

Union Calendar No.

118TH CONGRESS
1ST SESSION

H. R. 6277

[Report No. 118-]

To amend the Federal Assets Sale and Transfer Act of 2016 to improve such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2023

Mr. PERRY (for himself and Ms. TITUS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

NOVEMBER --, 2023

Committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FASTA Reform Act
5 of 2023”.

6 **SEC. 2. AMENDMENTS TO THE FEDERAL ASSETS SALE AND**
7 **TRANSFER ACT OF 2016.**

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

10 (1) in section 2—

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

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

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

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

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

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

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

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

12 (5) in section 8—

13 (A) in subsection (b)—

14 (i) by striking “and the Director of
15 OMB”; and

16 (ii) by inserting “for a period of not
17 less than 1 year” before “to assist the
18 Board”;

19 (B) by redesignating subsection (c) as sub-
20 section (d); and

21 (C) by inserting after subsection (b) the
22 following:

23 “(c) HIRING OF TERM EMPLOYEES.—The Executive
24 Director, with approval of the Board, may utilize the Of-
25 fice of Personnel Management to hire employees for terms

1 not to exceed 2 years pursuant to the Office of Personnel
2 Management guidance for nonstatus appointments in the
3 competitive service.”;

4 (6) in section 10 by striking “6 years after the
5 date on which the Board members are appointed
6 pursuant to section 4” and inserting “on December
7 31, 2026”;

8 (7) in section 11(a)—

9 (A) in the matter preceding paragraph (1)
10 by striking “the Administrator and the Director
11 of OMB” and inserting “the Administrator, the
12 Director of OMB, and the Board”;

13 (B) in paragraph (1)—

14 (i) by striking “and” before “square
15 footage”; and

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

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

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

24 (8) in section 12—

1 (A) in subsection (b)(2) by striking the
2 second sentence and inserting “In the case of a
3 failure by an agency to comply with a request
4 of the Board, the Board shall notify the com-
5 mittees listed in section 5(c), the relevant con-
6 gressional committees of jurisdiction for the
7 agency, and the inspector general of the agency
8 of such failure.”;

9 (B) by redesignating subsections (d)
10 through (i) as subsections (e) through (j), re-
11 spectively;

12 (C) by inserting after subsection (c) the
13 following:

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

24 (D) in subsection (h) (as so redesign-
25 nated)—

1 (i) in paragraph (1)—

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

4 (II) by redesignating subpara-
5 graph (B) as subparagraph (C); and

6 (III) by inserting after subpara-
7 graph (A) the following:

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

15 (ii) in paragraph (2) by adding at the
16 end the following:

17 “(C) THIRD ROUND.—During the period
18 beginning on the day after the transmittal of
19 the second report and ending on the day before
20 the termination of the Board under section 10,
21 the Board may transmit to the Director of
22 OMB a third report required under paragraph
23 (1).”;

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

1 “(k) REPORT TO CONGRESS.—The Board shall peri-
2 odically submit to the Committee on Transportation and
3 Infrastructure of the House of Representatives and the
4 Committee on Environment and Public Works of the Sen-
5 ate a report containing any recommendations on consoli-
6 dations, exchanges, sales, lease reductions, and redevelop-
7 ments that are not included in the transmissions sub-
8 mitted under subsection (h), or approved by the Director
9 of OMB under section 13, but which the majority of the
10 Board concludes meets the goals of this Act.”;

11 (9) in section 13—

12 (A) in subsection (a) by striking “sub-
13 sections (b) and (g)” and inserting “subsections
14 (b) and (h)”;

15 (B) in subsection (c)(4)—

16 (i) by inserting “, in whole or in
17 part,” before “received under paragraph
18 (3)”;

19 (ii) by striking “revised” the second
20 place it appears;

21 (10) in section 20 by striking subsection (b)
22 and inserting the following:

23 “(b) EFFECTIVE DATE.—The provisions of this sec-
24 tion, including the amendments made by this section, shall
25 take effect on the date on which the Board transmits the

1 second report under section 12(h)(2)(B) and shall apply
2 to proceeds from—

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

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

6 (11) in section 21(b) by adding at the end the
7 following:

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

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

13 **“SEC. 26. ACCESS TO FEDERAL REAL PROPERTY COUNCIL**
14 **MEETINGS AND REPORTS.**

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

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

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