

118TH CONGRESS
2D SESSION

H. R. 6277

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2024

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To amend the Federal Assets Sale and Transfer Act of
2016 to improve such Act, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “FASTA Reform Act
3 of 2023”.

4 **SEC. 2. AMENDMENTS TO THE FEDERAL ASSETS SALE AND**
5 **TRANSFER ACT OF 2016.**

6 (a) IN GENERAL.—The Federal Assets Sale and
7 Transfer Act of 2016 (40 U.S.C. 1303 note) is amended—

8 (1) in section 2—

9 (A) in paragraph (9) by striking “and” at
10 the end;

11 (B) in paragraph (10) by striking the pe-
12 riod at the end and inserting “; and”; and

13 (C) by adding at the end the following:

14 “(11) implementing innovative methods for the
15 sale, redevelopment, consolidation, or lease of Fed-
16 eral buildings and facilities, including the use of no
17 cost, nonappropriated contracts for expert real es-
18 tate services to obtain the highest and best value for
19 the taxpayer.”;

20 (2) in section 3(5)(B)(viii) by inserting “, other
21 than office buildings and warehouses,” after “Prop-
22 erties”;

23 (3) in section 5(b) by striking “Five Board
24 members” and inserting “Four Board members”;

25 (4) in section 7 by adding at the end the fol-
26 lowing:

1 “(c) RETURN TO CIVIL SERVICE.—An Executive Di-
2 rector selected from the civil service (as such term is de-
3 fined in section 2101 of title 5, United States Code) shall
4 be entitled to return to the civil service after service to
5 the Board ends if the Executive Director’s service to the
6 Board ends for reasons other than misconduct, neglect of
7 duty, or malfeasance.”;

8 (5) in section 8—

9 (A) in subsection (b)—

10 (i) by striking “and the Director of
11 OMB”; and

12 (ii) by inserting “for a period of not
13 less than 1 year” before “to assist the
14 Board”;

15 (B) by redesignating subsection (c) as sub-
16 section (d); and

17 (C) by inserting after subsection (b) the
18 following:

19 “(c) HIRING OF TERM EMPLOYEES.—The Executive
20 Director, with approval of the Board, may utilize the Of-
21 fice of Personnel Management to hire employees for terms
22 not to exceed 2 years pursuant to the Office of Personnel
23 Management guidance for nonstatus appointments in the
24 competitive service.”;

1 (6) in section 10 by striking “6 years after the
2 date on which the Board members are appointed
3 pursuant to section 4” and inserting “on December
4 31, 2026”;

5 (7) in section 11(a)—

6 (A) in the matter preceding paragraph (1)
7 by striking “the Administrator and the Director
8 of OMB” and inserting “the Administrator, the
9 Director of OMB, and the Board”;

10 (B) in paragraph (1)—

11 (i) by striking “and” before “square
12 footage”; and

13 (ii) by inserting “, amount of acreage
14 associated with the property, and whether
15 the property is on a campus or larger facil-
16 ity” before the period at the end; and

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

18 “(3) CONSOLIDATION PLANS.—Any agency
19 plans to consolidate, reconfigure, or otherwise reduce
20 the use of owned and leased property.”;

21 (8) in section 12—

22 (A) in subsection (b)(2) by striking the
23 second sentence and inserting “In the case of a
24 failure by an agency to comply with a request
25 of the Board, the Board shall notify the com-

1 mittees listed in section 5(c), the relevant con-
2 gressional committees of jurisdiction for the
3 agency, and the inspector general of the agency
4 of such failure.”;

5 (B) by redesignating subsections (d)
6 through (i) as subsections (e) through (j), re-
7 spectively;

8 (C) by inserting after subsection (c) the
9 following:

10 “(d) PREPARATION OF PROPERTIES FOR DIS-
11 POSAL.—At the request of, and in coordination with, the
12 Board, a Federal agency may undertake any analyses and
13 due diligence as necessary to prepare a property for dis-
14 position so that the property may be included in the rec-
15 ommendations of the Board under subsection (h), includ-
16 ing completion of the requirements of section 306108 of
17 title 54, United States Code, for historic preservation and
18 identification of the likely highest and best use of the
19 property subsequent to disposition.”;

20 (D) in subsection (h) (as so redesign-
21 nated)—

22 (i) in paragraph (1)—

23 (I) in subparagraph (A) by strik-
24 ing “and” at the end;

1 (II) by redesignating subpara-
2 graph (B) as subparagraph (C); and
3 (III) by inserting after subpara-
4 graph (A) the following:

5 “(B) the process to be followed by Federal
6 agencies to carry out the actions described
7 under subparagraph (A), including the use of
8 no cost, nonappropriated contracts for expert
9 real estate services and other innovative meth-
10 ods, to obtain the highest and best value for the
11 taxpayer; and”;

12 (ii) in paragraph (2) by adding at the
13 end the following:

14 “(C) THIRD ROUND.—During the period
15 beginning on the day after the transmittal of
16 the second report and ending on the day before
17 the termination of the Board under section 10,
18 the Board may transmit to the Director of
19 OMB a third report required under paragraph
20 (1).”; and

21 (E) by adding at the end the following:

22 “(k) REPORT TO CONGRESS.—The Board shall peri-
23 odically submit to the Committee on Transportation and
24 Infrastructure of the House of Representatives and the
25 Committee on Environment and Public Works of the Sen-

1 ate a report containing any recommendations on consoli-
2 dations, exchanges, sales, lease reductions, and redevelop-
3 ments that are not included in the transmissions sub-
4 mitted under subsection (h), or approved by the Director
5 of OMB under section 13, but which the majority of the
6 Board concludes meets the goals of this Act.”;

7 (9) in section 13—

8 (A) in subsection (a) by striking “sub-
9 sections (b) and (g)” and inserting “subsections
10 (b) and (h)”;

11 (B) in subsection (c)(4)—

12 (i) by inserting “, in whole or in
13 part,” before “received under paragraph
14 (3)”;

15 (ii) by striking “revised” the second
16 place it appears;

17 (10) in section 20 by striking subsection (b)
18 and inserting the following:

19 “(b) EFFECTIVE DATE.—The provisions of this sec-
20 tion, including the amendments made by this section, shall
21 take effect on the date on which the Board transmits the
22 second report under section 12(h)(2)(B) and shall apply
23 to proceeds from—

24 “(1) transactions contained in such report; and

1 “(2) any transactions conducted after the ter-
 2 mination of the Board pursuant to section 10.”;

3 (11) in section 21(b) by adding at the end the
 4 following:

5 “(9) Whether the Federal real property is on a
 6 campus or similar facility and, if so, identification of
 7 such campus or facility and related details, including
 8 total acreage.”; and

9 (12) by inserting after section 25 the following:

10 **“SEC. 26. ACCESS TO FEDERAL REAL PROPERTY COUNCIL**
 11 **MEETINGS AND REPORTS.**

12 “The Federal Real Property Council established
 13 under section 623 of title 40, United States Code, shall
 14 ensure that the Board has access to any meetings of the
 15 Council and any reports required under such section.”.

16 (b) CLERICAL AMENDMENT.—The table of contents
 17 in section 1(b) of such Act is amended by adding at the
 18 end the following:

“Sec. 26. Access to Federal Real Property Council meetings and reports.”.

Passed the House of Representatives March 11,
 2024.

Attest: KEVIN F. MCCUMBER,
Clerk.