

112TH CONGRESS
1ST SESSION

S. 1503

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

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Mr. BROWN of Massachusetts 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, selling, 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” or “CPRA”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

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

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

5 (3) to reduce the reliance on leased space;

6 (4) to sell or redevelop high value assets that
7 are underutilized to obtain the highest and best
8 value for the taxpayer and maximize the return to
9 the taxpayer;

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

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

17 (7) to create incentives for Federal agencies to
18 achieve greater efficiency in their inventories of civil-
19 ian real property;

20 (8) to facilitate and expedite the sale or dis-
21 posal of unneeded civilian properties; and

22 (9) to assist Federal agencies in achieving the
23 Government's sustainability goals by reducing excess
24 space, inventory, and energy consumption, as well as
25 by leveraging new technologies.

1 **SEC. 3. DEFINITIONS.**

2 In this Act, unless otherwise expressly stated, the fol-
3 lowing definitions apply:

4 (1) **FEDERAL CIVILIAN REAL PROPERTY AND**
5 **CIVILIAN REAL PROPERTY.**—

6 (A) **PROPERTY.**—The terms “Federal civil-
7 ian real property” and “civilian real property”
8 refer to Federal real property assets, including
9 Federal buildings as defined in section 3301 of
10 title 40, United States Code, occupied and im-
11 proved grounds, leased space, or other physical
12 structures under the custody and control of any
13 Federal agency.

14 (B) **FURTHER EXCLUSIONS.**—Subpara-
15 graph (A) shall not be construed as including
16 any of the following types of property:

17 (i) Military installations as defined in
18 section 2910 of the Defense Base Closure
19 and Realignment Act of 1990.

20 (ii) Properties that are excluded for
21 reasons of national security by the Direc-
22 tor of the Office of Management and
23 Budget.

24 (iii) Properties that are excepted from
25 the definition of “property” under section
26 102(9) of title 40, United States Code.

1 (iv) Indian and Native Eskimo prop-
2 erty held in trust by the Government as
3 described in section 3301(a)(5)(C)(iii) of
4 title 40, United States Code.

5 (v) Properties operated and main-
6 tained by the Tennessee Valley Authority
7 pursuant to the Tennessee Valley Author-
8 ity Act of 1933 (16 U.S.C. 831 et seq.).

9 (vi) Postal properties owned by the
10 United States Postal Service, except that
11 the United State Postal Service shall sub-
12 mit to the Commission and the Commis-
13 sion shall consider, pursuant to section 11,
14 postal properties suitable for co-location
15 with other Federal agency field offices.

16 (2) FEDERAL AGENCY.—The term “Federal
17 agency” means an executive department or inde-
18 pendent establishment in the executive branch of the
19 Government, and a wholly owned Government cor-
20 poration.

21 (3) ADMINISTRATOR.—The term “Adminis-
22 trator” means the Administrator of General Serv-
23 ices.

1 (4) COMMISSION.—The term “Commission”
2 means the Civilian Property Realignment Commis-
3 sion.

4 (5) HUD.—The term “HUD” means the De-
5 partment of Housing and Urban Development.

6 (6) OMB.—The term “OMB” means the Office
7 of Management and Budget.

8 (7) FIELD OFFICE.—The term “field office”
9 means any Federal office that is not the Head-
10 quarters office location for the Federal agency.

11 **SEC. 4. COMMISSION.**

12 (a) ESTABLISHMENT.—There is established an inde-
13 pendent commission to be known as the Civilian Property
14 Realignment Commission, referred to in this Act as the
15 “Commission”.

16 (b) DUTIES.—The Commission shall carry out the
17 duties as specified in this Act.

18 (c) MEMBERSHIP.—

19 (1) IN GENERAL.—The Commission shall be
20 composed of a chairman appointed by the President,
21 by and with the advice and consent of the Senate,
22 and 6 members appointed by the President.

23 (2) APPOINTMENTS.—In selecting individuals
24 for appointments to the Commission, the President
25 shall consult with—

1 (A) the Speaker of the House of Rep-
2 resentatives concerning the appointment of 1
3 member;

4 (B) the majority leader of the Senate con-
5 cerning the appointment of 1 member;

6 (C) the minority leader of the House of
7 Representatives concerning the appointment of
8 1 member; and

9 (D) the minority leader of the Senate con-
10 cerning the appointment of 1 member.

11 (3) TERMS.—The term for each member of the
12 Commission shall be 6 years.

13 (4) VACANCIES.—Vacancies shall be filled in
14 the same manner as the original appointment.

15 (5) QUALIFICATIONS.—In selecting individuals
16 for appointment to the Commission, the President
17 shall ensure the Commission contains individuals
18 with expertise representative of the following:

19 (A) Commercial real estate and redevelop-
20 ment.

21 (B) Government management or oper-
22 ations.

23 (C) Community development, including
24 transportation and planning.

25 (D) Historic preservation.

1 **SEC. 5. COMMISSION MEETINGS.**

2 (a) OPEN MEETINGS.—Each meeting of the Commis-
3 sion, other than meetings in which classified information
4 is to be discussed, shall be open to the public. Any open
5 meeting shall be announced in the Federal Register and
6 the Federal website established by the Commission at least
7 14 calendar days in advance of a meeting. For all public
8 meetings, the Commission shall release an agenda and a
9 listing of materials relevant to the topics to be discussed.

10 (b) QUORUM AND MEETINGS.—Seven Commission
11 members shall constitute a quorum for the purposes of
12 conducting business and 3 or more Commission members
13 shall constitute a meeting of the Commission.

14 (c) TRANSPARENCY OF INFORMATION.—All the pro-
15 ceedings, information, and deliberations of the Commis-
16 sion shall be open, upon request, to the chairperson and
17 the ranking minority party member, and their respective
18 subcommittee chairperson and ranking minority party
19 member, of—

20 (1) the Committee on Transportation and In-
21 frastructure of the House of Representatives;

22 (2) the Committee on Oversight and Govern-
23 ment Reform of the House of Representatives;

24 (3) the Committee on Homeland Security and
25 Governmental Affairs of the Senate;

1 (4) the Committee on Environmental and Pub-
2 lic Works of the Senate; and

3 (5) the Committees on Appropriations of the
4 House of Representatives and the Senate.

5 (d) GOVERNMENT ACCOUNTABILITY OFFICE.—All
6 proceedings, information, and deliberations of the Com-
7 mission shall be open, upon request, to the Comptroller
8 General of the United States.

9 **SEC. 6. COMPENSATION AND TRAVEL EXPENSES.**

10 (a) COMPENSATION.—

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

20 (2) RATE OF PAY FOR CHAIRPERSON.—The
21 chairperson shall be paid for each day referred to in
22 paragraph (1) at a rate equal to the daily equivalent
23 of the minimum annual rate of basic pay payable for
24 level III of the Executive Schedule under section
25 5314, of title 5, United States Code.

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

5 **SEC. 7. EXECUTIVE DIRECTOR.**

6 (a) APPOINTMENT.—The Commission shall appoint
7 an Executive Director and may disregard the provisions
8 of title 5, United States Code, governing appointments in
9 the competitive service.

10 (b) RATE OF PAY FOR DIRECTOR.—The Executive
11 Director shall be paid at the rate of basic pay payable
12 for level IV of the Executive Schedule under section 5315
13 of title 5, United States Code.

14 **SEC. 8. STAFF.**

15 (a) ADDITIONAL PERSONNEL.—Subject to subsection
16 (b), the Executive Director, with the approval of the Com-
17 mission, may appoint and fix the pay of additional per-
18 sonnel.

19 (b) DETAIL EMPLOYEES FROM OTHER AGENCIES.—
20 Upon request of the Executive Director, the head of any
21 Federal agency may detail any of the personnel of that
22 agency to the Commission to assist the Commission in car-
23 rying out its duties under this Act.

24 (c) QUALIFICATIONS.—Appointments shall be made
25 with consideration of a balance of expertise consistent with

1 the qualifications of representatives described in section
2 4(c)(5).

3 **SEC. 9. CONTRACTING AUTHORITY.**

4 (a) EXPERTS AND CONSULTANTS.—The Commission
5 may procure by contract, to the extent funds are available,
6 the temporary or intermittent services of experts and con-
7 sultants pursuant to section 3109 of title 5, United States
8 Code.

9 (b) SPACE.—The Administrator, in consultation with
10 the Commission, shall identify suitable excess space within
11 the Federal space inventory to house the operations of the
12 Commission. If no such space is available, the Commission
13 may, notwithstanding section 20, lease space to the extent
14 funds are available.

15 (c) PERSONAL PROPERTY.—The Commission may
16 acquire personal property to the extent funds are avail-
17 able.

18 (d) RECEIPT AND SALE OF PROPERTY.—The Com-
19 mission may take custody, control, and administrative ju-
20 risdiction over Federal property pursuant to section 12(b)
21 and is authorized to sell such property for no less than
22 fair market value.

23 (e) USE OF SMALL BUSINESSES.—In exercising its
24 authorities under this section and section 12, the Commis-

1 sion shall use, to the greatest extent possible, small busi-
2 nesses as defined by section 3 of the Small Business Act.

3 **SEC. 10. TERMINATION.**

4 The Commission shall cease operations and terminate
5 6 years from the date of enactment of this Act.

6 **SEC. 11. DEVELOPMENT OF RECOMMENDATIONS TO THE**
7 **COMMISSION.**

8 (a) SUBMISSIONS OF AGENCY INFORMATION AND
9 RECOMMENDATIONS.—Not later than 120 days after the
10 date of enactment of this Act and 90 days after the begin-
11 ning of each fiscal year thereafter, the head of each Fed-
12 eral agency shall submit to the Administrator and the Di-
13 rector of the Office of Management and Budget the fol-
14 lowing:

15 (1) CURRENT DATA.—Current data of all Fed-
16 eral civilian real properties owned, leased or con-
17 trolled by the respective agency, including all rel-
18 evant information prescribed by the Administrator
19 and the Director of the Office of Management and
20 Budget, including data related to the age and condi-
21 tion of the property, operating costs, history of cap-
22 ital expenditures, sustainability metrics, number of
23 Federal employees and functions housed in the re-
24 spective property, square footage (including gross,
25 rentable, and usable).

1 (2) AGENCY RECOMMENDATIONS.—Rec-
2 ommendations which shall include the following:

3 (A) Federal civilian properties that can be
4 sold for proceeds and otherwise disposed of, de-
5 molished, transferred, exchanged, consolidated,
6 co-located, reconfigured, or redeveloped, so as
7 to reduce the civilian real property inventory,
8 reduce the operating costs of the Government,
9 and create the highest value and return for the
10 taxpayer.

11 (B) Operational efficiencies that the Gov-
12 ernment can realize in its operation and main-
13 tenance of Federal civilian real properties.

14 (C) Opportunities to pursue enhanced use
15 leasing in underutilized buildings in an effort to
16 realize highest and best use for the taxpayers.

17 (b) STANDARDS AND CRITERIA.—Not later than 60
18 days after the date specified in subsection (a), the Director
19 of OMB, in consultation with the Administrator, shall re-
20 view agency recommendations submitted pursuant to sub-
21 section (a), and develop consistent standards and criteria
22 against which agency recommendations will be reviewed.
23 The Director of OMB and the Administrator shall develop
24 recommendations to the Commission based on those
25 standards and criteria. In developing the standards and

1 criteria, the Director of OMB, in consultation with the Ad-
2 ministrator, shall incorporate the following:

3 (1) The extent to which a Federal building or
4 facility aligns with the current mission of the Fed-
5 eral agency.

6 (2) The extent to which there are opportunities
7 to consolidate similar operations across multiple
8 agencies or within agencies.

9 (3) The extent and timing of potential costs
10 and savings, including the number of years, begin-
11 ning with the date of completion of the proposed rec-
12 ommendation.

13 (4) The economic impact on existing commu-
14 nities in the vicinity of the Federal building or facil-
15 ity.

16 (5) The extent to which the utilization rate is
17 being maximized and is consistent with non-govern-
18 mental industry standards for the given function or
19 operation.

20 (6) The extent to which reliance on leasing for
21 long-term space needs is reduced.

22 (7) The extent to which the Federal building or
23 facility could be redeveloped or otherwise used to
24 produce the highest and best value and return for
25 the taxpayer.

1 (8) The extent to which the operating and
2 maintenance costs are reduced through consoli-
3 dating, co-locating, and reconfiguring space, and
4 through realizing other operational efficiencies.

5 (9) The extent to which energy consumption is
6 reduced.

7 (c) SPECIAL RULE FOR UTILIZATION RATES.—
8 Standards developed by the Director of OMB must incor-
9 porate and apply clear standard utilization rates con-
10 sistent throughout each category of space and with non-
11 government space utilization rates. To the extent utiliza-
12 tion rates are exceeded by a given agency, the Director
13 shall recommend realignment, co-location, consolidation,
14 or other type of action to improve space utilization.

15 (d) SUBMISSION TO THE COMMISSION.—

16 (1) IN GENERAL.—The standards, criteria, and
17 recommendations developed pursuant to subsection
18 (b) shall be submitted to the Commission with all
19 supporting information, data, analyses, and docu-
20 mentation.

21 (2) PUBLICATION.—The standards, criteria,
22 and recommendations shall be published in the Fed-
23 eral Register and transmitted to the committees des-
24 igned in section 5(c) and to the Comptroller Gen-
25 eral of the United States.

1 (3) ACCESS TO INFORMATION.—The Commis-
2 sion shall also have access to all information per-
3 taining to the recommendations, including sup-
4 porting information, data, analyses, and documenta-
5 tion submitted pursuant to subsection (a). Upon re-
6 quest, Federal agencies shall provide, the Commis-
7 sion any additional information pertaining to its
8 properties.

9 **SEC. 12. COMMISSION DUTIES.**

10 (a) IDENTIFICATION OF PROPERTY REDUCTION OP-
11 PORTUNITIES.—The Commission shall identify opportuni-
12 ties for the Government to reduce significantly its inven-
13 tory of civilian real property and reduce costs to the Gov-
14 ernment.

15 (b) IDENTIFICATION OF HIGH VALUE ASSETS.—

16 (1) IDENTIFICATION OF CERTAIN PROP-
17 erties.—Not later than 180 days after the date of
18 enactment of this Act, the Commission shall identify
19 not less than 5 Federal properties that are not on
20 the list of surplus or excess as of such date with a
21 total fair market value of not less than
22 \$500,000,000 to be sold and transmit the list to the
23 President and Congress as Commission rec-
24 ommendations and subject to the approval process
25 described in sections 13 and 14.

1 (2) INFORMATION AND DATA.—In order to
2 meet the goal established under paragraph (1), Fed-
3 eral agencies shall provide, upon receipt, any and all
4 information and data regarding its properties to the
5 Commission. The Commission shall notify the com-
6 mittees listed under section 5(c) of any failure by
7 any agency to comply with a request of the Commis-
8 sion.

9 (3) TRANSFER.—Not later than 60 days after
10 approval of the Commission recommendations pursu-
11 ant to paragraph (1), Federal agencies with custody,
12 control, or administrative jurisdiction over the iden-
13 tified properties shall transfer custody, control, and
14 administrative jurisdiction to the Commission.

15 (4) SALE.—Not later than 120 days after ap-
16 proval of Commission recommendations pursuant to
17 paragraph (1) and notwithstanding any other provi-
18 sion of law (except as provided in section 18(d)), the
19 Commission shall sell the properties described in
20 paragraph (1) at fair market value at highest and
21 best use for cash at auction.

22 (5) PROCEEDS.—The proceeds shall be distrib-
23 uted pursuant to section 17.

24 (c) ANALYSIS OF INVENTORY.—The Commission
25 shall perform an independent analysis of the inventory of

1 Federal civilian real property and the recommendations
2 submitted pursuant to section 11. The Commission shall
3 not be bound or limited by the recommendations sub-
4 mitted pursuant to section 11. If, in the opinion of the
5 Commission, an agency fails to provide needed informa-
6 tion, data or adequate recommendations that meet the
7 standards and criteria, the Commission shall develop such
8 recommendations as it considers appropriate based on ex-
9 isting data contained in the Federal Real Property Profile
10 or other relevant information.

11 (d) RECEIPT OF INFORMATION AND PROPOSALS.—
12 Notwithstanding any other provision of law, the Commis-
13 sion may receive and consider proposals, information, and
14 other data submitted by State and local officials and the
15 private sector. Such information shall be made publically
16 available.

17 (e) ACCOUNTING SYSTEM.—Not later than 120 days
18 after the date of enactment of this Act, the Commission
19 shall identify or develop and implement a system of ac-
20 counting to be used to independently evaluate the costs
21 of and returns on the recommendations. Such accounting
22 system shall be applied in developing the Commission's
23 recommendations and determining the highest return to
24 the taxpayer. In applying the accounting system, the Com-
25 mission shall set a standard performance period.

1 (f) PUBLIC HEARING.—After performing an inde-
2 pendent analysis and reviewing the recommendations, the
3 Commission shall conduct public hearings. All testimony
4 before the Commission at a public hearing under this
5 paragraph shall be presented under oath.

6 (g) REPORTING OF INFORMATION AND REC-
7 OMMENDATIONS.—

8 (1) IN GENERAL.—Not later than 120 days
9 after the receipt of recommendations pursuant to
10 section 11, and biannually thereafter, the Commis-
11 sion shall, at a minimum, transmit to the President,
12 and publicly post on a Federal website maintained
13 by the Commission a report containing the Commis-
14 sion’s findings, conclusions, and recommendations
15 for the consolidation, exchange, co-location, reconfig-
16 uration, lease reductions, sale, and redevelopment of
17 Federal civilian real properties and for other oper-
18 ational efficiencies that can be realized in the Gov-
19 ernment’s operation and maintenance of such prop-
20 erties.

21 (2) CONSENSUS IN MAJORITY.—The Commis-
22 sion shall seek to develop consensus recommenda-
23 tions, but if a consensus cannot be obtained, the
24 Commission may include in its report recommenda-

1 tions that are supported by a majority of the Com-
2 mission.

3 (h) FEDERAL WEBSITE.—The Commission shall es-
4 tablish and maintain a Federal website for the purposes
5 of making relevant information publically available.

6 (i) REVIEW BY GAO.—The Comptroller General of
7 the United States shall transmit to the Congress and to
8 the Commission a report containing a detailed analysis of
9 the recommendations and selection process.

10 **SEC. 13. REVIEW BY THE PRESIDENT.**

11 (a) REVIEW OF RECOMMENDATIONS.—Upon receipt
12 of the Commission’s recommendations, the President shall
13 conduct a review of such recommendations.

14 (b) REPORT TO COMMISSION AND CONGRESS.—Not
15 later than 30 days after receipt of the Commission’s rec-
16 ommendations, the President shall transmit to the Com-
17 mission and Congress a report that sets forth the Presi-
18 dent’s approval or disapproval of the Commission’s rec-
19 ommendations.

20 (c) APPROVAL OR DISAPPROVAL.—If the President—

21 (1) approves of the Commission’s recommenda-
22 tions, the President shall transmit a copy of the rec-
23 ommendations to Congress, together with a certifi-
24 cation of such approval;

1 (2) disapproves of the Commission's rec-
2 ommendations, in whole or in part, the President
3 shall also transmit to the Commission and Congress
4 the reasons for such disapproval. The Commission
5 shall then transmit to the President, not later than
6 30 days following the disapproval, a revised list of
7 recommendations;

8 (3) approves all of the revised recommendations
9 of the Commission, the President shall transmit a
10 copy of such revised recommendations to Congress,
11 together with a certification of such approval; or

12 (4) does not transmit to the Congress an ap-
13 proval and certification described in paragraphs (1)
14 or (3) within 30 days of receipt of the Commission's
15 recommendations or revised recommendations, as
16 the case may be, the process shall terminate until
17 the following year.

18 **SEC. 14. CONGRESSIONAL CONSIDERATION OF THE REC-**

19 **COMMENDATIONS.**

20 (a) **RESOLUTION OF DISAPPROVAL.**—Not later than
21 45 days after the date of the President's transmission to
22 Congress of the approved recommendations pursuant to
23 section 13, Congress may enact a joint resolution as de-
24 scribed in subsection (c) to disapprove the Commission
25 recommendations.

1 (b) COMPUTATION OF TIME PERIOD.—For the pur-
2 poses of this section, the days on which either House of
3 Congress is not in session because of adjournment of more
4 than three days to a day certain shall be excluded in the
5 computation of the period of time.

6 (c) TERMS OF THE RESOLUTION.—For purposes of
7 this section, the term “joint resolution” means only a joint
8 resolution which is introduced within the 10-day period
9 beginning on the date on which the President transmits
10 the recommendations to Congress under section 13, and—

11 (1) which does not have a preamble;

12 (2) the matter after the resolving clause of
13 which is as follows: “That Congress disapproves the
14 recommendations of the Civilian Property Realign-
15 ment Commission as submitted by the President on
16 _____”, the blank space being filled
17 in with the appropriate date; and

18 (3) the title of which is as follows: “Joint reso-
19 lution disapproving the recommendations of the Ci-
20 vilian Property Realignment Commission”.

21 (d) REFERRAL.—A resolution described in subsection
22 (c) that is introduced in the House of Representatives
23 shall be referred to the Committee on Transportation and
24 Infrastructure in the House of Representatives. A resolu-
25 tion described in subsection (c) introduced in the Senate

1 shall be referred to the Committee on the Environment
2 and Public Works in the Senate.

3 (e) DISCHARGE.—If the committee to which a resolu-
4 tion described in subsection (c) is referred has not re-
5 ported such a resolution (or an identical resolution) by the
6 end of the 20-day period beginning on the date on which
7 the President transmits the report to the Congress under
8 section 13, such committee shall be, at the end of such
9 period, discharged from further consideration of such reso-
10 lution, and such resolution shall be placed on the appro-
11 priate calendar of the House involved.

12 (f) CONSIDERATION.—

13 (1) IN GENERAL.—On or after the third day
14 after the date on which the committee to which such
15 resolution is referred has reported, or has been dis-
16 charged (under subsection (e)) from further consid-
17 eration of, such a resolution, it is in order (even
18 though a previous motion to the same effect has
19 been disagreed to) for any Member of the respective
20 House to move to proceed to the consideration of the
21 resolution. A member may make the motion only on
22 the date after the calendar day on which the Mem-
23 ber announces to the House concerned the Member's
24 intention to make the motion, except that, in the
25 case of the House of Representatives, the motion

1 may be made without such prior announcement if
2 the motion is made by direction of the committee to
3 which the resolution was referred. The motion is
4 highly privileged in the House of Representatives
5 and is privileged in the Senate and is not debatable.
6 The motion is not subject to amendment, or to a
7 motion to postpone, or to a motion to proceed to the
8 consideration of other business. A motion to recon-
9 sider the vote by which the motion is agreed to or
10 disagreed to shall not be in order. If a motion to
11 proceed to consideration of the joint resolution is
12 agreed to, the respective House shall immediately
13 proceed to the consideration of the joint resolution
14 without intervening motion, order, or other business,
15 and the resolution shall remain the unfinished busi-
16 ness of the respective House until disposed of.

17 (2) DEBATE.—Debate on the resolution and on
18 all debatable motions and appeals in connection
19 therewith, shall be limited to not more than 2 hours,
20 which shall be divided equally between those favoring
21 and those opposing the resolution. An amendment to
22 the resolution is not in order. A motion further to
23 limit debate is in order and not debatable. A motion
24 to postpone, or a motion to proceed to the consider-
25 ation of other business, or a motion to recommit the

1 resolution is not in order. A motion to reconsider the
2 vote by which the resolution is agreed to or dis-
3 agreed is not in order.

4 (3) VOTE.—Immediately following the conclu-
5 sion of the debate on a resolution described in sub-
6 section (c) and a single quorum call at the conclu-
7 sion of the debate if requested in accordance with
8 the rules of the appropriate House, the vote on final
9 passage of the resolution shall occur.

10 (4) APPEALS OF DECISIONS OF THE CHAIR.—
11 Appeals of the decisions of the Chair relating to the
12 application of the rules of the Senate or the House
13 of Representatives, as the case may be, to the proce-
14 dure relating to a resolution described in subsection
15 (c) shall be decided without debate.

16 (g) CONSIDERATION BY OTHER HOUSE.—

17 (1) IN GENERAL.—If, before the passage by one
18 House of a resolution of that House described in
19 subsection (c), that House received from the other
20 House a resolution described in subsection (c), then
21 the following procedures shall apply:

22 (A) NO COMMITTEE REFERRAL.—The res-
23 olution of the other House shall not be referred
24 to a committee and may not be considered in

1 the House receiving it except in the case of
2 final passage as provided in subparagraph (B).

3 (B) RESOLUTION PROCEDURE.—With re-
4 spect to a resolution described in subsection (c)
5 of the House receiving the resolution the proce-
6 dure in that House shall be the same as if no
7 resolution had been received from the other
8 House, but the vote on final passage shall be on
9 the resolution of the other House.

10 (2) NO CONSIDERATION.—Upon disposition of
11 the resolution received from the other House, it shall
12 no longer be in order to consider the resolution that
13 originated in the receiving House.

14 (h) RULES OF THE SENATE AND HOUSE.—This sec-
15 tion is enacted by Congress—

16 (1) as an exercise of the rulemaking power of
17 the Senate and House of Representatives, respec-
18 tively, and as such it is deemed a part of the rules
19 of each House, respectively, but applicable only with
20 respect to the procedure to be followed in that
21 House in the case of a resolution described in this
22 section, and it supersedes other rules only to the ex-
23 tent that it is inconsistent with such rules; and

24 (2) with full recognition of the constitutional
25 right of either House to change the rules (so far as

1 relating to the procedure of that House) at any time,
2 in the same manner, and to the same extent as in
3 the case of any other rule of that House.

4 (i) FAILURE TO PASS RESOLUTION OF DIS-
5 APPROVAL.—If Congress fails to pass such a joint resolu-
6 tion within 45 calendar days after the date of the Presi-
7 dent’s transmission to Congress of the Commission’s rec-
8 ommendations, the recommendations immediately gain
9 legal force and shall be in effect and Federal agencies shall
10 implement and carry out all of the Commission’s rec-
11 ommendations pursuant to section 15.

12 **SEC. 15. IMPLEMENTATION OF COMMISSION REC-**
13 **COMMENDATIONS.**

14 (a) CARRYING OUT RECOMMENDATIONS.—Upon the
15 date specified in section 14(i), Federal agencies shall im-
16 mediately begin preparation to carry out the Commission’s
17 recommendations and shall initiate all activities no later
18 than 1 year after the date on which the President trans-
19 mits the recommendations to Congress. Federal agencies
20 shall complete all recommended actions no later than the
21 end of the 3-year period beginning on the date on which
22 the President transmits the Commission’s recommenda-
23 tions to Congress. All actions shall be economically bene-
24 ficial and be cost neutral or otherwise favorable to the
25 Government. For actions that will take longer than the

1 3-year period due to extenuating circumstances, each Fed-
2 eral agency shall notify the President and Congress as
3 soon as the extenuating circumstance presents itself with
4 an estimated time to complete the relevant action.

5 (b) ACTIONS OF FEDERAL AGENCIES.—In taking ac-
6 tions related to any Federal building or facility under this
7 Act, Federal agencies may, pursuant to subsection (c),
8 take all such necessary and proper actions, including—

9 (1) acquiring land, constructing replacement fa-
10 cilities, performing such other activities, and con-
11 ducting advance planning and design as may be re-
12 quired to transfer functions from a Federal asset or
13 property to another Federal civilian property;

14 (2) providing outplacement assistance to civilian
15 employees employed by any Federal agency at a
16 Federal civilian property impacted by such actions;
17 and

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

20 (c) NECESSARY AND PROPER ACTIONS.—When act-
21 ing on a recommendation of the Commission, a Federal
22 agency shall work in partnership with the Administrator
23 to carry out such actions. The Administrator may, not-
24 withstanding any other provision of law, take such nec-
25 essary and proper actions, including the sale, conveyance,

1 or exchange of civilian real property, as required to imple-
2 ment the Commission recommendations in the time period
3 required under subsection (a). The Administrator shall
4 enter into and use commission-based contracts for real es-
5 tate services to assist in carrying out property transactions
6 required by the Commission's recommendations.

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

16 **SEC. 16. AUTHORIZATION OF APPROPRIATIONS.**

17 There is authorized a one-time appropriation to carry
18 out this Act the following amounts:

19 (1) \$23,000,000 for salaries and expenses of
20 the Commission.

21 (2) \$65,000,000 to be deposited into the Asset
22 Proceeds and Space Management Fund for activities
23 related to the implementation of the Commission
24 recommendations.

1 **SEC. 17. FUNDING.**

2 (a) CREATION OF SALARIES AND EXPENSES AC-
3 COUNT.—There is hereby established on the books of the
4 Treasury an account to be known as the “Civilian Prop-
5 erty Realignment Commission—Salaries and Expenses”
6 account.

7 (1) NECESSARY PAYMENTS.—There shall be de-
8 posited into the account such amounts, as are pro-
9 vided in appropriations Acts, for those necessary
10 payments for salaries and expenses to accomplish
11 the administrative needs of the Commission.

12 (2) NO APPROPRIATIONS.—If no amounts are
13 appropriated for the salaries and expenses of the
14 Commission for a particular fiscal year, the Director
15 of the Office of Management and Budget may sup-
16 port the Commission’s activities under this Act dur-
17 ing such year if the Director approves either or both
18 of the following actions:

19 (A) In consultation with the Administrator,
20 a transfer to the Commission of amounts from
21 the “Civilian Property Realignment Commis-
22 sion—Asset Proceeds and Space Management
23 Fund” within the Federal Buildings Fund es-
24 tablished under section 592 of title 40, United
25 States Code.

1 (B) A transfer to the Commission of not
2 more than \$8,000,000 from unobligated
3 amounts available to the Administrator or the
4 Director.

5 (b) CREATION OF ASSET PROCEEDS AND SPACE
6 MANAGEMENT FUND.—

7 (1) CREATION OF FUND.—There is hereby es-
8 tablished within the Federal Buildings Fund estab-
9 lished under section 592 of title 40, United States
10 Code, an account to be known as the “Civilian Prop-
11 erty Realignment Commission—Asset Proceeds and
12 Space Management Fund” which shall be used solely
13 for the purposes of carrying out actions pursuant to
14 the Commission recommendations approved under
15 section 14. Notwithstanding section 3307 of title 40,
16 United States Code, the following amounts shall be
17 deposited into the account and are hereby appro-
18 priated and shall remain available until expended for
19 the following specified purposes:

20 (A) Such amounts as are provided in ap-
21 propriations Acts, to remain available until ex-
22 pended, for the consolidation, co-location, ex-
23 change, redevelopment, re-configuration of
24 space and other actions recommended by the
25 Commission for Federal agencies.

1 (B) Gross proceeds received from the pro-
2 ceeds of any civilian real property action taken
3 pursuant to a recommendation of the Commis-
4 sion under section 15. The Commission, with
5 the consent of the Administrator, may transfer
6 from the gross proceeds to a Federal agency,
7 amounts necessary to cover costs associated
8 with implementing the recommendations pursu-
9 ant to section 15. In support of its duties, the
10 Commission, with the consent of the Adminis-
11 trator, may transfer from the Space Manage-
12 ment Fund to a Federal agency, amounts—

13 (i) to cover the necessary costs associ-
14 ated with—

15 (I) consolidation, co-location, re-
16 development, and reconfiguration ac-
17 tions; and

18 (II) other actions taken to other-
19 wise realize operational efficiencies,
20 including such actions as environ-
21 mental restoration; and

22 (ii) for outplacement assistance to
23 Federal employees who work at a Federal
24 property that is affected by actions taken
25 under this section, and whose employment

1 would be terminated as a result of such
2 disposal, consolidation, or other realign-
3 ment.

4 (C) Net proceeds (which are gross proceeds
5 received from the sale of any civilian real prop-
6 erty pursuant to a recommendation of the Com-
7 mission, less the amounts transferred from this
8 account under subsection (a)(2)(A) and sub-
9 paragraph (B) of this subsection), shall be di-
10 vided between the General Fund of the Treas-
11 ury and the Asset Proceeds and Space Manage-
12 ment Fund within the Federal Buildings Fund.
13 On an annual basis, the Director of the Office
14 of Management and Budget, shall determine
15 how the net proceeds shall be distributed,
16 through transfer, between the General Fund
17 and the Asset Proceeds and Space Management
18 Fund, but in no case shall the General Fund
19 receive less than 60 percent of the net proceeds.

20 (2) OBLIGATION OF AMOUNTS.—The amounts
21 transferred pursuant to paragraph (1)(C) under this
22 subsection shall be obligated by the recipient agency
23 not later than 3 years after the transfer. Any
24 amounts that are not obligated within 3 years shall

1 be transferred back to the Asset Proceeds and Space
2 Management Fund.

3 **SEC. 18. DISPOSAL OF REAL PROPERTIES.**

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

8 (1) section 545(b)(8) of title 40, United States
9 Code;

10 (2) sections 550, 554, and 553 of title 40,
11 United States Code;

12 (3) section 501 of the McKinney-Vento Home-
13 less Assistance Act (42 U.S.C. 11411);

14 (4) section 667(b) through (d) of title 16,
15 United States Code;

16 (5) section 47151 of title 49, United States
17 Code;

18 (6) sections 107 and 317 of title 23, United
19 States Code;

20 (7) section 1304(b) of title 40, United States
21 Code;

22 (8) section 1622(d) of title 50, United States
23 Code Appended;

1 (9) any other provision of law authorizing the
2 conveyance of real property owned by the Govern-
3 ment for no consideration; and

4 (10) any congressional notification requirement
5 other than that in section 545 of title 40, United
6 States Code.

7 (b) CONTINUATION OF CERTAIN REQUIREMENTS.—
8 Nothing in subsection (a) shall be construed to modify,
9 alter, or amend any other required environmental or his-
10 torical review, recordkeeping, or notice requirements oth-
11 erwise implicated in a conveyance of Federal civilian real
12 property.

13 (c) PUBLIC BENEFIT.—

14 (1) IN GENERAL.—For those properties that
15 the Commission has determined should be reviewed
16 for potential use by the homeless or for any of the
17 other public benefits enumerated in subsection (a),
18 the Commission shall submit to the Secretary of
19 Housing and Urban Development (referred to in this
20 Act as the “Secretary of HUD”), on the same day
21 it submits its report to the President, any such in-
22 formation on the building or property that concerns
23 the decision regarding the civilian property’s dis-
24 posal. Not later than 30 days after such submission
25 by the Commission the Secretary of HUD must re-

1 turn to the Commission with a report summarizing
2 a determination of the suitability of the civilian real
3 properties recommended to be disposed as properties
4 fit to help the cause of homeless assistance.

5 (2) NOTICE OF INTEREST.—Not later than 30
6 days after the Commission’s submission to the Presi-
7 dent and public release of the Commission’s rec-
8 ommendations, any representatives of the homeless
9 proposing interest in the use of property that the
10 Commission has determined should be reviewed for
11 potential use by the homeless or for any of the other
12 public benefits enumerated in subsection (a), may
13 submit a notice of interest to the Commission and
14 to the Secretary of HUD that contains the following:

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

18 (B) An assessment of the need for the pro-
19 gram.

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

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

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

7 (F) An assessment of the time required in
8 order to commence carrying out the program.

9 (3) HUD APPROVAL.—The Secretary of HUD
10 shall review and certify submissions from representa-
11 tives of the homeless and submit to the Commission
12 an assessment of the validity and merits of the no-
13 tice of interest not later than 60 days after the date
14 the Commission submits its report to the President.
15 If more than one notice of interest is entered for a
16 property, the Secretary shall indicate to the Com-
17 mission which planned use of the property for the
18 homeless has more merit.

19 (4) INTERESTED PARTIES.—Not later than 30
20 days after the Commission's submission to the Presi-
21 dent and public release of the Commission's rec-
22 ommendations, any parties proposing interest in the
23 property that the Commission has determined should
24 be reviewed for any other public benefit programs
25 enumerated in subsection (a), for a use that is not

1 homeless assistance, may submit a notice of interest
2 to the Commission and to the Federal agency that
3 is otherwise tasked by law to review applications for
4 the public benefit conveyance program under which
5 the party is applying. The notice of interest must
6 contain the information otherwise required by the
7 law creating the conveyance program.

8 (5) ASSESSMENT OF VALIDITY AND MERITS.—

9 Federal agencies that have been tasked with review-
10 ing applications for public benefit conveyance pro-
11 grams, that receive notices of interest with informa-
12 tion pertaining to the certification of the validity of
13 a proposed public benefit conveyance operating
14 under one of the uses under subsection (a) that are
15 not homeless assistance, shall review and certify sub-
16 missions from parties proposing such future use for
17 the property and submit to the Commission an as-
18 sessment of the validity and merits of the informa-
19 tion contained in the notice of interest not later than
20 60 days after the date the Commission submits its
21 recommendations to the President. If more than one
22 notice of interest is entered for a property, the Sec-
23 retary of the reviewing agency shall indicate to the
24 Commission which planned use of the property has
25 more merit.

1 (6) COMPILATION OF INFORMATION AND AS-
2 SESSMENTS.—The Commission shall compile all in-
3 formation and assessments regarding submitted no-
4 tices of interest about properties and, when that the
5 recommendations gain legal force after consideration
6 by Congress, forward them to the Federal agencies
7 that maintain custody and control over the civilian
8 real properties to be disposed for their consideration
9 in implementing the Commission’s recommendations.

10 (7) USE OF PROPERTY.—In the event a prop-
11 erty reviewed by the Secretary of HUD is found to
12 be fit for use by the homeless and the Secretary has
13 identified a representative of the homeless whose no-
14 tice of interest is certified, or, in the event of more
15 than one notice of interest on the property, whose
16 notice of interest is deemed to have the most merit
17 by the Secretary, the agency maintaining custody or
18 control of the property, in accordance with sub-
19 section (a), shall commence conveyance of the prop-
20 erty to that representative of the homeless upon the
21 recognition that the Commission’s recommended ac-
22 tivity to convey the property for one of those uses
23 in subsection (a) has gained legal force. In the event
24 a reviewed property is found to be unfit for use by
25 the homeless, or there is no identified notice of in-

1 terest on the property by a representative of the
2 homeless, the Federal agency shall then look to
3 whether there are any parties that have expressed
4 interest in the property for one of those uses in sub-
5 section (a) that are not homeless assistance and
6 whether any Federal reviewing agency has certified
7 one of those uses. If so, the Federal agency main-
8 taining custody or control of the property shall com-
9 mence conveyance of the property to that party that
10 proposed the certified use upon the recognition that
11 the Commission's recommended activity to convey
12 the property for one of those uses in subsection (a)
13 has gained legal force. In the event that more than
14 one party that has expressed interest in the property
15 in this manner exists, the Federal agency shall have
16 the discretion to choose among them.

17 (8) OTHER OPTIONS FOR USE OF PROPERTY.—
18 In the event a property does not qualify for, or there
19 is no interest in a property reviewed for one of those
20 uses described in subsection (a) upon the recognition
21 that the Commission's recommended activity to con-
22 vey the property for one of those uses in subsection
23 (a) has gained legal force, the Federal agency shall
24 have the discretion to choose among any other re-

1 maintaining ways to implement the recommendation re-
2 garding the property.

3 (d) ENVIRONMENTAL CONSIDERATIONS.—

4 (1) NEPA APPLICATION.—The provisions of
5 the National Environmental Policy Act of 1969 (42
6 U.S.C. 4321 et seq.) shall not apply to the actions
7 of the President, the Commission, or any Federal
8 agency, in carrying out any of the Commission’s rec-
9 ommendations except—

10 (A) during the process of property dis-
11 posal; and

12 (B) during the process of relocating func-
13 tions from a property being disposed of or re-
14 aligned to another property after the receiving
15 property has been selected but before the func-
16 tions are relocated.

17 (2) NEPA EXCEPTIONS.—In applying the pro-
18 visions of the National Environmental Policy Act of
19 1969 to the processes referred to in subsection
20 (d)(1), the agencies do not have to consider—

21 (A) the need for closing or realigning the
22 property which has been recommended for clo-
23 sure or realignment by the Commission;

24 (B) the need for transferring functions to
25 another Federal civilian property; or

1 (C) any alternative path, not associated
2 with an environmental choice, to those rec-
3 ommended or selected.

4 (3) CIVIL ACTION.—A civil action for judicial
5 review, with respect to any requirement of the Na-
6 tional Environmental Policy Act of 1969 to the ex-
7 tent such Act is applicable under subsection (d)(2),
8 of any Act or failure to act by a Federal agency dur-
9 ing the closing, realigning, or relocating of functions
10 referred to in subsection (d)(2), may not be brought
11 more than 60 days after the dates of such act or
12 failure to act.

13 (4) DISPOSAL ON REALIGNED PROPERTY.—
14 Federal agencies may dispose or realign property
15 without regard to any provision of law restricting
16 the use of funds for disposing or realigning Federal
17 civilian property included in any appropriations or
18 authorization Act.

19 (5) TRANSFER OF REAL PROPERTY.—

20 (A) IN GENERAL.—When implementing the
21 recommended actions pursuant to section 15 for
22 properties that have been identified in the Com-
23 mission’s recommendations and in compliance
24 with the Comprehensive Environmental Re-
25 sponse, Compensation, and Liability Act of

1 1980 (42 U.S.C. 9601 et seq.), including sec-
2 tion 120(h) thereof (42 U.S.C. 9620(h)), Fed-
3 eral agencies may enter into an agreement to
4 transfer by deed real property with any person.

5 (B) ADDITIONAL TERMS.—The head of the
6 disposing agency may require any additional
7 terms and conditions in connection with an
8 agreement authorized by subparagraph (A) as
9 the head of the disposing agency considers ap-
10 propriate to protect the interests of the United
11 States. Such additional terms and conditions
12 shall not affect or diminish any rights or obliga-
13 tions of the Federal agencies under section
14 120(h) of the Comprehensive Environmental
15 Response, Compensation, and Liability Act of
16 1980 (including the requirements of section
17 120(h)(3)(A) and (C)(iv) of that Act.

18 (6) INFORMATION DISCLOSURE.—As part of an
19 agreement pursuant to this Act, the agency shall
20 disclose to the person to whom the property or facili-
21 ties will be transferred any information of the Fed-
22 eral agency regarding the environmental restoration,
23 waste management, and environmental compliance
24 activities described in this Act that relate to the

1 property or facilities. The agency shall provide such
2 information before entering into the agreement.

3 (e) CONSTRUCTION OF CERTAIN ACTS.—Nothing in
4 this section shall be construed to modify, alter, or amend
5 the Comprehensive Environmental Response, Compensa-
6 tion, and Liability Act of 1980 (42 U.S.C. 9601 et seq.)
7 or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

8 **SEC. 19. CONGRESSIONAL APPROVAL OF PROPOSED**
9 **PROJECTS.**

10 (a) Section 3307(b) of title 40, United States Code
11 is amended by—

12 (1) striking “and” at the end of paragraph (6);

13 (2) striking the period at the end of paragraph

14 (7); and

15 (3) adding at the end the following:

16 “(8) a statement of how the proposed project is
17 consistent with section 11(b) of the Civilian Prop-
18 erty Realignment Act; and

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

21 “(A) the total estimated legal obligations
22 of the Government over the life of the contract;
23 and

24 “(B) the cost of constructing new space.”.

1 **SEC. 20. LIMITATION OF CERTAIN LEASING AUTHORITIES.**

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

5 **“3317. LIMITATION ON LEASING AUTHORITY OF OTHER**
6 **AGENCIES.**

7 “(a) IN GENERAL.—

8 “(1) LIMITATION.—Notwithstanding any other
9 provision of law, no executive agency may lease
10 space for the purposes of a public building as de-
11 fined under section 3301, except as provided under
12 section 585 and the provisions of in this chapter.

13 “(2) EXCEPTION.—Paragraph (1) shall not
14 apply to the United States Postal Service or the
15 Central Intelligence Agency.

16 “(b) PUBLIC BUILDING.—For the purposes of this
17 section, the term ‘public building’ shall include leased
18 space.

19 “(c) CONSTRUCTION.—Nothing in this section shall
20 be construed as creating new authority for executive agen-
21 cies to enter into leases or limit the authority of the Ad-
22 ministration under section 3314.”.

23 (b) CLERICAL AMENDMENT.—The analysis for such
24 chapter is amended by adding at the end:

“3317. Limitation on Leasing Authority of Other Agencies.”.

1 **SEC. 21. IMPLEMENTATION REVIEW BY GAO.**

2 Upon the date specified in section 14(i), the Comp-
 3 troller General of the United States at least annually shall
 4 monitor, review the implementation activities of Federal
 5 agencies pursuant to section 15, and report to Congress
 6 any findings and recommendations.

7 **SEC. 22. REALIGNMENT OF REAL PROPERTY OWNED OR**
 8 **MANAGED BY THE BUREAU OF OVERSEAS**
 9 **BUILDING OPERATIONS.**

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

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

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

21 (b) LIST TO SECRETARY OF STATE.—The Commis-
 22 sion shall provide this list created pursuant to subsection
 23 (a) to the Secretary of State.

24 (c) REVIEW AND REPORT.—Not later than 90 cal-
 25 endar days after the receipt of the list created pursuant
 26 to subsection (b), the Department of State shall review

1 this list and send a report to the Commission. The report
2 shall include the conclusions of this review by the Depart-
3 ment of State.

4 (d) RECOMMENDATIONS OF CERTAIN CIVILIAN REAL
5 PROPERTY ASSETS.—Consistent with section 12, the
6 Commission may only make recommendations involving ci-
7 vilian real property assets that are located outside of the
8 United States and its territories and owned or managed
9 by the Department of State’s Bureau of Overseas Building
10 Operations if the assets are on the list provided to the
11 Department of State pursuant to this section and the De-
12 partment of State has submitted a report on the list to
13 the Commission pursuant to subsection (c).

14 (e) REMOVAL OF CERTAIN CIVILIAN REAL PROP-
15 erty TRANSACTION ASSETS.—Consistent with section 12,
16 not later than 20 calendar days after the submission of
17 the Commission’s report to the President, the Secretary
18 of State may remove any transaction that involves a civil-
19 ian real property asset that is located outside of the
20 United States and its territories and owned or managed
21 by the Department of State’s Bureau of Overseas Building
22 Operations from the Commission recommendations or list
23 of recommendations made pursuant to section 12.

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

1 State to appeal to the Director of OMB or Commission
2 for funding by the Commission's Asset Proceeds and
3 Space Management Fund to support the cost of imple-
4 menting a recommendation.

5 (g) PROCEEDS.—For the purposes of this Act, pro-
6 ceeds from the disposal of assets located outside of the
7 United States and its territories that are owned or man-
8 aged by the Department of State's Bureau of Overseas
9 Building Operations as identified by the Commission and
10 disposed of pursuant to this Act shall be deposited into
11 the Asset Proceeds and Space Management Fund. Pro-
12 ceeds from the disposal of assets by the Department of
13 State that are not disposed of pursuant to this Act shall
14 be retained by the Department of State.

15 **SEC. 23. FEDERAL REAL PROPERTY PROFILE.**

16 (a) CONGRESSIONAL COMMITTEES.—

17 (1) IN GENERAL.—Upon the request of the
18 chairperson and ranking member of any committee
19 described under paragraph (2), the Office of Man-
20 agement and Budget and the General Services Ad-
21 ministration shall—

22 (A) provide access to the Federal Real
23 Property Profile established in accordance with
24 Executive Order 13327 of February 4, 2004

1 (69 Federal Register 5897), to that committee;
2 and

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

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

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

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

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

15 (D) the Committee on Environmental and
16 Public Works of the Senate; and

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

19 (b) GOVERNMENT ACCOUNTABILITY OFFICE.—Upon
20 the request of the Comptroller General, the Office of Man-
21 agement and Budget and the General Services Adminis-
22 tration shall—

23 (1) provide access to the Federal Real Property
24 Profile established in accordance with Executive
25 Order 13327 of February 4, 2004 (69 Federal Reg-

1 ister 5897), to the Government Accountability Of-
2 fice; and

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

6 **SEC. 24. EXCESS PROPERTY.**

7 (a) IN GENERAL.—Not later than 3 years after the
8 date of enactment of this Act, each Federal agency shall
9 sell, dispose, transfer, exchange, consolidate, co-locate, re-
10 configure, or redevelop any property that on the date of
11 enactment of this Act is—

12 (1) excess property as defined under section
13 102(3) of title 40, United States Code; and

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

15 (b) EXCEPTIONS.—

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

20 (A) identifies the property; and

21 (B) states the reasons the Federal agency
22 is not able to carry out subsection (a) with re-
23 spect to that property.

24 (2) COMMITTEES.—The committees referred to
25 under paragraph (1) are—

1 (A) the Committee on Transportation and
2 Infrastructure of the House of Representatives;

3 (B) the Committee on Oversight and Gov-
4 ernment Reform of the House of Representa-
5 tives;

6 (C) the Committee on Homeland Security
7 and Governmental Affairs of the Senate;

8 (D) the Committee on Environmental and
9 Public Works of the Senate; and

10 (E) the Committees on Appropriations of
11 the House of Representatives and the Senate.

○