

118TH CONGRESS
1ST SESSION

H. R. 6277

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

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—

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

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

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

6 “(11) implementing innovative methods for the
7 sale, redevelopment, consolidation, or lease of Fed-
8 eral buildings and facilities, including the use of no
9 cost, nonappropriated contracts for expert real es-
10 tate services to obtain the highest and best value for
11 the taxpayer.”;

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

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

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

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

1 (5) in section 8—

2 (A) in subsection (b)—

3 (i) by striking “and the Director of
4 OMB”; and

5 (ii) by inserting “for a period of not
6 less than 1 year” before “to assist the
7 Board”;

8 (B) by redesignating subsection (c) as sub-
9 section (d); and

10 (C) by inserting after subsection (b) the
11 following:

12 “(c) HIRING OF TERM EMPLOYEES.—The Executive
13 Director, with approval of the Board, may utilize the Of-
14 fice of Personnel Management to hire employees for terms
15 not to exceed 2 years pursuant to the Office of Personnel
16 Management guidance for nonstatus appointments in the
17 competitive service.”;

18 (6) in section 10 by striking “6 years after the
19 date on which the Board members are appointed
20 pursuant to section 4” and inserting “on December
21 31, 2026”;

22 (7) in section 11(a)—

23 (A) in the matter preceding paragraph (1)
24 by striking “the Administrator and the Director

1 of OMB” and inserting “the Administrator, the
2 Director of OMB, and the Board”;

3 (B) in paragraph (1)—

4 (i) by striking “and” before “square
5 footage”; and

6 (ii) by inserting “, amount of acreage
7 associated with the property, and whether
8 the property is on a campus or larger facil-
9 ity” before the period at the end; and

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

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

14 (8) in section 12—

15 (A) in subsection (b)(2) by striking the
16 second sentence and inserting “In the case of a
17 failure by an agency to comply with a request
18 of the Board, the Board shall notify the com-
19 mittees listed in section 5(c), the relevant con-
20 gressional committees of jurisdiction for the
21 agency, and the inspector general of the agency
22 of such failure.”;

23 (B) by redesignating subsections (d)
24 through (i) as subsections (e) through (j), re-
25 spectively;

1 (C) by inserting after subsection (c) the
2 following:

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

13 (D) in subsection (h) (as so redesign-
14 nated)—

15 (i) in paragraph (1)—

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

18 (II) by redesignating subpara-
19 graph (B) as subparagraph (C); and

20 (III) by inserting after subpara-
21 graph (A) the following:

22 “(B) the process to be followed by Federal
23 agencies to carry out the actions described
24 under subparagraph (A), including the use of
25 no cost, nonappropriated contracts for expert

1 real estate services and other innovative meth-
2 ods, to obtain the highest and best value for the
3 taxpayer; and”;

4 (ii) in paragraph (2) by adding at the
5 end the following:

6 “(C) THIRD ROUND.—During the period
7 beginning on the day after the transmittal of
8 the second report and ending on the day before
9 the termination of the Board under section 10,
10 the Board may transmit to the Director of
11 OMB a third report required under paragraph
12 (1).”;

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

14 “(k) REPORT TO CONGRESS.—The Board shall peri-
15 odically submit to the Committee on Transportation and
16 Infrastructure of the House of Representatives and the
17 Committee on Environment and Public Works of the Sen-
18 ate a report containing any recommendations on consoli-
19 dations, exchanges, sales, lease reductions, and redevelop-
20 ments that are not included in the transmissions sub-
21 mitted under subsection (h), or approved by the Director
22 of OMB under section 13, but which the majority of the
23 Board concludes meets the goals of this Act.”;

24 (9) in section 13—

1 (A) in subsection (a) by striking “sub-
2 sections (b) and (g)” and inserting “subsections
3 (b) and (h)”;

4 (B) in subsection (c)(4)—

5 (i) by inserting “, in whole or in
6 part,” before “received under paragraph
7 (3)”;

8 (ii) by striking “revised” the second
9 place it appears;

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

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

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

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

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

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

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

2 **“SEC. 26. ACCESS TO FEDERAL REAL PROPERTY COUNCIL**
3 **MEETINGS AND REPORTS.**

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

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

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

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