

AMENDMENT TO H.R. 6194
OFFERED BY MR. BARLETTA OF PENNSYLVANIA

At the end of the bill, add the following:

1 **SEC. 14. FEDERAL ASSETS SALE.**

2 The Federal Assets Sale and Transfer Act of 2016
3 (Public Law 114–287) is amended—

4 (1) in section 4(c)(2)—

5 (A) by striking “(A) IN GENERAL.—”;

6 (B) by striking subparagraph (B); and

7 (C) by redesignating clauses (i) through
8 (iv) as subparagraphs (A) through (D), respec-
9 tively;

10 (2) in section 10, by striking “the date of en-
11 actment of this Act” and inserting “the Board mem-
12 bers are appointed pursuant to section 4”;

13 (3) in section 12(e), by striking “the date of en-
14 actment of this Act” and inserting “Board members
15 are appointed pursuant to section 4”; and

16 (4) in section 12(b)(4), by striking the period
17 and inserting “for more than 3 years. Any leaseback
18 under this paragraph shall—

1 “(i) expire on or before the 3-year pe-
2 riod beginning after the date of the sale of
3 the respective property;

4 “(ii) may not contain any options to
5 extend or renew;

6 “(iii) may only be entered into one
7 time for purposes of temporarily housing
8 the agency in the property at the time of
9 the sale; and

10 “(iv) shall only be for the purpose of
11 facilitating the sale of the respective prop-
12 erty.”.

13 **SEC. 15. TECHNICAL CORRECTION.**

14 Section 3314(e)(2) of title 40, United States Code,
15 is amended by striking the paragraph enumerator and
16 heading and inserting the following:

17 “(2) PUBLIC BUILDING.—”.

18 **SEC. 16. INTERESTED LEASE PARTIES.**

19 (a) IN GENERAL.—The Administrator of General
20 Services may not enter into any lease that does not con-
21 tain a provision barring any individual holding a federally
22 elected office, regardless of whether such person was elect-
23 ed before or after execution of the lease, from directly par-
24 ticipating in the lease or any part thereof, and from di-
25 rectly benefitting from or under the lease.

1 (b) REMEDY FOR VIOLATION.—If a lease is deter-
2 mined to have been made in violation of subsection (a)
3 or if it is determined that such subsection has been vio-
4 lated after execution, the lease shall be void.

5 (c) SAVINGS PROVISION.—Subsection (a) shall not
6 apply if the lease is entered into with a publicly held cor-
7 poration or publicly held entity for the general benefit of
8 such corporation or entity.

9 **SEC. 17. DISCLOSURE OF BENEFICIAL OWNERSHIP BY FOR-**
10 **EIGN PERSONS OF HIGH-SECURITY LEASED**
11 **SPACE FOR FEDERAL AGENCIES.**

12 (a) IN GENERAL.—Before entering into a lease
13 agreement with a covered entity for the accommodation
14 of a Federal agency in a building (or other improvement)
15 that will be used for high-security leased space, a Federal
16 lessee shall require the covered entity to—

17 (1) identify each beneficial owner of the covered
18 entity by—

19 (A) name;

20 (B) current residential or business street
21 address; and

22 (C) in the case of a United States person,
23 a unique identifying number from a nonexpired
24 passport issued by the United States or a non-
25 expired driver's license issued by a State;

1 (2) disclose to the Federal lessee any beneficial
2 owner of the covered entity that is a foreign person;
3 and

4 (3) if the Federal lessee is assigning the build-
5 ing (or other improvement) to a Federal tenant, no-
6 tify the Federal tenant of any disclosure made under
7 paragraph (2).

8 (b) TIMING.—

9 (1) IN GENERAL.—A Federal lessee shall re-
10 quire a covered entity to provide the information de-
11 scribed in subsections (a)(1) and (a)(2) when first
12 submitting a proposal in response to a solicitation
13 for offers issued by the Federal lessee.

14 (2) UPDATES.—A Federal lessee shall require a
15 covered entity to update a submission of the infor-
16 mation described in subsections (a)(1) and (a)(2)
17 not later than 60 days after the date of any change
18 in—

19 (A) the list of beneficial owners of the cov-
20 ered entity; or

21 (B) the information required to be pro-
22 vided relating to each such beneficial owner.

23 (c) DEFINITIONS.—In this section, the following defi-
24 nitions apply:

25 (1) BENEFICIAL OWNER.—

1 (A) IN GENERAL.—The term “beneficial
2 owner” means, with respect to a covered entity,
3 each natural person who, directly or indi-
4 rectly—

5 (i) exercises a controlling interest over
6 the covered entity through ownership inter-
7 ests, voting rights, agreements, or other-
8 wise; or

9 (ii) is a natural person who receives
10 substantial economic benefit from the as-
11 sets of a corporation or limited liability
12 company and if the person is entitled to
13 the funds or assets of the corporation or
14 limited liability company that, as a prac-
15 tical matter, enables the person, directly or
16 indirectly, to control, manage, or direct the
17 corporation or limited liability company.

18 (B) EXCEPTIONS.—The term “beneficial
19 owner” does not include, with respect to a cov-
20 ered entity—

21 (i) a minor child;

22 (ii) a person acting as a nominee,
23 intermediary, custodian, or agent on behalf
24 of another person;

1 (iii) a person acting solely as an em-
2 ployee of the covered entity and whose con-
3 trol over or economic benefits from the
4 covered entity derives solely from the em-
5 ployment status of the person;

6 (iv) a person whose only interest in
7 the covered entity is through a right of in-
8 heritance, unless the person also meets the
9 requirements of subparagraph (A); or

10 (v) a creditor of the covered entity,
11 unless the creditor also meets the require-
12 ments of subparagraph (A).

13 (C) ANTIABUSE RULE.—The exceptions
14 under subparagraph (B) shall not apply if used
15 for the purpose of evading, circumventing, or
16 abusing the requirements of this section.

17 (2) COVERED ENTITY.—The term “covered en-
18 tity” means a person, co-partnership, corporation, or
19 other public or private entity.

20 (3) EXECUTIVE AGENCY.—The term “Executive
21 agency” has the meaning given the term under sec-
22 tion 105 of title 5, United States Code.

23 (4) FEDERAL AGENCY.—The term “Federal
24 agency” means any Executive agency or any estab-

1 lishment in the legislative or judicial branch of the
2 Government.

3 (5) FEDERAL LESSEE.—The term “Federal les-
4 see” means the Administrator of General Services,
5 the Architect of the Capitol, or the head of any Fed-
6 eral agency, other than the Department of Defense,
7 that has independent statutory leasing authority.

8 (6) FOREIGN PERSON.—The term “foreign per-
9 son” means an individual who is not a United States
10 person or an alien lawfully admitted for permanent
11 residence into the United States.

12 (7) HIGH-SECURITY LEASED SPACE.—The term
13 “high-security leased space” means a space leased
14 by a Federal lessee that—

15 (A) will be occupied by Federal employees
16 for nonmilitary activities; and

17 (B) has a facility security level of III, IV,
18 or V, as determined by the Interagency Security
19 Committee.

20 (8) UNITED STATES PERSON.—The term
21 “United States person” means a natural person who
22 is a citizen of the United States or who owes perma-
23 nent allegiance to the United States.

1 **SEC. 18. FEDERAL BIRD-SAFE BUILDINGS.**

2 Not later than 180 days after the date of enactment
3 of this Act, the Administrator of General Services shall
4 submit to the Committee on Transportation and Infra-
5 structure in the House of Representatives and the Com-
6 mittee on Environment and Public Works in the Senate
7 a report to include an analysis and recommendations on
8 mitigating and lowering the impact of GSA-owned public
9 buildings on migratory bird mortality and injury rates.
10 The report shall include the following:

11 (1) A summary of the actions GSA has taken
12 to mitigate the impact of GSA-owned buildings on
13 mortality and injury rates for migratory birds.

14 (2) An analysis of any additional actions GSA
15 recommends to minimize the impact of GSA-owned
16 buildings on mortality and injury rates for migratory
17 birds.

18 (3) An analysis of whether and how any pro-
19 posed actions may affect other requirements for
20 Federal buildings such as security, safety, energy ef-
21 ficiency, requirements for natural light for Federal
22 employees, resiliency from disasters; and, with re-
23 spect to the National Capital Region, Federal plan-
24 ning laws.

25 (4) The costs associated with establishing any
26 proposed additional requirements to mitigate the im-

1 pact on mortality and injury rates for migratory
2 birds.

3 (5) An analysis on whether and how any pro-
4 posed additional requirements to mitigate the impact
5 on mortality and injury rates for migratory birds
6 would affect the costs of leased space and competi-
7 tion if leased space was required to meet such addi-
8 tional standards.

