^{112TH CONGRESS} 2D SESSION **S. 2178**

To require the Federal Government to expedite the sale of underutilized Federal real property.

IN THE SENATE OF THE UNITED STATES

MARCH 8, 2012

Mr. CARPER (for himself, Mr. PORTMAN, Mr. PRYOR, Mr. COBURN, and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require the Federal Government to expedite the sale of underutilized 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 "Federal Real Property
- 5 Asset Management Reform Act of 2012".

6 SEC. 2. SALE OF EXCESS FEDERAL PROPERTY.

7 (a) IN GENERAL.—Chapter 5 of subtitle I of title 40,

8 United States Code, is amended by adding at the end the

9 following:

1	"SUBCHAPTER VII—EXPEDITED DISPOSAL OF
2	REAL PROPERTY
3	"§ 621. Definitions
4	"In this subchapter:
5	"(1) Administrator.—The term 'Adminis-
6	trator' means the Administrator of General Services.
7	"(2) COUNCIL.—The term 'Council' means the
8	Federal Real Property Council established by section
9	623(a).
10	"(3) DIRECTOR.—The term 'Director' means
11	the Director of the Office of Management and Budg-
12	et.
13	"(4) LANDHOLDING AGENCY.—The term 'land-
14	holding agency' means a landholding agency (as de-
15	fined in section 501(i) of the McKinney-Vento
16	Homeless Assistance Act (42 U.S.C. 11411(i))).
17	"(5) UNDERUTILIZED PROPERTY.—
18	"(A) IN GENERAL.—The term 'underuti-
19	lized property' means a parcel of property
20	under the administrative jurisdiction of the
21	Federal Government that is—
22	"(i) excess;
23	"(ii) surplus;
24	"(iii) underperforming; or

1	"(iv) otherwise not meeting the needs
2	of the Federal Government, as determined
3	by the Director.
4	"(B) EXCLUSION.—The term 'underuti-
5	lized property' does not include—
6	"(i) any parcel of real property, and
7	any building or other structure located on
8	real property, that is to be closed or re-
9	aligned under the Defense Authorization
10	Amendments and Base Closure and Re-
11	alignment Act (10 U.S.C. 2687 note; Pub-
12	lic Law 100–526);
13	"(ii) any property that is excluded for
14	reasons of national security by the Direc-
15	tor or by the Secretary of Defense;
16	"(iii) any public lands (as defined in
17	section 203 of the Public Lands Corps Act
18	of 1993 (16 U.S.C. 1722)) administered
19	by—
20	"(I) the Secretary of the Interior,
21	acting through the Director of the
22	Bureau of Land Management, the Di-
23	rector of the National Park Service,
24	or the Commissioner of Reclamation;
25	Oľ

1	"(II) the Secretary of Agri-
2	culture, acting through the Chief of
3	the Forest Service;
4	"(iv) any Indian lands (as defined in
5	section 203 of the Public Lands Corps Act
6	of 1993 (16 U.S.C. 1722));
7	"(v) any properties operated and
8	maintained by the Tennessee Valley Au-
9	thority;
10	"(vi) any properties located outside
11	the United States that are operated or
12	maintained by the Department of State or
13	the United States Agency for International
14	Development;
15	"(vii) any properties that are excepted
16	from the definition of 'property' under sec-
17	tion 102; or
18	"(viii) any properties under the cus-
19	tody and control of the United States
20	Postal Service, unless otherwise specified
21	in this subchapter.
22	"§ 622. Duties of landholding agencies
23	"Each landholding agency shall—

1 "(1) maintain adequate inventory controls and 2 accountability systems for property under the control 3 of the agency; "(2) define current and future workforce pro-4 5 jections so as to have the capacity to assess the 6 needs of the Federal workforce regarding the use of Federal real property; 7 "(3) continuously survey property under the 8 9 control of the agency to identify underutilized prop-10 erty; "(4) promptly report underutilized property to 11 12 the Administrator; 13 "(5) establish goals that lead the agency to re-14 duce underutilized property in the inventory of the 15 agency; "(6) reassign underutilized property to another 16 17 activity within the agency if the property is no 18 longer required for purposes of the appropriation

19 used to make the purchase;

20 "(7) transfer underutilized property under the
21 control of the agency to other Federal agencies and
22 to organizations specified in section 321(c)(2);

23 "(8) obtain underutilized properties from other
24 Federal agencies to meet mission needs before ac25 quiring non-Federal property; and

1	"(9) adopt workplace practices, configurations,
2	and management techniques that can achieve in-
3	creased levels of productivity and decrease the need
4	for real property assets.
5	"§623. Establishment of a Federal Real Property
6	Council
7	"(a) ESTABLISHMENT.—There is established within
8	the Office of Management and Budget a council to be
9	known as the 'Federal Real Property Council'.
10	"(b) PURPOSE.—The purpose of the Council shall be
11	to develop guidance for the asset management program
12	of each executive agency.
13	"(c) Composition.—
14	"(1) IN GENERAL.—The Council shall be com-
15	posed exclusively of—
16	"(A) the senior real property officers of
17	each executive agency;
18	"(B) the Deputy Director for Management
19	of the Office of Management and Budget;
20	"(C) the Controller of the Office of Man-
21	agement and Budget;
22	"(D) the Administrator; and
23	"(E) any other full-time or permanent
24	part-time Federal officials or employees, as the

1	"(2) CHAIRPERSON.—The Deputy Director for
2	Management of the Office of Management and
3	Budget shall serve as Chairperson of the Council.
4	"(3) Administrative support.—The Office of
5	Management and Budget shall provide funding and
6	administrative support for the Council, as appro-
7	priate.
8	"(d) DUTIES.—The Council, in consultation with the
9	Director and the Administrator, shall—
10	"(1) establish an asset management plan, to be
11	updated annually, which shall include performance
12	measures to determine the effectiveness of Federal
13	real property management that are designed—
14	"(A) to enable Congress and heads of land-
15	holding agencies to track progress in the
16	achievement of property management objectives
17	on a government-wide basis; and
18	"(B) allow for comparison of the perform-
19	ance of landholding agencies against industry
20	and other public sector agencies in terms of
21	performance;
22	((2) in developing and implementing the per-
23	formance measures described in paragraph (1), use
24	existing data sources and automated data collection
25	tools;

1	"(3) not later than 90 days after the date of
2	enactment of this subchapter, submit to the Com-
3	mittees on Environment and Public Works and
4	Homeland Security and Governmental Affairs of the
5	Senate and the Committees on Transportation and
6	Infrastructure and Oversight and Government Re-
7	form of the House of Representatives a report that
8	contains—
9	"(A) an analysis of the existing inventory
10	of Federal civilian real properties and the con-
11	dition of those assets, including data relating
12	to—
13	"(i) the age and condition of the prop-
14	erty;
15	"(ii) the size in square footage and
16	acreage;
17	"(iii) the geographical location, in-
18	cluding an address and description;
19	"(iv) operating costs;
20	"(v) the history of capital expendi-
21	tures;
22	"(vi) sustainability metrics;
23	"(vii) the number of Federal employ-
24	ees and functions housed in the respective
25	property; and

	9
1	"(viii) the relevance of each Federal
2	real property to the mission of the land-
3	holding agency;
4	"(B) an identification of properties that
5	can be removed from the Federal inventory and
6	sold for proceeds, transferred, or otherwise dis-
7	posed of, so as to reduce the civilian real prop-
8	erty inventory and operating costs of the Fed-
9	eral Government;
10	"(C) a list of civilian real property assets
11	that are agency field offices that are suitable
12	for co-location into another Federal civilian real
13	property asset;
14	"(D) an evaluation of the leasing process
15	in effect as of the date of submission of the re-
16	port to identify and document inefficiencies in
17	that process;
18	"(E) a suggested strategy to reduce the re-
19	liance of landholding agencies on leased space
20	for long-term needs if ownership would be less
21	costly; and
22	"(F) an assessment of domestically held,
23	federally leased space, including—

	10
1	"(i) a description of the overall quan-
2	tity and type of space leased by land-
3	holding agencies; and
4	"(ii) an identification of current con-
5	tracts for leased office space in which the
6	leased space is not fully used or occupied
7	(including a plan for subletting of unoccu-
8	pied space);
9	((4) not later than 120 days after the date of
10	enactment of this subchapter, and annually there-
11	after, submit to the Director, for the year covered by
12	the report—
13	"(A) all underutilized property under the
14	jurisdiction of each landholding agency;
15	"(B) an asset disposal plan, or an update
16	of an asset disposal plan, that includes an an-
17	nual goal established under section $622(5)$ to be
18	used by landholding agencies in reducing, by
19	not later than 2 years after the date of enact-
20	ment of this subchapter, underutilized real
21	property in the inventory of the Federal Gov-
22	ernment;
23	"(C) the number of real property disposals
24	completed, including the disposal method used
25	for each individual real property; and

1	"(D) specific milestones, measurable sav-
2	ings, and evaluation criteria for the disposal of
3	real property under this subchapter;
4	"(5) in accordance with subsection (e), identify
5	and compile a list of civilian real property assets
6	that are agency field offices that are suitable for co-
7	location into other Federal civilian real property as-
8	sets; and
9	"(6)(A) review contracts for leased office space
10	that are in effect as of the date of submission of the
11	report; and
12	"(B) work with landholding agencies to renego-
13	tiate leases having at least 2 years remaining in the
14	term of the leases to recognize potential cost savings
15	as quickly as practicable.
16	"(e) Co-Location Among Postal Service Prop-
17	ERTIES.—
18	"(1) DEFINITIONS.—In this subsection:
19	"(A) AGENCY FIELD OFFICE.—The term
20	'agency field office' means the field office of a
21	landholding agency.
22	"(B) POSTAL PROPERTY.—The term 'Post-
23	al property' means real property owned by the
24	United States Postal Service.

1	"(2) Identification of real property as-
2	SETS.—Each year, the Council shall—
3	"(A) identify and compile a list of agency
4	field offices that are suitable for co-location
5	with another Federal civilian real property
6	asset; and
7	"(B) submit the list to the Director of the
8	Office of Management and Budget and the
9	Postmaster General.
10	"(3) Postal property.—
11	"(A) IN GENERAL.—Not later than 30
12	days after the completion of the list under para-
13	graph (2), the Director of the Office of Man-
14	agement and Budget, in collaboration with the
15	Postmaster General, shall identify agency field
16	offices on the list that are within reasonable
17	distance of a Postal property.
18	"(B) REASONABLE DISTANCE.—For pur-
19	poses of this paragraph, an agency field office
20	shall be considered within reasonable distance
21	of a Postal property if the office would be able
22	to fulfill the mission of the office if the office
23	is located at the Postal property.
24	"(C) REVIEW BY POSTAL SERVICE.—Not
25	later than 90 days after the receipt of the list

1	submitted under paragraph (2)(B), the Post-
2	master General shall—
3	"(i) review the list; and
4	"(ii) submit to the Director of the Of-
5	fice of Management and Budget a report
6	containing the conclusions of the review.
7	"(4) TERMS OF CO-LOCATION.—On approval of
8	the recommendations under paragraph (3) by the
9	Postmaster General and the applicable agency head,
10	the co-location of a Postal property and an agency
11	field office shall consist of the Executive agency that
12	owns or leases the agency field office entering into
13	a lease for space within the Postal property with
14	United States Postal Service that has—
15	"(A) an initial lease term of not less than
16	5 years;
17	"(B) a cost that is within 5 percent of the
18	prevailing market lease rate for a similarly situ-
19	ated space identified under this subsection.
20	"(f) OMB Scorecard.—The Director shall prepare
21	an annual scorecard measuring the success of each land-
22	holding agency in achieving savings under this subchapter.

"§ 624. Limitation on certain leasing authorities 1 2 "(a) IN GENERAL.—Notwithstanding any other pro-3 vision of this subchapter, a landholding agency with independent leasing authority shall— 4 "(1) obtain congressional approval for all leases 5 6 requiring a prospectus under section 3307; 7 "(2) acquire space at rates consistent with pre-8 vailing market rates for comparable facilities within 9 the specified geographical area; and 10 "(3) not later than 180 days after the date of 11 enactment of this subchapter and annually there-12 after, submit to the Administrator a report that de-13 scribes the use of the independent leasing authority 14 during the period covered by the report. "(b) SUBLEASING.—The head of a landholding agen-15 16 cy may by lease, permit, license, or similar instrument make available to State and local governments the unex-17

17 make available to State and local governments the unex18 pired portion of any government lease for real property
19 if the head of the landholding agency determines that the
20 property is underutilized.

21 **"§ 625. Database**

22 "The Administrator shall—

23 "(1) not later than 1 year after the date of en24 actment of this subchapter, establish and maintain
25 a single, comprehensive, and descriptive database of
26 all real property under the custody and control of all
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1	landholding branch agencies, except when otherwise
2	required for reasons of national security;
3	((2) collect from each landholding agency such
4	descriptive information (except for classified infor-
5	mation) as the Administrator determines will best
6	describe the nature, use, and extent of real property
7	holdings for the Federal Government; and
8	"(3) to the extent consistent with national secu-
9	rity, make the database established under paragraph
10	(1) accessible to the public at no cost through the
11	website of the General Services Administration.
12	"§626. Expedited disposal program
13	"(a) IN GENERAL.—
10	
14	"(1) REQUIRED DISPOSAL.—
14	"(1) Required disposal.—
14 15	"(1) Required disposal.— "(A) In general.—On an annual basis,
14 15 16	"(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies
14 15 16 17	 "(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies to dispose of, by sale, transfer, or other means
14 15 16 17 18	 "(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies to dispose of, by sale, transfer, or other means of disposal, any real property determined by the
14 15 16 17 18 19	 "(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies to dispose of, by sale, transfer, or other means of disposal, any real property determined by the Director to be underutilized property under the
 14 15 16 17 18 19 20 	 "(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies to dispose of, by sale, transfer, or other means of disposal, any real property determined by the Director to be underutilized property under the goal established under section 622(5).
 14 15 16 17 18 19 20 21 	 "(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies to dispose of, by sale, transfer, or other means of disposal, any real property determined by the Director to be underutilized property under the goal established under section 622(5). "(B) FAIR MARKET VALUE REQUIRE-
 14 15 16 17 18 19 20 21 22 	 "(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies to dispose of, by sale, transfer, or other means of disposal, any real property determined by the Director to be underutilized property under the goal established under section 622(5). "(B) FAIR MARKET VALUE REQUIRE-MENT.—Underutilized property required to be
 14 15 16 17 18 19 20 21 22 23 	 "(1) REQUIRED DISPOSAL.— "(A) IN GENERAL.—On an annual basis, the Director shall require landholding agencies to dispose of, by sale, transfer, or other means of disposal, any real property determined by the Director to be underutilized property under the goal established under section 622(5). "(B) FAIR MARKET VALUE REQUIRE-MENT.—Underutilized property required to be disposed of under subparagraph (A) may not be

1	with the head of the applicable executive agen-
2	cy.
3	"(C) MONETARY PROCEEDS REQUIRE-
4	MENT.—
5	"(i) IN GENERAL.—Underutilized
6	property may be sold under this section
7	only if disposal of the property will gen-
8	erate monetary proceeds to the Federal
9	Government that exceed the costs of dis-
10	posal of the property.
11	"(ii) Prohibitions on noncash
12	TRANSACTIONS.—A disposal of real prop-
13	erty under this section may not include
14	any exchange, trade, transfer, acquisition
15	of the like-kind property, or other noncash
16	transaction as part of the disposal.
17	"(2) WEBSITE.—
18	"(A) IN GENERAL.—Except as provided in
19	subparagraph (B), the Administrator shall en-
20	sure that all real properties selected for disposal
21	under this section are listed on a website that
22	shall—
23	"(i) be updated routinely; and
24	"(ii) include the functionality to allow
25	any member of the public, at the option of

1	the member, to receive updates of the list
2	through electronic mail.
3	"(B) NATIONAL SECURITY EXEMPTION.—
4	The Director or the Secretary of Defense may,
5	for purposes of national security, exclude from
6	listing on the website under subparagraph (A)
7	any real property selected for disposal under
8	this section.
9	"(3) Applicability of certain law.—Any
10	expedited disposal of a real property conducted
11	under this section shall not be subject to—
12	"(A) any section of An Act Authorizing the
13	Transfer of Certain Real Property for Wildlife,
14	or other Purposes (16 U.S.C. 667b);
15	"(B) sections 107 and 317 of title 23;
16	"(C) sections $545(b)(8)$, 550 , 553 , 554 ,
17	and 1304(b) of this title;
18	"(D) section 501 of the McKinney-Vento
19	Homeless Assistance Act (42 U.S.C. 11411);
20	"(E) section 47151 of title 49;
21	"(F) section 13(d) of the Surplus Property
22	Act of 1944 (50 U.S.C. App. 1622(d));
23	"(G) any other provision of law author-
24	izing the conveyance of real property owned by

1	the Federal Government for no consideration;
2	or
3	"(H) any congressional notification re-
4	quirement other than that in section 545 of this
5	title.
6	"(b) Use of Proceeds.—
7	"(1) IN GENERAL.—Of the proceeds received
8	from the disposal of any real property under this
9	subchapter—
10	"(A) not less than 80 percent shall be re-
11	turned to the general fund of the Treasury for
12	debt reduction;
13	"(B) the lesser of 18 percent or the share
14	of proceeds otherwise authorized to be retained
15	under law shall be retained by landholding
16	agencies, subject to paragraphs (2) and (3);
17	"(C) not more than 2 percent shall be
18	made available to carry out section 627, subject
19	to annual appropriations; and
20	"(D) any remaining share of the proceeds
21	shall be returned to the general fund of the
22	Treasury for debt reduction.
23	"(2) Limitation on use of proceeds.—Any
24	proceeds retained by landholding agencies under this
25	section shall be—

4	
1	"(A) deposited into the appropriate real
2	property account of the agency that had cus-
3	tody and accountability for the real property,
4	with the funds expended only as authorized in
5	annual appropriations Acts;
6	"(B) used—
7	"(i) by not later than 1 year after the
8	date of disposal of the real property; and
9	"(ii) only for activities relating to
10	Federal real property asset management
11	and disposal, including paying costs in-
12	curred by the General Services Administra-
13	tion for any disposal-related activity au-
14	thorized by this title; and
15	"(C) if not used by the date described in
16	subparagraph (A)(i), returned to the general
17	fund of the Treasury for debt reduction pur-
18	poses.
19	"(3) Postal property proceeds.—The pro-
20	ceeds resulting from the disposal of any property
21	owned by the United States Postal Service shall be
22	deposited in the Postal Service Fund established
23	under section 2003 of title 39.
24	"(c) Public Benefit.—

"(1) CONVEYANCE.—If an underutilized prop-1 2 erty has not been disposed of by the date that is 3 3 years after the date of designation of the property 4 as underutilized, the Director, in consultation with 5 the Administrator and the Secretary of Housing and 6 Urban Development, may consider a request from the disposing agency that the underutilized property 7 8 be conveyed to State and local governments or non-9 profit organizations for various public purposes or 10 uses as permitted by applicable law.

11 "(2) PREDOMINANT USE AND SIZE STAND-12 ARDS.—Underutilized property the predominant use 13 of which is other than housing, and the area of 14 which is equal to or greater than 25,000 square feet 15 \mathbf{or} the fair market value of which exceeds 16 \$2,000,000, shall be considered to be unsuitable for 17 disposal under this subsection.

18 "(d) ENFORCEMENT.—

"(1) IN GENERAL.—Except as provided in paragraph (3), if a landholding agency fails to make
available for public sale the underutilized properties
described in subsection (a) by the date that is 18
months after the date of a determination by the Director under subsection (a), no landholding agency
may acquire any real property not under the admin-

istrative jurisdiction of the Federal Government, by
 sale or lease, until the Director submits a certifi cation to Congress of the disposal of all of those sur plus real properties.

5 "(2) SEQUESTRATION AUTHORITY.—Except as 6 provided in paragraph (3), if a landholding agency 7 fails to dispose of, or make available for public sale, 8 the underutilized properties described in subsection 9 (a) by the date that is 2 years after the date of a 10 determination by the Director under subsection 11 (a)—

12 "(A) the Director shall order a 1-time se-13 questration from the annual budget of the land-14 holding agency equal to 80 percent of the fair 15 market value of the underutilized property, with 16 the sequestered funds returned to the general 17 fund of the Treasury for debt reduction pur-18 poses; and

"(B) the Director shall submit a sequestration report to Committees on Budget, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate
and the Committees on Budget, Transportation
and Infrastructure, and Oversight and Government Reform of the House of Representatives.

"(3) WAIVER.—Paragraphs (1) and (2) shall
 not apply to a landholding agency if—

3 "(A) the landholding agency submits to the 4 Director and the Committees on Environment 5 and Public Works and Homeland Security and 6 Governmental Affairs of the Senate and the 7 Committees on Transportation and Infrastruc-8 ture and Oversight and Government Reform of 9 the House of Representatives a written jus-10 tification describing the reasons why the sur-11 plus real properties described in subsection (a) 12 under the jurisdiction of the landholding agency 13 were not disposed of; and

14 "(B) Congress enacts a law approving the15 waiver.

"(4) REPORT.—Not later than 1 year after the 16 17 date of enactment of this subchapter and annually 18 thereafter, the Council shall submit to the Director 19 a report listing each landholding agency that fails to 20 meet the applicable underutilized property reduction 21 goal established under section 622(5), along with a 22 list of the remaining underutilized properties of the 23 landholding agency.

"(e) TERMINATION OF AUTHORITY.—The authority
 provided by this section terminates on the date that is 7
 years after the date of enactment of this subchapter.

4 "§ 627. Homeless assistance grants

5 "(a) DEFINITIONS.—In this section:

6 "(1) HOMELESS.—The term 'homeless' has the 7 meaning given the term in section 103 of the 8 McKinney-Vento Homeless Assistance Act (42 9 U.S.C. 11302), except that subsection (c) of that 10 section shall not apply.

11 "(2) PERMANENT HOUSING.—The term 'perma12 nent housing' has the meaning given the term sec13 tion 401 of the McKinney-Vento Homeless Assist14 ance Act (42 U.S.C. 11360).

15 "(3) PRIVATE NONPROFIT ORGANIZATION.—
16 The term 'private nonprofit organization' has the
17 meaning given the term in section 401 of the
18 McKinney-Vento Homeless Assistance Act (42)
19 U.S.C. 11360).

20 "(4) REPRESENTATIVE OF THE HOMELESS.—
21 The term 'representative of the homeless' has the
22 meaning given the term in section 501(i) of the
23 McKinney-Vento Homeless Assistance Act (42
24 U.S.C. 11411(i)).

"(5) SECRETARY.—The term 'Secretary' means
 the Secretary of Housing and Urban Development.
 "(6) TRANSITIONAL HOUSING.—The term
 'transitional housing' has the meaning given the
 term in section 401 of the McKinney-Vento Home less Assistance Act (42 U.S.C. 11360).

7 "(b) GRANT AUTHORITY.—To the extent amounts 8 are made available under section 626 for use under this 9 section, the Secretary shall make grants to eligible private 10 nonprofit organizations under subsection (c) through the 11 continuum of care program established under subtitle C 12 of title IV of the McKinney-Vento Homeless Assistance 13 Act (42 U.S.C. 11381 et seq.), to purchase property suit-14 able for use to assist the homeless in accordance with sub-15 section (d).

16 "(c) ELIGIBLE GRANTEES.—To be eligible to receive
17 a grant under subsection (b), a private nonprofit organiza18 tion shall be a representative of the homeless.

19 "(d) USE OF PROPERTIES FOR HOUSING OR SHEL-20 TER FOR THE HOMELESS.—

21 "(1) ELIGIBLE USES.—A private nonprofit or22 ganization that receives a grant under subsection (b)
23 shall use the amounts received only to acquire or re24 habilitate real property for use to provide permanent

housing, transitional housing, or temporary shelter
 to the homeless.

"(2) TERM OF USE.—The Secretary may not 3 4 make a grant under subsection (b) to a private non-5 profit organization unless the private nonprofit orga-6 nization provides to the Secretary such assurances 7 as the Secretary determines necessary to ensure that 8 any property acquired \mathbf{or} rehabilitated using 9 amounts received under a grant is used only for the 10 uses described in paragraph (1) for a period of not 11 less than 15 years.

12 "(e) PREFERENCE.—In awarding grants under sub-13 section (b), the Secretary shall give preference to private 14 nonprofit organizations that operate within areas in which 15 Federal real property is being sold under the disposal pro-16 gram authorized under section 626.

17 "(f) REGULATIONS.—The Secretary may promulgate18 such regulations as are necessary to carry out this sec-19 tion.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—
The table of sections for chapter 5 of subtitle I of title
40, United States Code, is amended by inserting after the
item relating to section 611 the following:

"SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

"Sec. 621. Definitions.

"Sec. 622. Duties of landholding agencies.

"Sec. 623. Establishment of a Federal Real Property Council.

"Sec. 624. Limitation on certain leasing authorities."Sec. 625. Database."Sec. 626. Expedited disposal program."Sec. 627. Homeless assistance grants.".

(c) REPORT OF THE COMPTROLLER GENERAL.—Not
 later than 3 years after the date of enactment of this Act,
 the Comptroller General of the United States shall submit
 to Congress a report on the use by executive agencies of
 the authorities provided by this Act and amendments
 made by this Act.

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