

115TH CONGRESS
1ST SESSION

S. 1166

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

MAY 17, 2017

Mr. WARNER (for himself, Mr. BLUNT, 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 2017” or “CPRA”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

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

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

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

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

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

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

16 (7) to facilitate and expedite the disposal of
17 unneeded civilian properties; and

18 (8) to assist Federal agencies in achieving sus-
19 tainability goals of the Federal Government by re-
20 ducing excess space, inventory, and energy consump-
21 tion, as well as by leveraging new technologies.

22 **SEC. 3. DEFINITIONS.**

23 Section 3 of the Federal Assets Sale and Transfer
24 Act of 2016 (40 U.S.C. 1303 note; Public Law 114–287)
25 is amended—

1 (1) by redesignating paragraphs (4) through
 2 (9) as paragraphs (5), (6), (7), (8), (9), and (11),
 3 respectively;

4 (2) by inserting after paragraph (3) the fol-
 5 lowing:

6 “(4) DISPOSAL.—The term ‘disposal’ means
 7 any action that constitutes the removal of any Fed-
 8 eral civilian real property from the Federal inven-
 9 tory, including sale, deed, demolition, or exchange.”;
 10 and

11 (3) by inserting after paragraph (9) (as redesign-
 12 ated by paragraph (1)) the following:

13 “(10) SECRETARY.—The term ‘Secretary’
 14 means the Secretary of Housing and Urban Develop-
 15 ment.”.

16 **SEC. 4. DUTIES OF BOARD.**

17 Section 12 of the Federal Assets Sale and Transfer
 18 Act of 2016 (40 U.S.C. 1303 note; Public Law 114–287)
 19 is amended—

20 (1) by striking subsection (a) and inserting the
 21 following:

22 “(a) IN GENERAL.—The Board shall identify—

23 “(1) opportunities for the Federal Government
 24 to reduce significantly the inventory of civilian real

1 property and reduce costs to the Federal Govern-
 2 ment; and

3 “(2) a total savings to the Federal Government
 4 of not less than \$9,000,000,000 from the disposal of
 5 Federal civilian real property under this Act, which
 6 may be achieved through opportunities such as the
 7 sale of Federal civilian real property and the termi-
 8 nation of leases, colocation, maintenance, operations,
 9 and security activities.”;

10 (2) in subsection (b)—

11 (A) in paragraph (1)—

12 (i) in subparagraph (A), by striking
 13 “and not more than \$750,000,000”; and

14 (ii) in subparagraph (B), by striking
 15 “transmit the list of the Federal civilian
 16 real properties to Director of OMB and
 17 Congress” and inserting “submit to the
 18 President and Congress the list of the Fed-
 19 eral civilian real properties”; and

20 (B) in paragraph (6)—

21 (i) in subparagraph (A), by striking
 22 “section 14(g)” and inserting “section
 23 16(d)”; and

1 (ii) in subparagraph (B), by striking
 2 “Director of OMB” and inserting “Presi-
 3 dent”; and

4 (3) in subsection (g)—

5 (A) in paragraph (1), in the matter pre-
 6 ceding subparagraph (A), by striking “transmit
 7 to the Director of OMB” and inserting “submit
 8 to the President”; and

9 (B) in paragraph (2)—

10 (i) in subparagraph (A)—

11 (I) in the first sentence, by strik-
 12 ing “transmit to the Director of
 13 OMB” and inserting “submit to the
 14 President”; and

15 (II) in the second sentence, by
 16 striking “\$2,500,000,000” and insert-
 17 ing “\$4,000,000,000”; and

18 (ii) in subparagraph (B)—

19 (I) in the first sentence—

20 (aa) by striking “Not earlier
 21 than 3 years” and inserting “Not
 22 later than 2 years”; and

23 (bb) by striking “transmit to
 24 the Director of OMB” and in-

1 serting “submit to the Presi-
2 dent”; and

3 (II) in the second sentence, by
4 striking “\$4,750,000,000” and insert-
5 ing “\$5,000,000,000”.

6 **SEC. 5. REVIEW BY PRESIDENT.**

7 Section 13 of the Federal Assets Sale and Transfer
8 Act of 2016 (40 U.S.C. 1303 note; Public Law 114–287)
9 is amended to read as follows:

10 **“SEC. 13. REVIEW BY PRESIDENT.**

11 “(a) REVIEW AND REPORT.—The President shall—

12 “(1) on receipt of the recommendations of the
13 Board under subsections (b) and (g) of section 12,
14 conduct a review of the recommendations; and

15 “(2) not later than 30 days after the date of re-
16 ceipt of the recommendations, submit to the Board
17 and Congress a report that describes the approval or
18 disapproval of the President of the recommenda-
19 tions.

20 “(b) APPROVAL AND DISAPPROVAL.—If the Presi-
21 dent—

22 “(1) approves the recommendations of the
23 Board, the President shall submit to Congress a
24 copy of the recommendations, together with a certifi-
25 cation of the approval;

1 “(2) disapproves of the recommendations of the
2 Board, in whole or in part—

3 “(A) the President shall submit to the
4 Board and Congress the reasons for the dis-
5 approval; and

6 “(B) not later than 30 days after the date
7 of disapproval, the Board shall submit to the
8 President and Congress a revised list of rec-
9 ommendations; and

10 “(3) approves the revised recommendations of
11 the Board submitted under paragraph (2)(B), the
12 President shall submit to Congress a copy of the re-
13 vised recommendations, together with a certification
14 of the approval.”.

15 **SEC. 6. CONGRESSIONAL CONSIDERATION OF REC-**
16 **COMMENDATIONS.**

17 Section 14 of the Federal Assets Sale and Transfer
18 Act of 2016 (40 U.S.C. 1303 note; Public Law 114–287)
19 is amended to read as follows:

20 **“SEC. 14. CONGRESSIONAL CONSIDERATION OF REC-**
21 **COMMENDATIONS.**

22 “(a) **DEFINITION OF JOINT RESOLUTION.**—In this
23 section, the term ‘joint resolution’ means only a joint reso-
24 lution—

1 “(1) that is introduced during the 10-day pe-
 2 riod beginning on the date on which the President
 3 submits an approval and certification of rec-
 4 ommendations to Congress under paragraph (1) or
 5 (3) of section 13(b);

6 “(2) that does not have a preamble;

7 “(3) the matter after the resolving clause of
 8 which is as follows: ‘That Congress disapproves the
 9 recommendations of the Public Buildings Reform
 10 Board as submitted by the President on
 11 _____,’ the blank space being filled
 12 in with the appropriate date; and

13 “(4) the title of which is as follows: ‘A Joint
 14 Resolution disapproving the recommendations of the
 15 Public Buildings Reform Board’.

16 “(b) RESOLUTION OF DISAPPROVAL.—Not later than
 17 45 days after the date on which the President submits
 18 to Congress an approval and certification of recommenda-
 19 tions under paragraph (1) or (3) of section 13(b), Con-
 20 gress may enact a joint resolution to disapprove the rec-
 21 ommendations of the Board.

22 “(c) COMPUTATION OF TIME PERIOD.—For the pur-
 23 poses of this section, the days on which either House of
 24 Congress is not in session because of adjournment of more
 25 than 3 days to a day certain shall be excluded in the com-

1 putation of the period of time described in subsection
2 (a)(1).

3 “(d) REFERRAL.—

4 “(1) HOUSE OF REPRESENTATIVES.—A joint
5 resolution that is introduced in the House of Rep-
6 resentatives shall be referred to the Committee on
7 Transportation and Infrastructure of the House of
8 Representatives.

9 “(2) SENATE.—A joint resolution that is intro-
10 duced in the Senate shall be referred to the Com-
11 mittee on Environment and Public Works of the
12 Senate.

13 “(e) DISCHARGE.—If the committee to which a joint
14 resolution is referred has not reported the joint resolution
15 (or an identical resolution) by the end of the 20-day period
16 beginning on the date on which the President submits the
17 report to Congress under section 13(a)(2)—

18 “(1) the committee shall be, at the end of that
19 period, discharged from further consideration of the
20 joint resolution; and

21 “(2) the joint resolution shall be placed on the
22 appropriate calendar of the House involved.

23 “(f) CONSIDERATION.—

24 “(1) IN GENERAL.—On or after the third day
25 after the date on which the committee to which a

1 joint resolution is referred has reported, or has been
 2 discharged (under subsection (e)) from further con-
 3 sideration of, such a joint resolution, it is in order,
 4 regardless of whether a previous motion to the same
 5 effect has been disagreed to, for any Member of the
 6 respective House to move to proceed to the consider-
 7 ation of the joint resolution.

8 “(2) MOTIONS.—

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

19 “(B) PRIVILEGE; AMENDMENT.—A motion
 20 made under paragraph (1) is—

21 “(i) highly privileged in the House of
 22 Representatives, privileged in the Senate,
 23 and not debatable; and

1 “(ii) not subject to amendment, a mo-
 2 tion to postpone, or a motion to proceed to
 3 the consideration of other business.

4 “(C) OTHER MOTIONS.—

5 “(i) IN GENERAL.—A motion to re-
 6 consider the vote by which a motion made
 7 under paragraph (1) is agreed to or dis-
 8 agreed to shall not be in order.

9 “(ii) AGREEMENT.—If a motion to
 10 proceed to consideration of the joint reso-
 11 lution is agreed to—

12 “(I) the respective House shall
 13 immediately proceed to the consider-
 14 ation of the joint resolution without
 15 intervening motion, order, or other
 16 business; and

17 “(II) the joint resolution shall re-
 18 main the unfinished business of the
 19 respective House until disposed of.

20 “(3) DEBATE.—

21 “(A) IN GENERAL.—Debate on a joint res-
 22 olution and on all debatable motions and ap-
 23 peals in connection with the joint resolution
 24 shall be limited to not more than 2 hours, di-

1 vided equally between those favoring and those
2 opposing the joint resolution.

3 “(B) AMENDMENTS.—An amendment to
4 the joint resolution is not in order.

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

8 “(D) OTHER MOTIONS.—A motion to post-
9 pone, to proceed to the consideration of other
10 business, to recommit the joint resolution, or to
11 reconsider the vote by which the resolution is
12 agreed to or disagreed to is not in order.

13 “(4) VOTE.—Immediately following the conclu-
14 sion of the debate on a joint resolution and a single
15 quorum call at the conclusion of the debate, if re-
16 quested in accordance with the rules of the appro-
17 priate House, the vote on final passage of the joint
18 resolution shall occur.

19 “(5) APPEALS OF DECISIONS OF CHAIR.—Ap-
20 peals of the decisions of the Chair relating to the ap-
21 plication of the rules of the Senate or the House of
22 Representatives, as the case may be, to the proce-
23 dure relating to a joint resolution shall be decided
24 without debate.

25 “(g) CONSIDERATION BY OTHER HOUSE.—

1 “(1) IN GENERAL.—If, before the passage by a
 2 House of Congress of a joint resolution of that
 3 House, that House receives from the other House of
 4 Congress a joint resolution, the following procedures
 5 shall apply:

6 “(A) NO COMMITTEE REFERRAL.—The
 7 joint resolution of the other House shall not be
 8 referred to a committee and may not be consid-
 9 ered in the House receiving the joint resolution
 10 except in the case of final passage as provided
 11 in subparagraph (B).

12 “(B) RESOLUTION PROCEDURE.—With re-
 13 spect to a joint resolution of the House receiv-
 14 ing the joint resolution, the procedure in that
 15 House shall be the same as if no joint resolu-
 16 tion had been received from the other House,
 17 but the vote on final passage shall be on the
 18 joint resolution of the other House.

19 “(2) NO CONSIDERATION.—On disposition of
 20 the joint resolution received from the other House,
 21 it shall no longer be in order to consider the joint
 22 resolution that originated in the receiving House.

23 “(h) RULES OF SENATE AND HOUSE OF REP-
 24 RESENTATIVES.—This section is enacted by Congress—

1 “(1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such—

4 “(A)(i) is deemed to be a part of the rules
5 of each House, respectively; but

6 “(ii) is applicable only with respect to the
7 procedure to be followed in that House in the
8 case of a joint resolution; and

9 “(B) supersedes other rules only to the ex-
10 tent that this section is inconsistent with those
11 rules; and

12 “(2) with full recognition of the constitutional
13 right of either House to change the rules (so far as
14 relating to the procedure of that House) at any time,
15 in the same manner, and to the same extent as in
16 the case of any other rule of that House.

17 “(i) FAILURE TO PASS RESOLUTION OF DIS-
18 APPROVAL.—If Congress fails to pass a joint resolution
19 by the date that is 45 calendar days after the date of sub-
20 mission by the President to Congress of the recommenda-
21 tions of the Board, each Federal agency shall be required
22 to implement and carry out all of the recommendations
23 of the Board pursuant to section 15.”.

1 **SEC. 7. IMPLEMENTATION OF RECOMMENDATIONS OF**
2 **BOARD.**

3 (a) IN GENERAL.—The Federal Assets Sale and
4 Transfer Act 2016 (40 U.S.C. 1303 note; Public Law
5 114–287) is amended—

6 (1) by redesignating sections 15 through 25 as
7 sections 17 through 27, respectively; and

8 (2) by inserting after section 14 the following:

9 **“SEC. 15. IMPLEMENTATION OF RECOMMENDATIONS OF**
10 **BOARD.**

11 **“(a) CARRYING OUT RECOMMENDATIONS.—**

12 **“(1) IN GENERAL.—**Each Federal agency shall,
13 in consultation with the Administrator—

14 **“(A)** on the date specified in section 14(i),
15 immediately begin preparations to carry out the
16 recommendations of the Board;

17 **“(B)** not later than 90 days after the date
18 specified in section 14(i), develop a plan for the
19 implementation of those recommendations, in-
20 cluding a timeline with measurable milestones
21 and deadlines;

22 **“(C)** not later than 1 year after the date
23 specified in section 14(i), provide an update to
24 the Board and the Administrator on the plan
25 developed under subparagraph (B); and

1 “(D) not later than the end of the 3-year
2 period beginning on the date on which the
3 President submits the recommendations of the
4 Board to Congress, complete implementation of
5 all recommended actions.

6 “(2) ACTIONS.—Each recommended action
7 taken by a Federal agency shall be economically ben-
8 eficial and cost-neutral or otherwise result in savings
9 to the Federal Government.

10 “(3) FAILURE TO IMPLEMENT RECOMMENDA-
11 TIONS.—If a Federal agency fails to carry out the
12 plan described in paragraph (1)(B) and implement
13 the recommendations of the Board within the period
14 described in paragraph (1)(D), the Administrator
15 shall—

16 “(A) assume the authority of that Federal
17 agency for the purpose of carrying out the plan
18 and implementing the recommendations; and

19 “(B) implement the recommendations of
20 the Board for that Federal agency.

21 “(b) ACTIONS OF FEDERAL AGENCIES.—In imple-
22 menting any recommended action relating to any Federal
23 civilian real property under this Act, a Federal agency
24 may, in consultation with the Administrator, pursuant to

1 subsection (c), take all such necessary and proper actions,
 2 including—

3 “(1) constructing replacement facilities, per-
 4 forming such other activities, and conducting such
 5 advance planning and design as is required to trans-
 6 fer functions from a Federal civilian real property to
 7 another Federal civilian real property;

8 “(2) providing outplacement assistance to civil-
 9 ian employees employed by any Federal agency at a
 10 Federal civilian real property impacted by the rec-
 11 ommended action; and

12 “(3) reimbursing other Federal agencies for ac-
 13 tions performed at the request of the Board.

14 “(c) NECESSARY AND PROPER ACTIONS.—

15 “(1) IN GENERAL.—In acting on a rec-
 16 ommendation of the Board, a Federal agency shall—

17 “(A) act within any authority delegated to
 18 the Federal agency; and

19 “(B) if the Federal agency has not been
 20 delegated authority to act on the recommenda-
 21 tion, the Federal agency shall work in partner-
 22 ship with the Administrator to carry out the
 23 recommendation.

24 “(2) ACTIONS OF ADMINISTRATOR.—The Ad-
 25 ministrator—

1 “(A) may take such necessary and proper
2 actions, including the sale, conveyance, or ex-
3 change of civilian real property, as are required
4 to implement the recommendations of the
5 Board in accordance with subsection (a); and

6 “(B) shall enter into and use commission-
7 based contracts for real estate services to assist
8 in carrying out property transactions required
9 by the recommendations of the Board.

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

19 (b) CONFORMING AMENDMENTS.—The Federal As-
20 sets Sale and Transfer Act of 2016 (40 U.S.C. 1303 note;
21 Public Law 114–287) is amended—

22 (1) in section 18(b)(4) (as redesignated by sub-
23 section (a)), in the matter preceding subparagraph
24 (A), by striking “section 14” and inserting “section
25 15”; and

1 (2) in section 21 (as redesignated by subsection
2 (a))—

3 (A) by striking “Upon transmittal of the
4 Board’s recommendations from the Director of
5 OMB to Congress under section 13” and insert-
6 ing “Beginning on the date on which the Presi-
7 dent submits to Congress the recommendations
8 of the Board under section 13”; and

9 (B) by striking “section 14” and inserting
10 “sections 15 and 16”.

11 **SEC. 8. DISPOSAL OF REAL PROPERTIES.**

12 The Federal Asset Sales and Transfer Act of 2016
13 (40 U.S.C. 1303 note; Public Law 114–287) (as amended
14 by section 7(a)) is amended by inserting after section 15
15 the following:

16 **“SEC. 16. DISPOSAL OF REAL PROPERTIES.**

17 “(a) IN GENERAL.—Notwithstanding any other pro-
18 vision of law, any recommendation or commencement of
19 a disposal or realignment of civilian real property shall not
20 be subject to—

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

23 “(2) sections 107 and 317 of title 23, United
24 States Code;

1 “(3) section 545(b)(8) of title 40, United States
2 Code;

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

5 “(5) section 1304(b) of title 40, United States
6 Code;

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

9 “(7) section 47151 of title 49, United States
10 Code;

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

13 “(9) any other provision of law authorizing the
14 conveyance of real property under the administrative
15 jurisdiction of the Federal Government for no con-
16 sideration; or

17 “(10) any congressional notification require-
18 ment (other than that under section 545(e)(2) of
19 title 40, United States Code).

20 “(b) CONTINUATION OF CERTAIN REQUIREMENTS.—
21 Nothing in subsection (a) modifies, alters, or amends any
22 other required environmental or historical review, record-
23 keeping, or notice requirement otherwise applicable to a
24 conveyance of Federal civilian real property.

25 “(c) PUBLIC BENEFIT.—

1 “(1) IN GENERAL.—For those properties that
2 the Board determines should be reviewed for poten-
3 tial use for the homeless or for any other public ben-
4 efit under a provision of law described in subsection
5 (a), the Board shall submit to the Secretary, on the
6 same date on which the report of the Board is sub-
7 mitted to the President under section 12(g), any
8 such information on the building or property that
9 concerns the decision regarding the disposal of the
10 civilian property.

11 “(2) ACTION BY SECRETARY.—Not later than
12 30 days after the date on which the Board makes
13 a submission of information under subsection (a),
14 the Secretary shall provide to the Board a report
15 summarizing a determination of the suitability of the
16 civilian real properties recommended to be disposed
17 as properties appropriate for use in assisting the
18 homeless.

19 “(3) NOTICE OF INTEREST.—Not later than 60
20 days after the date on which the Board submits a
21 report to the President under section 12(g) and the
22 recommendations of the Board are released to the
23 public, any representatives of the homeless proposing
24 interest in the use of property that the Board has
25 determined should be reviewed for potential use by

1 the homeless or for any other public benefit under
2 a provision of law described in subsection (a) may
3 submit a notice of interest to the Board and the
4 Secretary that contains—

5 “(A) a description of the homeless assist-
6 ance program that the representative proposes
7 to carry out at the installation;

8 “(B) an assessment of the need for the
9 program;

10 “(C) a description of the extent to which
11 the program is or will be coordinated with other
12 homeless assistance programs in the commu-
13 nities in the vicinity of the property;

14 “(D) a description of the buildings and
15 property that are necessary in order to carry
16 out the program;

17 “(E) a description of the financial plan,
18 the organization, and the organizational capac-
19 ity of the representative to carry out the pro-
20 gram; and

21 “(F) an assessment of the time required to
22 commence implementation of the program.

23 “(4) HUD APPROVAL.—The Secretary shall—

24 “(A) not later than 60 days after the date
25 on which the Board submits the report to the

1 President under section 12(g), review and cer-
2 tify submissions under this subsection from rep-
3 resentatives of the homeless; and

4 “(B) if more than 1 notice of interest is
5 entered for a property, indicate to the Board
6 which planned use of the property for the
7 homeless has more merit.

8 “(5) INTERESTED PARTIES.—

9 “(A) IN GENERAL.—Not later than 30
10 days after the date on which the Board submits
11 the report to the President under section 12(g)
12 and the recommendations of the Board are pub-
13 licly released, any parties proposing interest in
14 a property that the Board has determined
15 should be reviewed for any other public benefit
16 programs described in subsection (a), for a use
17 that is not homeless assistance, may submit a
18 notice of interest to the Board and to the Fed-
19 eral agency that is otherwise tasked by law to
20 review applications for the public benefit con-
21 veyance program under which the party is ap-
22 plying.

23 “(B) REQUIREMENTS.—A notice of inter-
24 est under this paragraph shall contain the in-

formation otherwise required by the law establishing the public benefit conveyance program.

“(6) ASSESSMENT OF VALIDITY AND MERIT.—

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

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

“(ii) not later than 60 days after the date on which the Board submits the report to the President under section 12(g), submit to the Board an assessment of the validity and merits of the information contained in the notice of interest.

“(B) SELECTION OF USE.—If more than 1 notice of interest is entered for a property, the head of the reviewing agency shall indicate to the Board which planned use of the property has more merit.

1 “(7) COMPILATION OF INFORMATION AND AS-
2 SESSMENTS.—The Board shall—

3 “(A) compile all information and assess-
4 ments regarding submitted notices of interest
5 about properties; and

6 “(B) as soon as practicable after the date
7 on which the recommendations of the Board are
8 required to be implemented by Federal agencies
9 under section 14(i), forward the information
10 and assessments to the Federal agencies that
11 maintain custody and control over the civilian
12 real properties to be disposed for use in imple-
13 menting the recommendations of the Board.

14 “(8) USE OF PROPERTY.—

15 “(A) IN GENERAL.—If a property reviewed
16 by the Secretary is determined to be fit for use
17 by the homeless and the Secretary has identi-
18 fied a representative of the homeless whose no-
19 tice of interest is certified, or, in the event of
20 more than 1 notice of interest on the property,
21 whose notice of interest is determined by the
22 Secretary to have the most merit, the Federal
23 agency maintaining custody or control of the
24 property, in accordance with subsection (a),
25 shall commence conveyance of the property to

1 that representative of the homeless after the
2 date on which the recommendations of the
3 Board are required to be implemented by Fed-
4 eral agencies under section 14(i).

5 “(B) UNFIT FOR USE; NO NOTICE OF IN-
6 TEREST.—If a property reviewed by the Sec-
7 retary is determined to be unfit for use by the
8 homeless, or if there is no identified notice of
9 interest on the property by a representative of
10 the homeless, the Federal agency maintaining
11 custody or control of the property shall deter-
12 mine whether—

13 “(i) there are any parties that have
14 expressed interest in the property for a use
15 described in subsection (a) other than
16 homeless assistance; and

17 “(ii) any Federal reviewing agency
18 has certified one of those uses.

19 “(C) CONVEYANCE.—If a Federal agency
20 maintaining custody or control of a property de-
21 termines that there is an identified notice of in-
22 terest in the property for a certified use under
23 subparagraph (B), as soon as practicable after
24 the date on which the recommendations of the
25 Board are required to be implemented by Fed-

1 eral agencies under section 14(i), the Federal
2 agency shall—

3 “(i) commence conveyance of the
4 property to the party that proposed the
5 certified use; and

6 “(ii) if more than 1 party has ex-
7 pressed interest in the property—

8 “(I) select which party shall re-
9 ceive the property; and

10 “(II) commence conveyance of
11 the property to the party.

12 “(9) OTHER OPTIONS FOR USE OF PROP-
13 PERTY.—If, after the date on which the recommenda-
14 tions of the Board are required to be implemented
15 by Federal agencies under section 14(i), a property
16 does not qualify, or there is no interest in a property
17 reviewed, for one of the uses described in subsection
18 (a), a Federal agency may select among any other
19 remaining ways to implement the recommendations
20 of the Board with respect to the property.

21 “(d) ENVIRONMENTAL CONSIDERATIONS.—

22 “(1) NEPA APPLICATION.—Nothing in this Act
23 modifies, alters, or amends the National Environ-
24 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

1 “(2) DISPOSAL OR REALIGNMENT OF PROP-
2 ERTY.—A Federal agency may dispose of or realign
3 property without regard to any provision of law, as
4 described in subsection (a), restricting the use of
5 funds for disposal or realignment of Federal civilian
6 real property included in any appropriations or au-
7 thorization Act.

8 “(3) TRANSFER OF REAL PROPERTY.—

9 “(A) IN GENERAL.—In implementing rec-
10 ommendations of the Board under section 14(i)
11 for properties that have been identified in those
12 recommendations and are in compliance with
13 CERCLA, including section 120(h) of that Act
14 (42 U.S.C. 9620(h)), a Federal agency may
15 enter into an agreement with any person to
16 transfer real property by deed.

17 “(B) ADDITIONAL TERMS.—

18 “(i) IN GENERAL.—The head of the
19 Federal agency disposing of property under
20 this paragraph may require any additional
21 terms and conditions in connection with an
22 agreement authorized by subparagraph (A)
23 as are appropriate to protect the interests
24 of the United States.

1 “(ii) NO EFFECT ON RIGHTS AND OB-
 2 LIGATIONS.—Additional terms and condi-
 3 tions described in clause (i) shall not affect
 4 or diminish any right or obligation of a
 5 Federal agency under section 120(h) of
 6 CERCLA (42 U.S.C. 9620(h)).

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

16 “(e) CONSTRUCTION OF CERTAIN ACTS.—Nothing in
 17 this section modifies, alters, or amends—

18 “(1) CERCLA; or

19 “(2) the Solid Waste Disposal Act (42 U.S.C.
 20 6901 et seq.).”.

21 **SEC. 9. ALLOCATION OF PROCEEDS.**

22 Section 22 of the Federal Assets Sale and Transfer
 23 Act of 2016 (40 U.S.C. 1303 note; Public Law 114–287)
 24 (as redesignated by section 7(a)) is amended to read as
 25 follows:

1 **“SEC. 22. ALLOCATION OF PROCEEDS.**

2 “(a) IN GENERAL.—Section 571 of title 40, United
3 States Code, is amended by striking subsections (a) and
4 (b) and inserting the following:

5 ““(a) PROCEEDS FROM TRANSFER OR SALE OF
6 REAL PROPERTY.—Net proceeds described in subsection
7 (b) shall be deposited as miscellaneous receipts in the gen-
8 eral fund of the Treasury.

9 ““(b) NET PROCEEDS.—The net proceeds described
10 in this subsection are proceeds under this chapter, less ex-
11 penses of the transfer or disposition as provided in section
12 572(a), from a sale, lease, or other disposition of surplus
13 real property.’.

14 ““(b) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the date on which the
16 Board is terminated pursuant to section 10 and shall not
17 apply to proceeds from transactions conducted under sec-
18 tion 15.”.

19 **SEC. 10. CONGRESSIONAL APPROVAL OF PROPOSED**
20 **PROJECTS.**

21 Section 3307(b) of title 40, United States Code, is
22 amended—

23 (1) in paragraph (7), by striking “and” at the
24 end;

25 (2) in paragraph (8), by striking the period at
26 the end and inserting a semicolon; and

1 (3) adding at the end the following:

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

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

7 “(B) the cost of constructing new space;
8 and

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

16 **SEC. 11. LIMITATION OF CERTAIN LEASING AUTHORITIES.**

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

20 **“§ 3318. Limitation on leasing authority of other**
21 **agencies**

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

24 “(b) LEASING AUTHORITY.—

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

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

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

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

13 “(2) limits the authority of the Administrator
 14 under section 3315.”.

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

“3318. Limitation on leasing authority of other agencies.”.

