

Calendar No. 264

118TH CONGRESS
1ST SESSION**S. 2685****[Report No. 118–120]**

To make data and internal guidance on excess personal property publicly available, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. PETERS (for himself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 5, 2023

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To make data and internal guidance on excess personal property publicly available, 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 “Reuse Excess Property
5 Act”.

1 **SEC. 2. REPORTING ON EXCESS PERSONAL PROPERTY.**

2 (a) IN GENERAL.—Subchapter H of chapter 5 of title
3 40, United States Code, is amended—

4 (1) in section 529, by adding at the end the fol-
5 lowing:

6 “(c) COMPILATION OF DATA.—Not later than 180
7 days following the close of a fiscal year, the Administrator
8 shall compile the data in the reports submitted under sub-
9 section (a) and publish a publicly available report on a
10 centralized online website, which shall include—

11 “(1) the complete data provided in each report
12 in a user-friendly format;

13 “(2) a summary of the findings of each report,
14 including the aggregate dollar amount of personal
15 property determined to be no longer required for the
16 purpose of the appropriation used to make the pur-
17 chase; and

18 “(3) any other recommendations from the Ad-
19 ministrator.”; and

20 (2) by inserting after section 529 the following:

21 **“§ 530. Internal guidance on excess personal property**

22 “(a) INITIAL REPORT.—Not later than 180 days
23 after the date of enactment of this section, each executive
24 agency shall submit to the Administrator and make pub-
25 licly available on the website of the executive agency the
26 internal guidance of the executive agency on considering

1 using excess personal property to meet the needs of the
 2 executive agency, which shall include—

3 “(1) a requirement to consider excess personal
 4 property before buying new;

5 “(2) when it is practicable to check for and ob-
 6 tain excess personal property;

7 “(3) how to evaluate the suitability of excess
 8 personal property for use; and

9 “(4) defined roles and responsibilities relevant
 10 to considering the potential use of excess personal
 11 property, including the designation of an employee
 12 as responsible for searching through available excess
 13 personal property for items that meet the needs of
 14 the executive agency.

15 “(b) UPDATES.—Each executive agency shall submit
 16 to the Administrator and update on the website of the ex-
 17 ecutive agency any changes to the internal guidancee sub-
 18 mitted and made available under subsection (a).”.

19 (b) REPORT ON INTERAGENCY WORKING GROUP.—
 20 Not later than 180 days after the date of enactment of
 21 this Act, the Administrator of General Services shall pub-
 22 lish a publicly available report on a centralized online
 23 website that includes a summary of findings from the
 24 interagency working group on the acquisition of personal

1 property that was first convened in February 2023 on
 2 ways to improve the use of excess personal property.

3 ~~(c) TECHNICAL AND CONFORMING AMENDMENT.—~~

4 The table of sections for chapter 5 of title 40, United
 5 States Code, is amended by inserting after the item relat-
 6 ing to section 529 the following:

“530. Internal guidance on excess personal property.”.

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Reuse Excess Property*
 9 *Act”.*

10 **SEC. 2. REPORTING ON EXCESS PERSONAL PROPERTY.**

11 *(a) IN GENERAL.—Subchapter II of chapter 5 of title*
 12 *40, United States Code, is amended—*

13 *(1) in section 529—*

14 *(A) in subsection (a), in the matter pre-*
 15 *ceding paragraph (1), by inserting “and the*
 16 *Committee on Homeland Security and Govern-*
 17 *mental Affairs of the Senate and the Committee*
 18 *on Oversight and Accountability of the House of*
 19 *Representatives” after “Administrator of General*
 20 *Services”; and*

21 *(B) by adding at the end the following:*

22 *“(c) COMPILATION OF DATA.—Not later than 180 days*
 23 *following the close of a fiscal year, the Administrator shall*
 24 *compile the data in the reports submitted under subsection*
 25 *(a) and submit to the Committee on Homeland Security*

1 *Governmental Affairs of the Senate and the Committee on*
 2 *Oversight and Accountability of the House of Representa-*
 3 *tives and publish on a centralized online website a publicly*
 4 *available report, which shall include—*

5 “(1) *the complete data provided in each report*
 6 *in a user-friendly format;*

7 “(2) *a summary of the findings of each report,*
 8 *including the aggregate dollar amount of personal*
 9 *property determined to be no longer required for the*
 10 *purpose of the appropriation used to make the pur-*
 11 *chase; and*

12 “(3) *any other recommendations from the Ad-*
 13 *ministrator.”; and*

14 (2) *by inserting after section 529 the following:*

15 **“§ 530. Internal guidance on excess personal property**

16 “(a) *INITIAL REPORT.—Not later than 180 days after*
 17 *the date of enactment of this section, each executive agency*
 18 *shall submit to the Administrator of General Services and*
 19 *make publicly available on the website of the executive agen-*
 20 *cy the internal guidance of the executive agency on consid-*
 21 *ering using excess personal property to meet the needs of*
 22 *the executive agency, which shall include—*

23 “(1) *a requirement to consider excess personal*
 24 *property before buying new;*

1 “(2) *when it is practicable to check for and ob-*
 2 *tain excess personal property;*

3 “(3) *how to evaluate the suitability of excess per-*
 4 *sonal property for use; and*

5 “(4) *defined roles and responsibilities relevant to*
 6 *considering the use of excess personal property, in-*
 7 *cluding the designation of an employee as responsible*
 8 *for searching through available excess personal prop-*
 9 *erty for items that meet the needs of the executive*
 10 *agency.*

11 “(b) *UPDATES.—Each executive agency shall submit*
 12 *to the Administrator of General Services and update on the*
 13 *website of the executive agency any changes to the internal*
 14 *guidance submitted and made available under subsection*
 15 *(a).”.*

16 “(b) *REPORT ON INTERAGENCY WORKING GROUP.—Not*
 17 *later than 180 days after the date of enactment of this Act,*
 18 *the Administrator of General Services shall publish a pub-*
 19 *licly available report on a centralized online website that*
 20 *includes a summary of findings from the interagency work-*
 21 *ing group on the acquisition of personal property that was*
 22 *first convened in February 2023 on ways to improve the*
 23 *use of excess personal property.*

24 “(c) *TECHNICAL AND CONFORMING AMENDMENT.—The*
 25 *table of sections for chapter 5 of title 40, United States*

1 Code, is amended by inserting after the item relating to
 2 section 529 the following:

“530. Internal guidance on excess personal property.”.

3 (d) GAO REPORT.—The Comptroller General of the
 4 United States shall submit to the Committee on Homeland
 5 Security and Governmental Affairs of the Senate and the
 6 Committee on Oversight and Accountability of the House
 7 of Representatives a report that evaluates the frequency
 8 with which executive agencies (as defined in section 102 of
 9 title 40, United States Code) acquire personal property that
 10 was made, produced, or manufactured by any entity, in-
 11 cluding any corporation, that is organized under the laws
 12 of, is headquartered in, or has its principal place of busi-
 13 ness in the People’s Republic of China, including any Spe-
 14 cial Administrative Region.

15 (e) SUNSET.—Effective the date that is 5 years after
 16 the date of enactment of this Act, chapter 5 of title 40,
 17 United States Code, is amended—

18 (1) in section 529—

19 (A) in subsection (a), in the matter pre-
 20 ceding paragraph (1), by striking “and the Com-
 21 mittee on Homeland Security and Governmental
 22 Affairs of the Senate and the Committee on
 23 Oversight and Accountability of the House of
 24 Representatives”; and

25 (B) by striking subsection (c);

1 (2) *by striking section 530; and*
2 (3) *in the table of sections, by striking the item*
3 *relating to section 530.*
4 (f) *NO ADDITIONAL FUNDS.—No additional funds are*
5 *authorized to be appropriated for the purpose of carrying*
6 *out this Act or the amendments made by this Act.*

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