

117TH CONGRESS
1ST SESSION

S. 791

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate practices and strategies to reduce bird fatalities resulting from collisions with certain public buildings, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 16), 2021

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate practices and strategies to reduce bird fatalities resulting from collisions with certain public buildings, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Bird Safe
5 Buildings Act of 2021”.

1 **SEC. 2. USE OF BIRD-SAFE FEATURES, PRACTICES, AND**
 2 **STRATEGIES IN PUBLIC BUILDINGS.**

3 (a) IN GENERAL.—Chapter 33 of title 40, United
 4 States Code, is amended by adding at the end the fol-
 5 lowing:

6 **“§ 3319. Use of bird-safe features, practices, and strat-**
 7 **egies in public buildings**

8 “(a) CONSTRUCTION, ALTERATION, AND ACQUISSI-
 9 TION OF PUBLIC BUILDINGS.—The Administrator of Gen-
 10 eral Services (referred to in this section as the ‘Adminis-
 11 trator’) shall incorporate, to the extent practicable, fea-
 12 tures, practices, and strategies to reduce bird fatalities re-
 13 sulting from collisions with public buildings for each public
 14 building—

15 “(1) constructed;

16 “(2) acquired; or

17 “(3) of which more than 50 percent of the fa-
 18 cade is substantially altered, as determined by the
 19 Commissioner of Public Buildings.

20 “(b) DESIGN GUIDE.—The Administrator shall de-
 21 velop a design guide to carry out subsection (a) that in-
 22 cludes the following:

23 “(1) Features for reducing bird fatalities result-
 24 ing from collisions with public buildings throughout
 25 all construction phases, taking into account the

1 number of bird fatalities that occur at different
2 types of public buildings.

3 “(2) Methods and strategies for reducing bird
4 fatalities resulting from collisions with public build-
5 ings during the operation and maintenance of those
6 buildings, including installing interior, exterior, and
7 site lighting.

8 “(3) Best practices for reducing bird fatalities
9 resulting from collisions with public buildings, in-
10 cluding—

11 “(A) a description of the reasons for
12 adopting the practices; and

13 “(B) an explanation for the omission of a
14 best practice identified under subsection (c).

15 “(c) IDENTIFYING BEST PRACTICES.—To carry out
16 subsection (b)(3), the Administrator may identify best
17 practices for reducing bird fatalities resulting from colli-
18 sions with public buildings, including best practices rec-
19 ommended by—

20 “(1) Federal agencies with expertise in bird
21 conservation;

22 “(2) nongovernmental organizations with exper-
23 tise in bird conservation; and

24 “(3) representatives of green building certifi-
25 cation systems.

1 “(d) DISSEMINATION OF DESIGN GUIDE.—The Ad-
 2 ministrator shall disseminate the design guide developed
 3 under subsection (b) to all Federal agencies, subagencies,
 4 and departments with independent leasing authority from
 5 the Administrator.

6 “(e) UPDATE TO DESIGN GUIDE.—The Adminis-
 7 trator shall, on a regular basis, update the design guide
 8 developed under subsection (b) with respect to the prior-
 9 ities of the Administrator for reducing bird fatalities re-
 10 sulting from collisions with public buildings.

11 “(f) EXEMPT BUILDINGS.—This section shall not
 12 apply to—

13 “(1) any building or site listed, or eligible for
 14 listing, on the National Register of Historic Places;

15 “(2) the White House and the grounds of the
 16 White House;

17 “(3) the Supreme Court building and the
 18 grounds of the Supreme Court; or

19 “(4) the United States Capitol and any building
 20 on the grounds of the Capitol.

21 “(g) CERTIFICATION.—Not later than October 1 of
 22 each fiscal year, the Administrator, acting through the
 23 Commissioner of Public Buildings, shall certify to Con-
 24 gress that the Administrator uses the design guide devel-

1 oped under subsection (b) for each public building de-
2 scribed in subsection (a).

3 “(h) REPORT.—Not later than October 1 of each fis-
4 cal year, the Administrator shall submit to Congress a re-
5 port that includes—

6 “(1) the certification under subsection (g); and

7 “(2) to the extent practicable, the number of
8 bird fatalities that occurred as a result of a collision
9 with the public buildings occupied by each Federal
10 agency.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 for chapter 33 of title 40, United States Code, is amended
13 by adding at the end the following:

“3319. Use of bird-safe features, practices, and strategies in public buildings.”.

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