

Suspend the Rules and Pass the Bill, H.R. 665, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

112TH CONGRESS
2ND SESSION

H. R. 665

To establish a pilot program for the expedited disposal of Federal real property.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2011

Mr. CHAFFETZ (for himself, Ms. FOXX, Mr. JONES, Mr. BRADY of Texas, Mr. HUELSKAMP, Mr. WOMACK, Mr. CAMPBELL, Mr. GINGREY of Georgia, Mr. FLAKE, Mr. CRAWFORD, Mr. PRICE of Georgia, Mr. BISHOP of Utah, Mr. LAMBORN, Mr. ISSA, Mr. FLEMING, Mr. HERGER, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mr. KLINE, Mrs. BLACKBURN, Mr. MARCHANT, Mr. FLORES, and Mr. BURTON of Indiana) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To establish a pilot program for the expedited disposal of Federal real property.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Excess Federal Build-
5 ing and Property Disposal Act of 2012”.

1 **SEC. 2. FEDERAL REAL PROPERTY DISPOSAL PILOT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Chapter 5 of subtitle I of title 40,
4 United States Code, is amended by adding at the end the
5 following new subchapter:

6 “SUBCHAPTER VII—EXPEDITED DISPOSAL OF
7 REAL PROPERTY

8 “§ 621. Federal real property disposal pilot program

9 “(a) IN GENERAL.—The Administrator of General
10 Services (in this subchapter referred to as the ‘Adminis-
11 trator’), in consultation with the Director of the Office of
12 Management and Budget (in this subchapter referred to
13 as the ‘Director’), shall conduct a pilot program to be
14 known as the ‘Federal Real Property Disposal Pilot Pro-
15 gram’, under which the Administrator, in consultation
16 with the Director, shall determine which 15 Federal Gov-
17 ernment real properties that are excess or surplus and
18 have the highest fair market value and the greatest poten-
19 tial to sell and shall dispose of such properties in accord-
20 ance with this subchapter and through an expedited dis-
21 posal of real property.

22 “(b) DISPOSAL.—During the five-year period begin-
23 ning on the date of the enactment of the Excess Federal
24 Building and Property Disposal Act of 2012, the Adminis-
25 trator, in consultation with the Director, shall dispose of

1 real property under the Federal Real Property Disposal
2 Pilot Program through a public auction.

3 “(c) ADDING PROPERTIES TO THE PILOT PRO-
4 GRAM.—Not later than 15 days after a property is dis-
5 posed of under subsection (b), the Administrator, in con-
6 sultation with the Director, shall designate an additional
7 property, in accordance with subsection (a), to be disposed
8 of under the Federal Real Property Disposal Pilot Pro-
9 gram.

10 “(d) EXCEPTIONS.—The Administrator shall not in-
11 clude for purposes of the Federal Real Property Pilot Pro-
12 gram any of the following types of property:

13 “(1) A parcel of real property, building, or
14 other structure located on such real property that is
15 to be closed or realigned under the Defense Base
16 Closure and Realignment Act of 1990 (10 U.S.C.
17 2687 note).

18 “(2) Properties that are excluded for reasons of
19 national security by the Director of the Office of
20 Management and Budget.

21 “(3) Indian and Native Eskimo properties in-
22 cluding—

23 “(A) any property within the limits of any
24 Indian reservation to which the United States
25 owns title; and

1 “(B) any property title which is held in
2 trust by the United States for the benefit of
3 any Indian tribe or individual or held by an In-
4 dian tribe or individual subject to restriction by
5 the United States against alienation.

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

10 “(5) Postal properties owned by the United
11 States Postal Service.

12 “(6) Properties used in connection with river,
13 harbor, flood control, reclamation, or power projects.

14 “(7) Properties that the Administrator has de-
15 termined are suitable for assignment to the Sec-
16 retary of the Interior for transfer to a State, a polit-
17 ical subdivision or instrumentality of a State, or a
18 municipality for use as a public park or recreation
19 area under section 550(e) of this title. In making
20 such determination, the Administrator may consider
21 the appraised value of the property and the highest
22 and best use.

23 “(8) Properties used, as of the date of the en-
24 actment of this subchapter, in connection with Fed-

1 eral programs for recreational and conservation pur-
2 poses, including research for such programs.

3 “(e) GAO REPORT.—Not later than 24 months after
4 the date of the enactment of this subchapter, the Comp-
5 troller General of the United States shall submit to Con-
6 gress and make publicly available a study of the effective-
7 ness of the Federal Real Property Pilot Program.

8 “(f) TERMINATION.—The Federal Real Property Dis-
9 posal Pilot Program shall terminate on the date that is
10 five years after the date of the enactment of the Excess
11 Federal Building and Property Disposal Act of 2012.

12 **“§ 622. Selection of real properties**

13 “The head of each executive agency shall recommend
14 properties to the Director for disposal under the Federal
15 Real Property Pilot Program. The Director, in consulta-
16 tion with the Administrator, shall then select properties
17 for disposal under the pilot program and notify the recom-
18 mending executive agency accordingly.

19 **“§ 623. Expedited disposal requirements**

20 “(a) EXPEDITED DISPOSAL OF REAL PROPERTY DE-
21 FINED.—For purposes of this subchapter, an ‘expedited
22 disposal of real property’ is the sale of real property for
23 cash that is conducted pursuant to the requirements of
24 section 545(a) of this title.

1 “(b) FAIR MARKET VALUE REQUIREMENT.—Real
2 property sold under the Federal Real Property Pilot Pro-
3 gram may not be sold at less than the fair market value
4 as determined by the Administrator, in consultation with
5 the Director. Costs associated with disposal may not ex-
6 ceed the fair market value of the property unless the Di-
7 rector approves incurring such costs.

8 “(c) MONETARY PROCEEDS REQUIREMENT.—Real
9 property shall be sold under the Federal Real Property
10 Pilot Program only if the property will generate monetary
11 proceeds to the Federal Government, as provided in sub-
12 section (b). A disposal of real property under the Federal
13 Real Property Pilot Program may not include any ex-
14 change, trade, transfer, acquisition of like-kind property,
15 or other non-cash transaction as part of the disposal.

16 “(d) RULE OF CONSTRUCTION.—Nothing in this sub-
17 chapter shall be construed as terminating or in any way
18 limiting authorities that are otherwise available to agen-
19 cies under other provisions of law to dispose of Federal
20 real property, except as provided in subsection (e).

21 “(e) EXEMPTION FROM CERTAIN REQUIREMENTS.—
22 Any expedited disposal of a real property conducted under
23 this subchapter shall not be subject to—

24 “(1) subchapter IV of this chapter;

25 “(2) sections 550 and 553 of this title;

1 is defined in section 501(i)(4) of the McKinney-Vento
2 Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

3 “(c) USE OF PROPERTIES FOR HOUSING OR SHEL-
4 TER FOR THE HOMELESS.—

5 “(1) ELIGIBLE USES.—A nonprofit organization
6 that receives a grant under subsection (a) shall use
7 the amounts received under such grant only to ac-
8 quire or rehabilitate real property for use to provide
9 permanent housing (as such term is defined in sec-
10 tion 401 of the McKinney-Vento Homeless Assist-
11 ance Act (42 U.S.C. 11360)), transitional housing
12 (as such term is defined in such section 401), or
13 temporary shelter, for persons who are homeless.

14 “(2) TERM OF USE.—The Secretary of Housing
15 and Urban Development may not make a grant
16 under subsection (a) to a private nonprofit organiza-
17 tion unless the organization provides the Secretary
18 with such assurances as the Secretary determines
19 necessary to ensure that any property acquired or
20 rehabilitated using the amounts received under such
21 grant is used only as provided in paragraph (1) of
22 this subsection for a period of not fewer than 15
23 years.

24 “(d) PREFERENCE.—In awarding grants under sub-
25 section (a), the Secretary of Housing and Urban Develop-

1 ment shall give preference for such grants to private non-
2 profit organizations that operate within areas in which
3 Federal real property is being sold under the Federal Real
4 Property Disposal Pilot Program under this subchapter.

5 “(e) NONPROFIT ORGANIZATION.—For purposes of
6 this section, the following definitions shall apply:

7 “(1) HOMELESS.—The term ‘homeless’ has the
8 meaning given such term in section 103 of the
9 McKinney-Vento Homeless Assistance Act (42
10 U.S.C. 11302(a)), except that subsection (e) of such
11 section shall not apply for purposes of this section.

12 “(2) PRIVATE NONPROFIT ORGANIZATION.—
13 The term ‘private nonprofit organization’ has the
14 meaning given such term in section 401 of the
15 McKinney-Vento Homeless Assistance Act (42
16 U.S.C. 11360).

17 “(f) REGULATIONS.—The Secretary of Housing and
18 Urban Development may issue any regulations necessary
19 to carry out this section.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 5 of subtitle I of title 40,
22 United States Code, is amended by inserting after the
23 item relating to section 611 the following:

“SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

“621. Federal real property disposal pilot program.

“622. Selection of real properties.

“623. Expedited disposal requirements.

“624. Special rules for deposit and use of proceeds from expedited disposals.

“625. Homeless assistance grants.”.

1 **SEC. 3. DUTIES OF THE GENERAL SERVICES ADMINISTRA-**
2 **TION AND EXECUTIVE AGENCIES.**

3 (a) IN GENERAL.—Section 524 of title 40, United
4 States Code, is amended to read as follows:

5 **“§ 524. Duties of the General Services Administration**
6 **and executive agencies**

7 “(a) DUTIES OF THE GENERAL SERVICES ADMINIS-
8 TRATION.—

9 “(1) GUIDANCE.—Not later than 6 months
10 after the date of the enactment of this section, and
11 when necessary thereafter, the Administrator of
12 General Services shall issue guidance for the devel-
13 opment and implementation of executive agency real
14 property plans. Such guidance shall include rec-
15 ommendations on—

16 “(A) how to identify excess properties;

17 “(B) how to evaluate the costs and benefits
18 associated with disposing of real property;

19 “(C) how to prioritize disposal decisions
20 based on agency missions and anticipated fu-
21 ture need for holdings; and

22 “(D) how best to dispose of those prop-
23 erties identified as excess to meet the needs of
24 the agency.

1 “(2) ASSISTANCE.—The Administrator shall as-
2 sist executive agencies in the identification and dis-
3 posal of excess real property.

4 “(b) DUTIES OF EXECUTIVE AGENCIES.—

5 “(1) IN GENERAL.—Each executive agency
6 shall—

7 “(A) maintain adequate inventory controls
8 and accountability systems for property under
9 its control;

10 “(B) continuously survey property under
11 its control to identify excess property;

12 “(C) promptly report excess property to
13 the Administrator;

14 “(D) perform the care and handling of ex-
15 cess property; and

16 “(E) transfer or dispose of excess property
17 as promptly as possible in accordance with au-
18 thority delegated and regulations prescribed by
19 the Administrator.

20 “(2) SPECIFIC REQUIREMENTS WITH RESPECT
21 TO REAL PROPERTY.—With respect to real property,
22 each executive agency shall—

23 “(A) develop and implement a real prop-
24 erty plan in order to identify properties to de-

1 clare as excess using the guidance issued under
2 subsection (a)(1);

3 “(B) identify and categorize all real prop-
4 erty owned, leased, or otherwise managed by
5 the agency;

6 “(C) establish adequate goals and incen-
7 tives to reduce excess real property in such
8 agency’s inventory; and

9 “(D) when appropriate, use the authorities
10 in section 572(a)(2)(B) of this title in order to
11 identify and prepare real property to be re-
12 ported as excess.

13 “(3) ADDITIONAL REQUIREMENTS.—Each execu-
14 tive agency, as far as practicable, shall—

15 “(A) reassign property to another activity
16 within the agency when the property is no
17 longer required for the purposes of the appro-
18 priation used to make the purchase;

19 “(B) transfer excess property under its
20 control to other Federal agencies and to organi-
21 zations specified in section 321(c)(2) of this
22 title; and

23 “(C) obtain excess properties from other
24 Federal agencies to meet mission needs before
25 acquiring non-Federal property.”.

1 (b) CLERICAL AMENDMENT.—The item relating to
2 section 524 in the table of sections at the beginning of
3 chapter 5 of such title is amended to read as follows:

“524. Duties of the General Services Administration and executive agencies.”.

4 (c) GSA REPORT.—

5 (1) IN GENERAL.—Not later than three years
6 after the date of the enactment of this Act, the Ad-
7 ministrator of General Services shall submit a report
8 to the Committee on Oversight and Government Re-
9 form of the House of Representatives and the Com-
10 mittee on Homeland Security and Governmental Af-
11 fairs of the Senate on the implementation of section
12 524, as amended by subsection (a), and each of the
13 following:

14 (A) The efforts of each executive agency to
15 reduce such agency’s real property assets, based
16 on data submitted from such agency.

17 (B) For each excess and surplus real prop-
18 erty facility/installation disposed of, an indica-
19 tion of—

20 (i) the date and method of disposal;

21 (ii) the proceeds obtained from the
22 disposition of such property;

23 (iii) the amount of time required to
24 fully dispose of excess and surplus real

1 property under the custody and control of
2 all executive agencies; and

3 (iv) the cost to dispose of surplus and
4 excess real property under the custody and
5 control of all executive agencies.

6 (2) DEFINITIONS.—The terms “excess prop-
7 erty”, “executive agency”, and “surplus property”
8 have the meanings given those terms in section 102
9 of title 40, United States Code.

10 **SEC. 4. ENHANCED AUTHORITIES WITH REGARD TO PRE-**
11 **PARING PROPERTIES TO BE REPORTED AS**
12 **EXCESS.**

13 Section 572(a)(2) of title 40, United States Code, is
14 amended—

15 (1) by redesignating subparagraphs (B) and
16 (C) as subparagraphs (C) and (D), respectively; and

17 (2) by inserting after subparagraph (A) the fol-
18 lowing new subparagraph:

19 “(B) ADDITIONAL AUTHORITY.—(i) From
20 the fund described in paragraph (1), subject to
21 clause (iv) of this subparagraph, the Adminis-
22 trator may obligate an amount to pay the direct
23 and indirect costs related to identifying and
24 preparing properties to be reported excess by
25 another agency.

1 “(ii) The General Services Administration
2 shall be reimbursed from the proceeds of the
3 sale of such properties for such costs.

4 “(iii) Net proceeds shall be dispersed pur-
5 suant to section 571 of this title.

6 “(iv) The authority under clause (i) to ob-
7 ligate funds to prepare properties to be reported
8 excess does not include the authority to convey
9 such properties by use, sale, lease, exchange, or
10 otherwise, including through leaseback arrange-
11 ments or service agreements.

12 “(v) Nothing in this subparagraph is in-
13 tended to affect subparagraph (D).”.

14 **SEC. 5. ENHANCED AUTHORITIES WITH REGARD TO RE-**
15 **VERTED REAL PROPERTY.**

16 (a) **AUTHORITY TO PAY EXPENSES RELATED TO RE-**
17 **VERTED REAL PROPERTY.**—Section 572(a)(2)(A) of title
18 40, United States Code, is amended by adding at the end
19 the following:

20 “(iv) The direct and indirect costs as-
21 sociated with the reversion, custody, and
22 disposal of reverted real property.”.

23 (b) **REQUIREMENTS RELATED TO SALES OF RE-**
24 **VERTED PROPERTY UNDER SECTION 550.**—Section
25 550(b)(1) of title 40, United States Code, is amended—

1 (1) by inserting “(A)” after “(1) IN GEN-
2 ERAL.—”; and

3 (2) by adding at the end the following: “If the
4 official, in consultation with the Administrator, rec-
5 ommends reversion of the property, the Adminis-
6 trator shall take control of such property, and, sub-
7 ject to subparagraph (B), sell it at or above ap-
8 praised fair market value for cash and not by lease,
9 exchange, leaseback arrangements, or service agree-
10 ments.

11 “(B) Prior to sale, the Administrator shall
12 make such property available to State and local gov-
13 ernments and certain non-profit institutions or orga-
14 nizations pursuant to this section and sections 553
15 and 554 of this title.”.

16 (c) REQUIREMENTS RELATED TO SALES OF RE-
17 VERTED PROPERTY UNDER SECTION 553.—Section
18 553(e) of title 40, United States Code, is amended—

19 (1) by inserting “(1)” after “THIS SECTION.—
20 ”; and

21 (2) by adding at the end the following: “If the
22 Administrator determines that reversion of the prop-
23 erty is necessary to enforce compliance with the
24 terms of the conveyance, the Administrator shall
25 take control of such property and, subject to para-

1 graph (2), sell it at or above appraised fair market
2 value for cash and not by lease, exchange, leaseback
3 arrangements, or service agreements.

4 “(2) Prior to sale, the Administrator shall make such
5 property available to State and local governments and cer-
6 tain non-profit institutions or organizations pursuant to
7 this section and sections 550 and 554 of this title.”.

8 **SEC. 6. AGENCY RETENTION OF PROCEEDS.**

9 The text of section 571 of title 40, United States
10 Code, is amended to read as follows:

11 “(a) PROCEEDS FROM TRANSFER OR SALE OF REAL
12 PROPERTY.—

13 “(1) DEPOSIT OF NET PROCEEDS.—Net pro-
14 ceeds described in subsection (d) shall be deposited
15 into the appropriate real property account of the
16 agency that had custody and accountability for the
17 real property at the time the real property is deter-
18 mined to be excess.

19 “(2) EXPENDITURE OF NET PROCEEDS.—The
20 net proceeds deposited pursuant to paragraph (1)
21 may only be expended as authorized in annual ap-
22 propriations Acts, for activities described in sections
23 543 and 545 of this title, including paying costs in-
24 curred by the General Services Administration for
25 any disposal-related activity authorized by this title.

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

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

9 “(c) DISPOSAL AGENCY FOR REVERTED PROP-
10 PERTY.—For the purposes of this section, for any real
11 property that reverts to the United States under sections
12 550 and 553 of this title, the General Services Administra-
13 tion, as the disposal agency, shall be treated as the agency
14 with custody and accountability for the real property at
15 the time the real property is determined to be excess.

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

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

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

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

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

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

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

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

12 “(3) PAYMENT OF EXPENSES OF SALE BEFORE
13 DEPOSIT.—Subject to regulations under this sub-
14 title, the expenses of the sale of personal property
15 may be paid from the proceeds of sale so that only
16 the net proceeds are deposited in the Treasury. This
17 paragraph applies whether proceeds are deposited as
18 miscellaneous receipts or to the credit of an appro-
19 priation as authorized by law.”.

20 **SEC. 7. FEDERAL REAL PROPERTY DATABASE.**

21 (a) IN GENERAL.—Subchapter II of chapter 5 of title
22 40, United States Code, is amended by adding at the end
23 the following new section:

1 **“§ 530. Federal real property database**

2 “(a) DATABASE REQUIRED.—Not later than one year
3 after the date of the enactment of this section, the Admin-
4 istrator of General Services shall publish a single, com-
5 prehensive, and descriptive database of all Federal real
6 property under the custody and control of all executive
7 agencies, other than Federal real property excluded for
8 reasons of national security, in accordance with subsection
9 (b).

10 “(b) REQUIRED INFORMATION FOR DATABASE.—The
11 Administrator shall collect from the head of each executive
12 agency descriptive information, except for classified infor-
13 mation, of the nature, use, and extent of the Federal real
14 property of each such agency, including the following:

15 “(1) The geographic location of each Federal
16 real property of each such agency, including the ad-
17 dress and description for each such property.

18 “(2) The total size of each Federal real prop-
19 erty of each such agency, including square footage
20 and acreage of each such property.

21 “(3) The relevance of each Federal real prop-
22 erty to the agency’s mission.

23 “(4) The level of use of each Federal real prop-
24 erty for each such agency, including whether such
25 property is excess, surplus, underutilized, or unuti-
26 lized.

1 “(5) The number of days each Federal real
2 property is designated as excess, surplus, underuti-
3 lized, or unutilized.

4 “(6) The annual operating costs of each Fed-
5 eral real property.

6 “(7) The replacement value of each Federal
7 real property.

8 “(c) ACCESS TO DATABASE.—

9 “(1) FEDERAL AGENCIES.—The Administrator
10 shall, in consultation with the Director of the Office
11 of Management and Budget, make the database es-
12 tablished and maintained under this section available
13 to other Federal agencies.

14 “(2) PUBLIC ACCESS.—To the extent consistent
15 with national security, the database shall be acces-
16 sible by the public at no cost through the website of
17 the General Services Administration.

18 “(d) TRANSPARENCY OF DATABASE.—To the extent
19 practicable, the Administrator shall ensure that the data-
20 base—

21 “(1) uses an open, machine-readable format;

22 “(2) permits users to search and sort Federal
23 real property data; and

1 “(3) includes a means to download a large
2 amount of Federal real property data and a selection
3 of such data retrieved using a search.

4 “(e) APPLICABILITY.—Nothing in this section may be
5 construed to require an agency to make available to the
6 public information that is exempt from disclosure pursu-
7 ant to section 552(b) of title 5.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of chapter 5 of title 40, United States
10 Code, is amended by inserting after the item relating to
11 section 529 the following new item:

 “530. Federal real property database.”.

12 **SEC. 8. SUSTAINABLE DISPOSAL OF PROPERTY.**

13 (a) IN GENERAL.—Subchapter III of chapter 5 of
14 title 40, United States Code, is amended by adding at the
15 end the following new section:

16 **“§ 560. Sustainable disposal of property**

17 “The head of each Federal agency shall divert at
18 least 50 percent of construction and demolition materials
19 and debris by the end of fiscal year 2015.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 5 of title 40, United States
22 Code, is amended by inserting after the item relating to
23 section 559 the following new item:

 “560. Sustainable disposal of property.”.

1 **SEC. 9. STREAMLINING THE MCKINNEY-VENTO HOMELESS**
2 **ASSISTANCE ACT.**

3 Section 501 of the McKinney-Vento Homeless Assist-
4 ance Act (42 U.S.C. 11411) is amended—

5 (1) in subsection (a), by adding at the end the
6 following new sentence: “Agencies shall not be re-
7 quired to submit information to the Secretary re-
8 garding properties located in an area for which the
9 general public is denied access in the interest of na-
10 tional security.”;

11 (2) in subsection (c)(1)(A), by striking “in the
12 Federal Register” and inserting the following: “on
13 the website of the Department of Housing and
14 Urban Development or the General Services Admin-
15 istration”; and

16 (3) in subsection (d)(3), by adding at the end
17 the following new sentence: “If no such review of the
18 determination is requested within the 20-day period,
19 such property will not be included in subsequent
20 publications unless the landholding agency reclassi-
21 fies the property as available and the Secretary sub-
22 sequently determines the property is suitable.”.