.

1 “(c) COMPOSITION.—

2 “(1) IN GENERAL.—The Council shall be com-
3 posed exclusively of—

4 “(A) the senior real property officers of
5 each Federal agency and the Postal Service;

6 “(B) the Deputy Director for Management
7 of the Office of Management and Budget;

8 “(C) the Controller of the Office of Man-
9 agement and Budget;

10 “(D) the Administrator; and

11 “(E) any other full-time or permanent
12 part-time Federal officials or employees; as the
13 Chairperson determines to be necessary.

14 “(2) CHAIRPERSON.—The Deputy Director for
15 Management of the Office of Management and
16 Budget shall serve as Chairperson of the Council.

17 “(3) EXECUTIVE DIRECTOR.—

18 “(A) IN GENERAL.—The Chairperson shall
19 designate an Executive Director to assist in
20 carrying out the duties of the Council.

21 “(B) QUALIFICATIONS; FULL-TIME.—The
22 Executive Director shall—

23 “(i) be appointed from among individ-
24 uals who have substantial experience in the
25 areas of commercial real estate and devel-

1 opment, real property management, and
 2 Federal operations and management;
 3 “(ii) serve full time; and
 4 “(iii) hold no outside employment that
 5 may conflict with duties inherent to the po-
 6 sition.

7 “(d) MEETINGS.—

8 “(1) IN GENERAL.—The Council shall meet
 9 subject to the call of the Chairperson.

10 “(2) MINIMUM.—The Council shall meet not
 11 fewer than 4 times each year.

12 “(e) DUTIES.—The Council, in consultation with the
 13 Director and the Administrator, shall—

14 “(1) not later than 1 year after the date of en-
 15 actment of this subchapter, establish a property
 16 management plan template, to be updated annually,
 17 which shall include performance measures, specific
 18 milestones, measurable savings, strategies, and Gov-
 19 ernment-wide goals based on the goals established
 20 under section 524(a)(7) to reduce surplus property,
 21 to achieve better utilization of underutilized prop-
 22 erty, or to enhance management of high value per-
 23 sonal property, and evaluation criteria to determine
 24 the effectiveness of property management that are
 25 designed—

1 “(A) to enable Congress and heads of Fed-
2 eral agencies to track progress in the achieve-
3 ment of property management objectives on a
4 Government-wide basis;

5 “(B) to improve the management of real
6 property; and

7 “(C) to allow for comparison of the per-
8 formance of Federal agencies against industry
9 and other public sector agencies in terms of
10 performance;

11 “(2) develop standard utilization rates con-
12 sistent throughout each category of space and with
13 nongovernmental space use rates;

14 “(3) develop a strategy to reduce the reliance of
15 Federal agencies on leased space for long-term needs
16 if ownership would be less costly;

17 “(4) provide guidance on eliminating inefficien-
18 cies in the Federal leasing process;

19 “(5) compile a list of field offices that are suit-
20 able for collocation with other property assets;

21 “(6) research best practices regarding the use
22 of public-private partnerships to manage properties
23 and develop guidelines for the use of those partner-
24 ships in the management of Federal property;

1 “(7) not later than 1 year after the date of en-
2 actment of this subchapter—

3 “(A) examine the disposal of surplus prop-
4 erty through the State Agencies for Surplus
5 Property program; and

6 “(B) issue a report that includes rec-
7 ommendations on how the program could be im-
8 proved to ensure accountability and increase ef-
9 ficiencies in the property disposal process; and

10 “(8) not later than 1 year after the date of en-
11 actment of this subchapter and annually during the
12 4-year period beginning on the date that is 1 year
13 after the date of enactment of this subchapter and
14 ending on the date that is 5 years after the date of
15 enactment of this subchapter, the Council shall sub-
16 mit to the Director a report that contains—

17 “(A) a list of the remaining excess prop-
18 erty or surplus property that is real property,
19 and underutilized properties of each Federal
20 agency;

21 “(B) the progress of the Council toward
22 developing guidance for Federal agencies to en-
23 sure that the assessment required under section
24 524(a)(11)(B) is carried out in a uniform man-
25 ner;

1 “(C) the progress of Federal agencies to-
2 ward achieving the goals established under sec-
3 tion 524(a)(7); and

4 “(D) if necessary, recommendations for
5 legislation or statutory reforms that would fur-
6 ther the goals of the Council, including stream-
7 lining the disposal of excess real or personal
8 property or underutilized property.

9 “(f) CONSULTATION.—In carrying out the duties de-
10 scribed in subsection (e), the Council shall also consult
11 with representatives of—

12 “(1) State, local, tribal authorities, and affected
13 communities; and

14 “(2) appropriate private sector entities and
15 nongovernmental organizations that have expertise
16 in areas of—

17 “(A) commercial real estate and develop-
18 ment;

19 “(B) government management and oper-
20 ations;

21 “(C) space planning;

22 “(D) community development, including
23 transportation and planning;

24 “(E) historic preservation;

1 “(F) providing housing to the homeless
2 population; and

3 “(G) personal property management.

4 “(g) COUNCIL RESOURCES.—The Director and the
5 Administrator shall provide staffing, and administrative
6 support for the Council, as appropriate.

7 “(h) ACCESS TO INFORMATION.—The Council shall
8 make available, on request, all information generated by
9 the Council in performing the duties of the Council to—

10 “(1) the Committee on Homeland Security and
11 Governmental Affairs of the Senate;

12 “(2) the Committee on Environment and Public
13 Works of the Senate;

14 “(3) the Committee on Oversight and Govern-
15 ment Reform of the House of Representatives;

16 “(4) the Committee on Transportation and In-
17 frastructure of the House of Representatives; and

18 “(5) the Comptroller General of the United
19 States.

20 “(i) EXCLUSIONS.—In this section, surplus property
21 shall not include—

22 “(1) any military installation (as defined in sec-
23 tion 2910 of the Defense Base Closure and Realign-
24 ment Act of 1990 (10 U.S.C. 2687 note; Public Law
25 101–510));

1 ~~“(2) any property that is excepted from the def-~~
 2 ~~inition of the term ‘property’ under section 102;~~

3 ~~“(3) Indian and native Eskimo property held in~~
 4 ~~trust by the Federal Government as described in~~
 5 ~~section 3301(a)(5)(C)(iii);~~

6 ~~“(4) real property operated and maintained by~~
 7 ~~the Tennessee Valley Authority pursuant to the Ten-~~
 8 ~~nessee Valley Authority Act of 1933 (16 U.S.C. 831~~
 9 ~~et seq.);~~

10 ~~“(5) any real property the Director excludes for~~
 11 ~~reasons of national security;~~

12 ~~“(6) any public lands (as defined in section 203~~
 13 ~~of the Public Lands Corps Act of 1993 (16 U.S.C.~~
 14 ~~1722)) administered by—~~

15 ~~“(A) the Secretary of the Interior, acting~~
 16 ~~through—~~

17 ~~“(i) the Director of the Bureau of~~
 18 ~~Land Management;~~

19 ~~“(ii) the Director of the National~~
 20 ~~Park Service;~~

21 ~~“(iii) the Commissioner of Reclama-~~
 22 ~~tion; or~~

23 ~~“(iv) the Director of the United~~
 24 ~~States Fish and Wildlife Service; or~~

1 “(B) the Secretary of Agriculture, acting
 2 through the Chief of the Forest Service; or
 3 “(7) any property operated and maintained by
 4 the United States Postal Service.

5 **“§ 624. Inventory and database**

6 “(a) IN GENERAL.—Not later than 1 year after the
 7 date of enactment of this subchapter, the Administrator
 8 shall establish and maintain a single, comprehensive, and
 9 descriptive database of all real property under the custody
 10 and control of all Federal agencies.

11 “(b) CONTENTS.—The database shall include—

12 “(1) information provided to the Administrator
 13 under section 524(a)(11)(B); and

14 “(2) a list of property disposals completed, in-
 15 cluding—

16 “(A) the date and disposal method used
 17 for each property;

18 “(B) the proceeds obtained from the dis-
 19 posal of each property;

20 “(C) the amount of time required to dis-
 21 pose of the property, including the date on
 22 which the property is designated as excess prop-
 23 erty;

1 ~~“(D) the date on which the property is~~
 2 ~~designated as surplus property and the date on~~
 3 ~~which the property is disposed; and~~

4 ~~“(E) all costs associated with the disposal.~~
 5 ~~“(e) ACCESSIBILITY.—~~

6 ~~“(1) COMMITTEES.—The database established~~
 7 ~~under subsection (a) shall be made available on re-~~
 8 ~~quest to the Committee on Homeland Security and~~
 9 ~~Governmental Affairs and the Committee on Envi-~~
 10 ~~ronment and Public Works of the Senate and the~~
 11 ~~Committee on Oversight and Government Reform~~
 12 ~~and the Committee on Transportation and Infra-~~
 13 ~~structure of the House of Representatives.~~

14 ~~“(2) GENERAL PUBLIC.—Not later than 3 years~~
 15 ~~after the date of enactment of this subchapter and~~
 16 ~~to the extent consistent with national security, the~~
 17 ~~Administrator shall make the database established~~
 18 ~~under subsection (a) accessible to the public at no~~
 19 ~~cost through the website of the General Services Ad-~~
 20 ~~ministration.~~

21 ~~“(d) EXCLUSIONS.—In this section, surplus property~~
 22 ~~shall not include—~~

23 ~~“(1) any military installation (as defined in sec-~~
 24 ~~tion 2910 of the Defense Base Closure and Realign-~~

1 ment Act of 1990 (10 U.S.C. 2687 note; Public Law
2 101-510));

3 “(2) any property that is excepted from the def-
4 inition of the term ‘property’ under section 102;

5 “(3) Indian and native Eskimo property held in
6 trust by the Federal Government as described in
7 section 3301(a)(5)(C)(iii);

8 “(4) real property operated and maintained by
9 the Tennessee Valley Authority pursuant to the Ten-
10 nessee Valley Authority Act of 1933 (16 U.S.C. 831
11 et seq.);

12 “(5) any real property the Director excludes for
13 reasons of national security;

14 “(6) any public lands (as defined in section 203
15 of the Public Lands Corps Act of 1993 (16 U.S.C.
16 1722)) administered by—

17 “(A) the Secretary of the Interior, acting
18 through—

19 “(i) the Director of the Bureau of
20 Land Management;

21 “(ii) the Director of the National
22 Park Service;

23 “(iii) the Commissioner of Reclama-
24 tion; or

1 “(iv) the Director of the United
 2 States Fish and Wildlife Service; or
 3 “(B) the Secretary of Agriculture, acting
 4 through the Chief of the Forest Service; or
 5 “(7) any property operated and maintained by
 6 the United States Postal Service.

7 **“§ 625. Information on certain leasing authorities**

8 “(a) IN GENERAL.—Except as provided in subsection
 9 (b), not later than December 31 of each year following
 10 the date of enactment of this subchapter, a Federal agency
 11 with independent leasing authority shall submit to the
 12 Council a list of all leases, including operating leases, in
 13 effect on the date of enactment of this subchapter that
 14 includes—

15 “(1) the date on which each lease was executed;
 16 “(2) the date on which each lease will expire;
 17 “(3) a description of the size of the space;
 18 “(4) the location of the property;
 19 “(5) the tenant agency;
 20 “(6) the total annual rental payment; and
 21 “(7) the amount of the net present value of the
 22 total estimated legal obligations of the Federal Gov-
 23 ernment over the life of the contract.

24 “(b) EXCEPTION.—Subsection (a) shall not apply
 25 to—

1 “(1) the United States Postal Service; or
 2 “(2) any other property the President excludes
 3 from subsection (a) for reasons of national secu-
 4 rity.”.

5 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

6 (1) TABLE OF SECTIONS.—The table of sections
 7 for chapter 5 of subtitle I of title 40, United States
 8 Code, is amended by inserting after the item relating
 9 to section 611 the following:

“SUBCHAPTER VII—PROPERTY MANAGEMENT

“Sec. 621. Definitions.

“Sec. 622. Collocation among United States Postal Service properties.

“Sec. 623. Establishment of a Federal Property Council.

“Sec. 624. Inventory and database.

“Sec. 625. Information on certain leasing authorities.”.

10 (2) TECHNICAL AMENDMENT.—Section 102 of
 11 title 40, United States Code, is amended in the mat-
 12 ter preceding paragraph (1) by striking “The” and
 13 inserting “Except as provided in subchapters VII
 14 and VIII of chapter 5 of this title, the”.

15 **SEC. 4. UNITED STATES POSTAL SERVICE PROPERTY MAN-**
 16 **AGEMENT.**

17 (a) IN GENERAL.—Chapter 5 of subtitle I of title 40,
 18 United States Code, as amended by section 3, is amended
 19 by adding at the end the following:

**“Subchapter VIII—United States Postal
Service Property Management**

“§ 641. Definitions

“In this subchapter:

“(1) **EXCESS PROPERTY.**—The term ‘excess property’ means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

“(2) **POSTAL PROPERTY.**—The term ‘postal property’ means any property owned or leased by, or under the control of, the Postal Service.

“(3) **POSTAL SERVICE.**—The term ‘Postal Service’ means the United States Postal Service.

“(4) **UNDERUTILIZED PROPERTY.**—The term ‘underutilized property’ means a portion or the entirety of any real property, including any improvements, that is used—

“(A) irregularly or intermittently by the Postal Service for program purposes of the Postal Service; or

“(B) for program purposes that can be satisfied only with a portion of the property.

“§ 642. United States Postal Service property management

“The Postal Service—

1 “(1) shall maintain adequate inventory controls
2 and accountability systems for postal property;

3 “(2) shall develop current and future workforce
4 projections so as to have the capacity to assess the
5 needs of the Postal Service workforce regarding the
6 use of property;

7 “(3) may develop a 5-year management tem-
8 plate that—

9 “(A) establishes goals and policies that will
10 lead to the reduction of excess property and un-
11 derutilized property in the inventory of the
12 Postal Service;

13 “(B) adopts workplace practices, configu-
14 rations, and management techniques that can
15 achieve increased levels of productivity and de-
16 crease the need for real property assets;

17 “(C) assesses leased space to identify space
18 that is not fully used or occupied;

19 “(D) develops recommendations on how to
20 address excess capacity at Postal Service facili-
21 ties without negatively impacting mail delivery;
22 and

23 “(E) develops recommendations on ensur-
24 ing the security of mail processing operations;
25 and

1 “(4) shall, on a regular basis—

2 “(A) conduct an inventory of postal prop-
3 erty that is real property; and

4 “(B) make an assessment of each property
5 described in subparagraph (A), which shall in-
6 clude—

7 “(i) the age and condition of the prop-
8 erty;

9 “(ii) the size of the property in square
10 footage and acreage;

11 “(iii) the geographical location of the
12 property, including an address and descrip-
13 tion;

14 “(iv) the extent to which the property
15 is being utilized;

16 “(v) the actual annual operating costs
17 associated with the property;

18 “(vi) the total cost of capital expendi-
19 tures associated with the property;

20 “(vii) the number of postal employees,
21 contractor employees, and functions housed
22 at the property;

23 “(viii) the extent to which the mission
24 of the Postal Service is dependent on the
25 property; and

1 “(ix) the estimated amount of capital
 2 expenditures projected to maintain and op-
 3 erate the property over each of the next 5
 4 years after the date of enactment of this
 5 subchapter.”.

6 (b) ~~TECHNICAL AND CONFORMING AMENDMENT.—~~
 7 The table of sections for chapter 5 of subtitle I of title
 8 40, United States Code, as amended by section 3, is
 9 amended by inserting after the item relating to section
 10 626 the following:

~~“SUBCHAPTER VII—UNITED STATES POSTAL SERVICE PROPERTY
 MANAGEMENT~~

~~“Sec. 641. Definitions:~~

~~“Sec. 642. United States Postal Service property management.”.~~

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

12 Section 571 of title 40, United States Code, is
 13 amended to read as follows:

14 **“§ 571. General rules for deposit and use of proceeds**

15 ~~“(a) PROCEEDS FROM TRANSFER OR SALE OF REAL~~
 16 ~~PROPERTY.—~~

17 ~~“(1) DEPOSIT OF NET PROCEEDS.—Net pro-~~
 18 ~~ceeds described in subsection (d) shall be deposited~~
 19 ~~into the appropriate account of the agency that had~~
 20 ~~custody and accountability for the property at the~~
 21 ~~time the property is determined to be excess.~~

22 ~~“(2) EXPENDITURE OF NET PROCEEDS.—The~~
 23 ~~net proceeds deposited pursuant to paragraph (1)~~

1 may only be expended as authorized in annual ap-
 2 propriations Acts, for—

3 “(A) activities described in sections 543
 4 and 545, including paying costs incurred by the
 5 General Services Administration for any dis-
 6 posal-related activity authorized by this title;
 7 and

8 “(B) activities pursuant to implementation
 9 of the Federal Buildings Personnel Training
 10 Act of 2010 (40 U.S.C. 581 note; Public Law
 11 111–308).

12 “(3) DEFICIT REDUCTION.—Any net proceeds
 13 described in subsection (d) from the sale, lease, or
 14 other disposition of surplus real property that are
 15 not expended under paragraph (2) shall be used for
 16 deficit reduction.

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

19 “(c) DISPOSAL AGENCY FOR REVERTED PROP-
 20 PERTY.—For the purposes of this section, for any property
 21 that reverts to the United States under sections 550 and
 22 553, the General Services Administration, as the disposal
 23 agency, shall be treated as the agency with custody and
 24 accountability for the property at the time the property
 25 is determined to be excess.

1 “(d) NET PROCEEDS.—The net proceeds described in
 2 this subsection are proceeds under this chapter, less ex-
 3 penses of the transfer or disposition as provided in section
 4 572(a), from—

5 “(1) a transfer of excess real property to a Fed-
 6 eral agency for agency use; or

7 “(2) a sale, lease, or other disposition of sur-
 8 plus real property.

9 “(e) PROCEEDS FROM TRANSFER OR SALE OF PER-
 10 SONAL PROPERTY.—

11 “(1) IN GENERAL.—Except as otherwise pro-
 12 vided in this subchapter, proceeds described in para-
 13 graph (2) shall be deposited in the Treasury as mis-
 14 cellaneous receipts.

15 “(2) PROCEEDS.—The proceeds described in
 16 this paragraph are proceeds under this chapter
 17 from—

18 “(A) a transfer of excess personal property
 19 to a Federal agency for agency use; or

20 “(B) a sale, lease, or other disposition of
 21 surplus personal property.

22 “(3) PAYMENT OF EXPENSES OF SALE BEFORE
 23 DEPOSIT.—

24 “(A) IN GENERAL.—Subject to regulations
 25 under this subtitle, the expenses of the sale of

personal property may be paid from the proceeds of the sale so that only the net proceeds are deposited in the Treasury.

“(B) APPLICATION.—This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.”

SEC. 6. MULTI-BROKER LEASE OF POSTAL SERVICE FACILITIES.

(a) IN GENERAL.—Chapter 20 of title 39, United States Code, is amended by adding at the end the following:

“§ 2012. Multi-broker lease of Postal Service facilities

“(a) DEFINITION.—In this section, the term ‘multi-broker contract vehicle’ means a contract vehicle, similar to the National Broker Contract used by the General Services Administration, that encourages competition through the use of multiple national real estate companies.

“(b) REQUIREMENT TO USE MULTI-BROKER LEASE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Postal Service shall use a multi-broker contract vehicle to acquire any leased property.

1 ~~“(2) EXCEPTION.—Paragraph (1) shall not~~
 2 ~~apply to a leased property—~~

3 ~~“(A) that the Postal Service acquired be-~~
 4 ~~fore the date of enactment of the Federal Prop-~~
 5 ~~erty Management Reform Act of 2016; and~~

6 ~~“(B) the lease for which the Postal Service~~
 7 ~~renews, using its own resources, on or after the~~
 8 ~~date of enactment of the Federal Property~~
 9 ~~Management Reform Act of 2016.”.~~

10 (b) ~~TECHNICAL AND CONFORMING AMENDMENT.—~~

11 ~~The table of sections for chapter 20 of title 39, United~~
 12 ~~States Code, is amended by adding at the end the fol-~~
 13 ~~lowing:~~

~~“2012. Multi-broker lease of Postal Service facilities.”.~~

14 **SEC. 7. INSPECTOR GENERAL REPORT ON UNITED STATES**

15 **POSTAL SERVICE PROPERTY.**

16 (a) ~~DEFINITION OF EXCESS PROPERTY.—~~In this sec-
 17 ~~tion, the term “excess property” has the meaning given~~
 18 ~~the term in section 641 of title 40, United States Code,~~
 19 ~~as added by section 4.~~

20 (b) ~~EXCESS PROPERTY REPORT.—~~Not later than 2
 21 ~~years after the date of enactment of this Act, the Inspector~~
 22 ~~General of the United States Postal Service shall submit~~
 23 ~~to Congress a report that includes—~~

24 ~~(1) a survey of excess property held by the~~
 25 ~~United States Postal Service; and~~

(2) recommendations for repurposing property identified in paragraph (1)—

(A) to—

(i) reduce excess capacity; and

(ii) increase collocation with other Federal agencies; and

(B) without diminishing the ability of the United States Postal Service to meet the service standards established under section 3691 of title 39, United States Code, as in effect on January 1, 2016.

SEC. 8. REPORTS ON UNITED STATES POSTAL SERVICE FLEET MODERNIZATION.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall study and submit to Congress a report on—

(1) the feasibility of the United States Postal Service designing mail delivery vehicles that are equipped for diverse geographic conditions such as travel in rural areas and extreme weather conditions; and

(2) the feasibility and cost of the United States Postal Service integrating the use of collision-averting technology into its vehicle fleet.

1 (b) **POSTAL SERVICE REPORT.**—Not later than 1
 2 year after the date of enactment of this Act, the United
 3 States Postal Service shall submit to Congress a report
 4 that includes—

5 (1) a review of the efforts of the United States
 6 Postal Service relating to fleet replacement and
 7 modernization; and

8 (2) a strategy for carrying out the fleet replace-
 9 ment and lifecycle plan of the United States Postal
 10 Service.

11 **SEC. 9. SURPLUS PROPERTY DONATIONS TO MUSEUMS.**

12 Section 549(c)(3)(B) of title 40, United States Code,
 13 is amended by striking clause (vii) and inserting the fol-
 14 lowing:

15 “(vii) a museum open to the public on
 16 a regularly scheduled weekly basis, and the
 17 hours of operation are, at a minimum, dur-
 18 ing normal business hours (as determined
 19 by the Administrator and including a mu-
 20 seum for which the nonprofit educational
 21 or public health institution or organization
 22 accedes to any request submitted for ac-
 23 cess);”.

1 **SEC. 10. DUTIES OF FEDERAL AGENCIES.**

2 Section 524(a) of title 40, United States Code, is
3 amended—

4 (1) in paragraph (4), by striking “and” at the
5 end;

6 (2) in paragraph (5), by striking the period at
7 the end and inserting a semicolon; and

8 (3) by adding at the end the following:

9 “(6) develop current and future workforce pro-
10 jections so as to have the capacity to assess the
11 needs of the Federal workforce regarding the use of
12 real property;

13 “(7) establish goals and policies that will lead
14 the executive agency to reduce excess property and
15 underutilized property in the inventory of the execu-
16 tive agency;

17 “(8) submit to the Federal Property Council an
18 annual report on all excess property that is real
19 property and underutilized property in the inventory
20 of the executive agency, including—

21 “(A) whether underutilized property can be
22 better utilized, including through collocation
23 with other executive agencies or consolidation
24 with other facilities; and

25 “(B) the extent to which the executive
26 agency believes that retention of the underuti-

1 lized property serves the needs of the executive
2 agency;

3 ~~“(9) adopt workplace practices, configurations,~~
4 and management techniques that can achieve in-
5 creased levels of productivity and decrease the need
6 for real property assets;

7 ~~“(10) assess leased space to identify space that~~
8 is not fully used or occupied;

9 ~~“(11) on an annual basis and subject to the~~
10 guidance of the Federal Property Council—

11 ~~“(A) conduct an inventory of real property~~
12 under control of the executive agency; and

13 ~~“(B) make an assessment of each property,~~
14 which shall include—

15 ~~“(i) the age and condition of the prop-~~
16 erty;

17 ~~“(ii) the size of the property in square~~
18 footage and acreage;

19 ~~“(iii) the geographical location of the~~
20 property, including an address and descrip-
21 tion;

22 ~~“(iv) the extent to which the property~~
23 is being utilized;

24 ~~“(v) the actual annual operating costs~~
25 associated with the property;

1 “(vi) the total cost of capital expendi-
2 tures incurred by the Federal Government
3 associated with the property;

4 “(vii) sustainability metrics associated
5 with the property;

6 “(viii) the number of Federal employ-
7 ees and contractor employees and functions
8 housed at the property;

9 “(ix) the extent to which the mission
10 of the executive agency is dependent on the
11 property;

12 “(x) the estimated amount of capital
13 expenditures projected to maintain and op-
14 erate the property during the 5-year period
15 beginning on the date of enactment of this
16 paragraph; and

17 “(xi) any additional information re-
18 quired by the Administrator of General
19 Services to carry out section 623; and

20 “(12) provide to the Federal Property Council
21 and the Administrator of General Services the infor-
22 mation described in paragraph (11)(B) to be used
23 for the establishment and maintenance of the data-
24 base described in section 624.”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Federal Property Man-*
 3 *agement Reform Act of 2016”.*

4 **SEC. 2. PURPOSE.**

5 *The purpose of this Act is to increase the efficiency*
 6 *and effectiveness of the Federal Government in managing*
 7 *property of the Federal Government by—*

8 (1) *requiring the United States Postal Service to*
 9 *take appropriate measures to better manage and ac-*
 10 *count for property and modernize the Postal fleet;*

11 (2) *providing for increased collocation with Post-*
 12 *al Service facilities and guidance on Postal Service*
 13 *leasing practices;*

14 (3) *establishing a Federal Property Council to*
 15 *develop guidance on and ensure the implementation*
 16 *of strategies for better managing Federal property;*

17 (4) *providing incentives to agencies to dispose of*
 18 *excess property through retention of proceeds; and*

19 (5) *providing guidance for surplus property do-*
 20 *nations to museums.*

21 **SEC. 3. PROPERTY MANAGEMENT.**

22 (a) *IN GENERAL.*—Chapter 5 of subtitle I of title 40,
 23 *United States Code, is amended by adding at the end the*
 24 *following:*

1 **“Subchapter VII—Property Management**

2 **“§ 621. Definitions**

3 *“In this subchapter:*

4 *“(1) ADMINISTRATOR.—The term ‘Adminis-*
5 *trator’ means the Administrator of General Services.*

6 *“(2) COUNCIL.—The term ‘Council’ means the*
7 *Federal Property Council established by section*
8 *623(a).*

9 *“(3) DIRECTOR.—The term ‘Director’ means the*
10 *Director of the Office of Management and Budget.*

11 *“(4) DISPOSAL.—The term ‘disposal’ means any*
12 *action that constitutes the removal of any property*
13 *from the inventory of the Federal agency, including*
14 *sale, transfer, deed, demolition, donation, or exchange.*

15 *“(5) FEDERAL AGENCY.—The term ‘Federal*
16 *agency’ means—*

17 *“(A) an executive department or inde-*
18 *pendent establishment in the executive branch of*
19 *the Government; or*

20 *“(B) a wholly owned Government corpora-*
21 *tion (other than the United States Postal Serv-*
22 *ice).*

23 *“(6) FIELD OFFICE.—The term ‘field office’*
24 *means any office of a Federal agency that is not the*
25 *headquarters office location for the Federal agency.*

1 “(7) *POSTAL PROPERTY*.—The term ‘postal prop-
 2 erty’ means any property owned or leased by the
 3 United States Postal Service.

4 “(8) *PUBLIC-PRIVATE PARTNERSHIP*.—The term
 5 ‘public-private partnership’ means any partnership
 6 or working relationship between a Federal agency and
 7 a corporation, individual, or nonprofit organization
 8 for the purpose of financing, constructing, operating,
 9 managing, or maintaining 1 or more Federal real
 10 property assets.

11 “(9) *UNDERUTILIZED PROPERTY*.—The term
 12 ‘underutilized property’ means a portion or the en-
 13 tirety of any real property, including any improve-
 14 ments, that is used—

15 “(A) irregularly or intermittently by the ac-
 16 countable Federal agency for program purposes
 17 of the Federal agency; or

18 “(B) for program purposes that can be sat-
 19 isfied only with a portion of the property.

20 **“§ 622. Collocation among United States Postal Serv-**
 21 **ice properties**

22 “(a) *IDENTIFICATION OF POSTAL PROPERTY*.—Each
 23 year, the Postmaster General shall—

24 “(1) identify a list of postal properties with
 25 space available for use by Federal agencies; and

1 “(2) not later than September 30, submit the list
2 to—

3 “(A) the Committee on Homeland Security
4 and Governmental Affairs of the Senate; and

5 “(B) the Committee on Oversight and Gov-
6 ernment Reform of the House of Representatives.

7 “(b) *VOLUNTARY IDENTIFICATION OF POSTAL PROP-*
8 *ERTY.—Each year, the Postmaster General may submit the*
9 *list under subsection (a) to the Council.*

10 “(c) *SUBMISSION OF LIST OF POSTAL PROPERTIES TO*
11 *FEDERAL AGENCIES.—*

12 “(1) *IN GENERAL.—Not later than 30 days after*
13 *the completion of a list under subsection (a), the*
14 *Council shall provide the list to each Federal agency.*

15 “(2) *REVIEW BY FEDERAL AGENCIES.—Not later*
16 *than 90 days after the receipt of the list submitted*
17 *under paragraph (1), each Federal agency shall—*

18 “(A) review the list;

19 “(B) review properties under the control of
20 the Federal agency; and

21 “(C) recommend collocations if appropriate.

22 “(d) *TERMS OF COLLOCATION.—On approval of the*
23 *recommendations under subsection (c) by the Postmaster*
24 *General and the applicable agency head, the Federal agency*
25 *or appropriate landholding entity may work with the Post-*

1 *master General to establish appropriate terms of a lease for*
 2 *each postal property.*

3 “(e) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*
 4 *tion exceeds, modifies, or supplants any other Federal law*
 5 *relating to any competitive bidding process governing the*
 6 *leasing of postal property.*

7 **“§ 623. *Establishment of a Federal Property Council***

8 “(a) *ESTABLISHMENT.*—*There is established a Federal*
 9 *Property Council.*

10 “(b) *PURPOSE.*—*The purpose of the Council shall be—*

11 “(1) *to develop guidance and ensure implementa-*
 12 *tion of an efficient and effective property manage-*
 13 *ment strategy;*

14 “(2) *to identify opportunities for the Federal*
 15 *Government to better manage property and assets of*
 16 *the Federal Government; and*

17 “(3) *to reduce the costs of managing property of*
 18 *the Federal Government, including operations, main-*
 19 *tenance, and security associated with Federal prop-*
 20 *erty.*

21 “(c) *COMPOSITION.*—

22 “(1) *IN GENERAL.*—*The Council shall be com-*
 23 *posed exclusively of—*

24 “(A) *the senior real property officers of each*
 25 *Federal agency and the Postal Service;*

1 “(B) *the Deputy Director for Management*
2 *of the Office of Management and Budget;*

3 “(C) *the Controller of the Office of Manage-*
4 *ment and Budget;*

5 “(D) *the Administrator; and*

6 “(E) *any other full-time or permanent part-*
7 *time Federal officials or employees, as the Chair-*
8 *person determines to be necessary.*

9 “(2) *CHAIRPERSON.—The Deputy Director for*
10 *Management of the Office of Management and Budget*
11 *shall serve as Chairperson of the Council.*

12 “(3) *EXECUTIVE DIRECTOR.—*

13 “(A) *IN GENERAL.—The Chairperson shall*
14 *designate an Executive Director to assist in car-*
15 *rying out the duties of the Council.*

16 “(B) *QUALIFICATIONS; FULL-TIME.—The*
17 *Executive Director shall—*

18 “(i) *be appointed from among individ-*
19 *uals who have substantial experience in the*
20 *areas of commercial real estate and develop-*
21 *ment, real property management, and Fed-*
22 *eral operations and management;*

23 “(ii) *serve full time; and*

1 “(iii) hold no outside employment that
2 may conflict with duties inherent to the po-
3 sition.

4 “(d) *MEETINGS.*—

5 “(1) *IN GENERAL.*—The Council shall meet sub-
6 ject to the call of the Chairperson.

7 “(2) *MINIMUM.*—The Council shall meet not
8 fewer than 4 times each year.

9 “(e) *DUTIES.*—The Council, in consultation with the
10 Director and the Administrator, shall—

11 “(1) not later than 1 year after the date of enact-
12 ment of this subchapter, establish a property manage-
13 ment plan template, to be updated annually, which
14 shall include performance measures, specific mile-
15 stones, measurable savings, strategies, and Govern-
16 ment-wide goals based on the goals established under
17 section 524(a)(7) to reduce surplus property, to
18 achieve better utilization of underutilized property, or
19 to enhance management of high value personal prop-
20 erty, and evaluation criteria to determine the effec-
21 tiveness of property management that are designed—

22 “(A) to enable Congress and heads of Fed-
23 eral agencies to track progress in the achieve-
24 ment of property management objectives on a
25 Government-wide basis;

1 “(B) to improve the management of real
2 property; and

3 “(C) to allow for comparison of the per-
4 formance of Federal agencies against industry
5 and other public sector agencies in terms of per-
6 formance;

7 “(2) develop utilization rates consistent through-
8 out each category of space, considering the diverse na-
9 ture of the Federal portfolio and consistent with non-
10 governmental space use rates;

11 “(3) develop a strategy to reduce the reliance of
12 Federal agencies on leased space for long-term needs
13 if ownership would be less costly;

14 “(4) provide guidance on eliminating inefficien-
15 cies in the Federal leasing process;

16 “(5) compile a list of field offices that are suit-
17 able for collocation with other property assets;

18 “(6) research best practices regarding the use of
19 public-private partnerships to manage properties and
20 develop guidelines for the use of those partnerships in
21 the management of Federal property;

22 “(7) not later than 1 year after the date of enact-
23 ment of this subchapter—

1 “(A) examine the disposal of surplus prop-
 2 erty through the State Agencies for Surplus
 3 Property program; and

4 “(B) issue a report that includes rec-
 5 ommendations on how the program could be im-
 6 proved to ensure accountability and increase effi-
 7 ciencies in the property disposal process; and

8 “(8) not later than 1 year after the date of enact-
 9 ment of this subchapter and annually during the 4-
 10 year period beginning on the date that is 1 year after
 11 the date of enactment of this subchapter and ending
 12 on the date that is 5 years after the date of enactment
 13 of this subchapter, the Council shall submit to the Di-
 14 rector a report that contains—

15 “(A) a list of the remaining excess property
 16 or surplus property that is real property, and
 17 underutilized properties of each Federal agency;

18 “(B) the progress of the Council toward de-
 19 veloping guidance for Federal agencies to ensure
 20 that the assessment required under section
 21 524(a)(11)(B) is carried out in a uniform man-
 22 ner;

23 “(C) the progress of Federal agencies toward
 24 achieving the goals established under section
 25 524(a)(7); and

1 “(D) if necessary, recommendations for leg-
2 islation or statutory reforms that would further
3 the goals of the Council, including streamlining
4 the disposal of excess real or personal property
5 or underutilized property.

6 “(f) CONSULTATION.—In carrying out the duties de-
7 scribed in subsection (e), the Council shall also consult with
8 representatives of—

9 “(1) State, local, tribal authorities, and affected
10 communities; and

11 “(2) appropriate private sector entities and non-
12 governmental organizations that have expertise in
13 areas of—

14 “(A) commercial real estate and develop-
15 ment;

16 “(B) government management and oper-
17 ations;

18 “(C) space planning;

19 “(D) community development, including
20 transportation and planning;

21 “(E) historic preservation;

22 “(F) providing housing to the homeless pop-
23 ulation; and

24 “(G) personal property management.

1 “(g) *COUNCIL RESOURCES.*—*The Director and the Ad-*
 2 *ministrators shall provide staffing, and administrative sup-*
 3 *port for the Council, as appropriate.*

4 “(h) *ACCESS TO INFORMATION.*—*The Council shall*
 5 *make available, on request, all information generated by the*
 6 *Council in performing the duties of the Council to—*

7 “(1) *the Committee on Homeland Security and*
 8 *Governmental Affairs of the Senate;*

9 “(2) *the Committee on Environment and Public*
 10 *Works of the Senate;*

11 “(3) *the Committee on Oversight and Govern-*
 12 *ment Reform of the House of Representatives;*

13 “(4) *the Committee on Transportation and In-*
 14 *frastructure of the House of Representatives; and*

15 “(5) *the Comptroller General of the United*
 16 *States.*

17 “(i) *EXCLUSIONS.*—*In this section, surplus property*
 18 *shall not include—*

19 “(1) *any military installation (as defined in sec-*
 20 *tion 2910 of the Defense Base Closure and Realign-*
 21 *ment Act of 1990 (10 U.S.C. 2687 note; Public Law*
 22 *101–510));*

23 “(2) *any property that is excepted from the defi-*
 24 *nition of the term ‘property’ under section 102;*

1 “(3) *Indian and native Eskimo property held in*
 2 *trust by the Federal Government as described in sec-*
 3 *tion 3301(a)(5)(C)(iii);*

4 “(4) *real property operated and maintained by*
 5 *the Tennessee Valley Authority pursuant to the Ten-*
 6 *nessee Valley Authority Act of 1933 (16 U.S.C. 831*
 7 *et seq.);*

8 “(5) *any real property the Director excludes for*
 9 *reasons of national security;*

10 “(6) *any public lands (as defined in section 203*
 11 *of the Public Lands Corps Act of 1993 (16 U.S.C.*
 12 *1722)) administered by—*

13 “(A) *the Secretary of the Interior, acting*
 14 *through—*

15 “(i) *the Director of the Bureau of Land*
 16 *Management;*

17 “(ii) *the Director of the National Park*
 18 *Service;*

19 “(iii) *the Commissioner of Reclama-*
 20 *tion; or*

21 “(iv) *the Director of the United States*
 22 *Fish and Wildlife Service; or*

23 “(B) *the Secretary of Agriculture, acting*
 24 *through the Chief of the Forest Service; or*

1 “(7) any property operated and maintained by
2 the United States Postal Service.

3 **“§ 624. Inventory and database**

4 “(a) *IN GENERAL.*—Not later than 1 year after the
5 date of enactment of this subchapter, the Administrator
6 shall establish and maintain a single, comprehensive, and
7 descriptive database of all real property under the custody
8 and control of all Federal agencies.

9 “(b) *CONTENTS.*—The database shall include—

10 “(1) information provided to the Administrator
11 under section 524(a)(11)(B); and

12 “(2) a list of property disposals completed, in-
13 cluding—

14 “(A) the date and disposal method used for
15 each property;

16 “(B) the proceeds obtained from the disposal
17 of each property;

18 “(C) the amount of time required to dispose
19 of the property, including the date on which the
20 property is designated as excess property;

21 “(D) the date on which the property is des-
22 ignated as surplus property and the date on
23 which the property is disposed; and

24 “(E) all costs associated with the disposal.

25 “(c) *ACCESSIBILITY.*—

1 “(1) *COMMITTEES.*—*The database established*
 2 *under subsection (a) shall be made available on re-*
 3 *quest to the Committee on Homeland Security and*
 4 *Governmental Affairs and the Committee on Environ-*
 5 *ment and Public Works of the Senate and the Com-*
 6 *mittee on Oversight and Government Reform and the*
 7 *Committee on Transportation and Infrastructure of*
 8 *the House of Representatives.*

9 “(2) *GENERAL PUBLIC.*—*Not later than 3 years*
 10 *after the date of enactment of this subchapter and to*
 11 *the extent consistent with national security, the Ad-*
 12 *ministrator shall make the database established under*
 13 *subsection (a) accessible to the public at no cost*
 14 *through the website of the General Services Adminis-*
 15 *tration.*

16 “(d) *EXCLUSIONS.*—*In this section, surplus property*
 17 *shall not include—*

18 “(1) *any military installation (as defined in sec-*
 19 *tion 2910 of the Defense Base Closure and Realign-*
 20 *ment Act of 1990 (10 U.S.C. 2687 note; Public Law*
 21 *101–510));*

22 “(2) *any property that is excepted from the defi-*
 23 *inition of the term ‘property’ under section 102;*

1 “(3) *Indian and native Eskimo property held in*
 2 *trust by the Federal Government as described in sec-*
 3 *tion 3301(a)(5)(C)(iii);*

4 “(4) *real property operated and maintained by*
 5 *the Tennessee Valley Authority pursuant to the Ten-*
 6 *nessee Valley Authority Act of 1933 (16 U.S.C. 831*
 7 *et seq.);*

8 “(5) *any real property the Director excludes for*
 9 *reasons of national security;*

10 “(6) *any public lands (as defined in section 203*
 11 *of the Public Lands Corps Act of 1993 (16 U.S.C.*
 12 *1722)) administered by—*

13 “(A) *the Secretary of the Interior, acting*
 14 *through—*

15 “(i) *the Director of the Bureau of Land*
 16 *Management;*

17 “(ii) *the Director of the National Park*
 18 *Service;*

19 “(iii) *the Commissioner of Reclama-*
 20 *tion; or*

21 “(iv) *the Director of the United States*
 22 *Fish and Wildlife Service; or*

23 “(B) *the Secretary of Agriculture, acting*
 24 *through the Chief of the Forest Service; or*

1 “(7) any property operated and maintained by
2 the United States Postal Service.

3 **“§ 625. Information on certain leasing authorities**

4 “(a) *IN GENERAL.*—Except as provided in subsection
5 (b), not later than December 31 of each year following the
6 date of enactment of this subchapter, a Federal agency with
7 independent leasing authority shall submit to the Council
8 a list of all leases, including operating leases, in effect on
9 the date of enactment of this subchapter that includes—

10 “(1) the date on which each lease was executed;

11 “(2) the date on which each lease will expire;

12 “(3) a description of the size of the space;

13 “(4) the location of the property;

14 “(5) the tenant agency;

15 “(6) the total annual rental payment; and

16 “(7) the amount of the net present value of the
17 total estimated legal obligations of the Federal Gov-
18 ernment over the life of the contract.

19 “(b) *EXCEPTION.*—Subsection (a) shall not apply to—

20 “(1) the United States Postal Service; or

21 “(2) any other property the President excludes
22 from subsection (a) for reasons of national security.”.

23 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

24 (1) *TABLE OF SECTIONS.*—The table of sections
25 for chapter 5 of subtitle I of title 40, United States

1 *Code, is amended by inserting after the item relating*
 2 *to section 611 the following:*

“SUBCHAPTER VII—PROPERTY MANAGEMENT

“Sec. 621. *Definitions.*

“Sec. 622. *Collocation among United States Postal Service properties.*

“Sec. 623. *Establishment of a Federal Property Council.*

“Sec. 624. *Inventory and database.*

“Sec. 625. *Information on certain leasing authorities.*”.

3 (2) *TECHNICAL AMENDMENT.—Section 102 of*
 4 *title 40, United States Code, is amended in the mat-*
 5 *ter preceding paragraph (1) by striking “The” and*
 6 *inserting “Except as provided in subchapters VII and*
 7 *VIII of chapter 5 of this title, the”.*

8 **SEC. 4. UNITED STATES POSTAL SERVICE PROPERTY MAN-**
 9 **AGEMENT.**

10 (a) *IN GENERAL.—Chapter 5 of subtitle I of title 40,*
 11 *United States Code, as amended by section 3, is amended*
 12 *by adding at the end the following:*

13 **“Subchapter VIII—United States Postal**
 14 **Service Property Management**

15 **“§ 641. Definitions**

16 *“In this subchapter:*

17 *“(1) EXCESS PROPERTY.—The term ‘excess prop-*
 18 *erty’ means any postal property that the Postal Serv-*
 19 *ice determines is not required to meet the needs or re-*
 20 *sponsibilities of the Postal Service.*

1 “(2) *POSTAL PROPERTY*.—The term ‘postal prop-
 2 erty’ means any property owned or leased by, or
 3 under the control of, the Postal Service.

4 “(3) *POSTAL SERVICE*.—The term ‘Postal Serv-
 5 ice’ means the United States Postal Service.

6 “(4) *UNDERUTILIZED PROPERTY*.—The term
 7 ‘underutilized property’ means a portion or the en-
 8 tirety of any real property, including any improve-
 9 ments, that is used—

10 “(A) irregularly or intermittently by the
 11 Postal Service for program purposes of the Post-
 12 al Service; or

13 “(B) for program purposes that can be sat-
 14 isfied only with a portion of the property.

15 **“§ 642. United States Postal Service property manage-**
 16 **ment**

17 “The Postal Service—

18 “(1) shall maintain adequate inventory controls
 19 and accountability systems for postal property;

20 “(2) shall develop current and future workforce
 21 projections so as to have the capacity to assess the
 22 needs of the Postal Service workforce regarding the
 23 use of property;

24 “(3) may develop a 5-year management template
 25 that—

1 “(A) establishes goals and policies that will
2 lead to the reduction of excess property and un-
3 derutilized property in the inventory of the Post-
4 al Service;

5 “(B) adopts workplace practices, configura-
6 tions, and management techniques that can
7 achieve increased levels of productivity and de-
8 crease the need for real property assets;

9 “(C) assesses leased space to identify space
10 that is not fully used or occupied;

11 “(D) develops recommendations on how to
12 address excess capacity at Postal Service facili-
13 ties without negatively impacting mail delivery;
14 and

15 “(E) develops recommendations on ensuring
16 the security of mail processing operations; and

17 “(4) shall, on a regular basis—

18 “(A) conduct an inventory of postal prop-
19 erty that is real property; and

20 “(B) make an assessment of each property
21 described in subparagraph (A), which shall in-
22 clude—

23 “(i) the age and condition of the prop-
24 erty;

1 “(ii) the size of the property in square
2 footage and acreage;

3 “(iii) the geographical location of the
4 property, including an address and descrip-
5 tion;

6 “(iv) the extent to which the property
7 is being utilized;

8 “(v) the actual annual operating costs
9 associated with the property;

10 “(vi) the total cost of capital expendi-
11 tures associated with the property;

12 “(vii) the number of postal employees,
13 contractor employees, and functions housed
14 at the property;

15 “(viii) the extent to which the mission
16 of the Postal Service is dependent on the
17 property; and

18 “(ix) the estimated amount of capital
19 expenditures projected to maintain and op-
20 erate the property over each of the next 5
21 years after the date of enactment of this
22 subchapter.”.

23 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—The
24 table of sections for chapter 5 of subtitle I of title 40, United

1 *States Code, as amended by section 3, is amended by insert-*
 2 *ing after the item relating to section 626 the following:*

“SUBCHAPTER VIII—UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT

“Sec. 641. Definitions.

“Sec. 642. United States Postal Service property management.”.

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

4 *Section 571 of title 40, United States Code, is amended*
 5 *to read as follows:*

6 **“§571. General rules for deposit and use of proceeds**

7 *“(a) PROCEEDS FROM TRANSFER OR SALE OF REAL*
 8 *PROPERTY.—*

9 *“(1) DEPOSIT OF NET PROCEEDS.—Net proceeds*
 10 *described in subsection (d) shall be deposited into the*
 11 *appropriate account of the agency that had custody*
 12 *and accountability for the property at the time the*
 13 *property is determined to be excess.*

14 *“(2) EXPENDITURE OF NET PROCEEDS.—The net*
 15 *proceeds deposited pursuant to paragraph (1) may*
 16 *only be expended as authorized in annual appropri-*
 17 *ations Acts, for—*

18 *“(A) activities described in sections 543 and*
 19 *545, including paying costs incurred by the Gen-*
 20 *eral Services Administration for any disposal-re-*
 21 *lated activity authorized by this title; and*

22 *“(B) activities pursuant to implementation*
 23 *of the Federal Buildings Personnel Training Act*

1 *of 2010 (40 U.S.C. 581 note; Public Law 111–*
 2 *308).*

3 “(3) *DEFICIT REDUCTION.*—*Any net proceeds de-*
 4 *scribed in subsection (d) from the sale, lease, or other*
 5 *disposition of surplus real property that are not ex-*
 6 *pended under paragraph (2) shall be used for deficit*
 7 *reduction.*

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

10 “(c) *DISPOSAL AGENCY FOR REVERTED PROPERTY.*—
 11 *For the purposes of this section, for any property that re-*
 12 *verts to the United States under sections 550 and 553, the*
 13 *General Services Administration, as the disposal agency,*
 14 *shall be treated as the agency with custody and account-*
 15 *ability for the property at the time the property is deter-*
 16 *mined to be excess.*

17 “(d) *NET PROCEEDS.*—*The net proceeds described in*
 18 *this subsection are proceeds under this chapter, less expenses*
 19 *of the transfer or disposition as provided in section 572(a),*
 20 *from—*

21 “(1) *a transfer of excess real property to a Fed-*
 22 *eral agency for agency use; or*

23 “(2) *a sale, lease, or other disposition of surplus*
 24 *real property.*

1 “(e) *PROCEEDS FROM TRANSFER OR SALE OF PER-*
2 *SONAL PROPERTY.*—

3 “(1) *IN GENERAL.*—*Except as otherwise provided*
4 *in this subchapter, proceeds described in paragraph*
5 *(2) shall be deposited in the Treasury as miscella-*
6 *neous receipts.*

7 “(2) *PROCEEDS.*—*The proceeds described in this*
8 *paragraph are proceeds under this chapter from—*

9 “(A) *a transfer of excess personal property*
10 *to a Federal agency for agency use; or*

11 “(B) *a sale, lease, or other disposition of*
12 *surplus personal property.*

13 “(3) *PAYMENT OF EXPENSES OF SALE BEFORE*
14 *DEPOSIT.*—

15 “(A) *IN GENERAL.*—*Subject to regulations*
16 *under this subtitle, the expenses of the sale of*
17 *personal property may be paid from the proceeds*
18 *of the sale so that only the net proceeds are de-*
19 *posited in the Treasury.*

20 “(B) *APPLICATION.*—*This paragraph ap-*
21 *plies whether proceeds are deposited as miscella-*
22 *neous receipts or to the credit of an appropria-*
23 *tion as authorized by law.”.*

1 **SEC. 6. INSPECTOR GENERAL REPORT ON UNITED STATES**
2 **POSTAL SERVICE PROPERTY.**

3 (a) *DEFINITION OF EXCESS PROPERTY.*—*In this sec-*
4 *tion, the term “excess property” has the meaning given the*
5 *term in section 641 of title 40, United States Code, as added*
6 *by section 4.*

7 (b) *EXCESS PROPERTY REPORT.*—*Not later than 2*
8 *years after the date of enactment of this Act, the Inspector*
9 *General of the United States Postal Service shall submit*
10 *to Congress a report that includes—*

11 (1) *a survey of excess property held by the*
12 *United States Postal Service; and*

13 (2) *recommendations for repurposing property*
14 *identified in paragraph (1)—*

15 (A) *to—*

16 (i) *reduce excess capacity; and*

17 (ii) *increase collocation with other*
18 *Federal agencies; and*

19 (B) *without diminishing the ability of the*
20 *United States Postal Service to meet the service*
21 *standards established under section 3691 of title*
22 *39, United States Code, as in effect on January*
23 *1, 2016.*

1 **SEC. 7. REPORTS ON UNITED STATES POSTAL SERVICE**
2 **FLEET MODERNIZATION.**

3 (a) *GAO REPORT.*—Not later than 1 year after the
4 date of enactment of this Act, the Comptroller General of
5 the United States shall study and submit to Congress a re-
6 port on—

7 (1) *the feasibility of the United States Postal*
8 *Service designing mail delivery vehicles that are*
9 *equipped for diverse geographic conditions such as*
10 *travel in rural areas and extreme weather conditions;*
11 *and*

12 (2) *the feasibility and cost of the United States*
13 *Postal Service integrating the use of collision-averting*
14 *technology into its vehicle fleet.*

15 (b) *POSTAL SERVICE REPORT.*—Not later than 1 year
16 after the date of enactment of this Act, the United States
17 Postal Service shall submit to Congress a report that in-
18 cludes—

19 (1) *a review of the efforts of the United States*
20 *Postal Service relating to fleet replacement and mod-*
21 *ernization; and*

22 (2) *a strategy for carrying out the fleet replace-*
23 *ment and lifecycle plan of the United States Postal*
24 *Service.*

1 **SEC. 8. SURPLUS PROPERTY DONATIONS TO MUSEUMS.**

2 Section 549(c)(3)(B) of title 40, United States Code,
3 is amended by striking clause (vii) and inserting the fol-
4 lowing:

5 “(vii) a museum open to the public on
6 a regularly scheduled weekly basis, and the
7 hours of operation are, at a minimum, dur-
8 ing normal business hours (as determined
9 by the Administrator);”.

10 **SEC. 9. DUTIES OF FEDERAL AGENCIES.**

11 (a) *IN GENERAL.*—Section 524(a) of title 40, United
12 States Code, is amended—

13 (1) in paragraph (4), by striking “and” at the
14 end;

15 (2) in paragraph (5), by striking the period at
16 the end and inserting a semicolon; and

17 (3) by adding at the end the following:

18 “(6) develop current and future workforce projec-
19 tions so as to have the capacity to assess the needs of
20 the Federal workforce regarding the use of real prop-
21 erty;

22 “(7) establish goals and policies that will lead
23 the executive agency to reduce excess property and un-
24 derutilized property in the inventory of the executive
25 agency;

1 “(8) submit to the Federal Property Council an
 2 annual report on all excess property that is real prop-
 3 erty and underutilized property in the inventory of
 4 the executive agency, including—

5 “(A) whether underutilized property can be
 6 better utilized, including through collocation
 7 with other executive agencies or consolidation
 8 with other facilities; and

9 “(B) the extent to which the executive agen-
 10 cy believes that retention of the underutilized
 11 property serves the needs of the executive agency;

12 “(9) adopt workplace practices, configurations,
 13 and management techniques that can achieve in-
 14 creased levels of productivity and decrease the need
 15 for real property assets;

16 “(10) assess leased space to identify space that is
 17 not fully used or occupied;

18 “(11) on an annual basis and subject to the
 19 guidance of the Federal Property Council—

20 “(A) conduct an inventory of real property
 21 under control of the executive agency; and

22 “(B) make an assessment of each property,
 23 which shall include—

24 “(i) the age and condition of the prop-
 25 erty;

1 “(ii) the size of the property in square
2 footage and acreage;

3 “(iii) the geographical location of the
4 property, including an address and descrip-
5 tion;

6 “(iv) the extent to which the property
7 is being utilized;

8 “(v) the actual annual operating costs
9 associated with the property;

10 “(vi) the total cost of capital expendi-
11 tures incurred by the Federal Government
12 associated with the property;

13 “(vii) sustainability metrics associated
14 with the property;

15 “(viii) the number of Federal employ-
16 ees and contractor employees and functions
17 housed at the property;

18 “(ix) the extent to which the mission of
19 the executive agency is dependent on the
20 property;

21 “(x) the estimated amount of capital
22 expenditures projected to maintain and op-
23 erate the property during the 5-year period
24 beginning on the date of enactment of this
25 paragraph; and

1 “(xi) any additional information re-
2 quired by the Administrator of General
3 Services to carry out section 623; and

4 “(12) provide to the Federal Property Council
5 and the Administrator of General Services the infor-
6 mation described in paragraph (11)(B) to be used for
7 the establishment and maintenance of the database
8 described in section 624.”.

9 (b) *DEFINITION OF EXECUTIVE AGENCY.*—Section 524
10 of title 40, United States Code, is amended by adding at
11 the end the following:

12 “(c) *DEFINITION OF EXECUTIVE AGENCY.*—For the
13 purpose of paragraphs (6) through (12) of subsection (a),
14 the term ‘executive agency’ shall have the meaning given
15 the term ‘Federal agency’ in section 621.”.

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S. 2509

A BILL

To improve the Government-wide management of
Federal property.

JULY 12, 2016

Reported with an amendment