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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend title 40, United States Code, to modify certain requirements for Federal agencies in the disposition of surplus real property, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. MURPHY of North Carolina introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title 40, United States Code, to modify certain requirements for Federal agencies in the disposition of surplus real property, 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 “Eliminate Agency Ex-  
5       cess Space Act”.

6       **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7       (a) FINDINGS.—Congress finds the following:

1           (1) Under the status quo, empty federal agency  
2           office buildings cannot be sold by agencies that want  
3           to be efficient. Instead, each agency must let their  
4           vacant office spaces remain a purposeless and exces-  
5           sive cost on their balance sheets.

6           (2) According to a 2017 Congressional Re-  
7           search Service report, in fiscal year 2016, U.S. fed-  
8           eral agencies owned 3,120 buildings that were va-  
9           cant or unutilized and owned another 7,859 build-  
10          ings that were partially empty or underutilized.

11          (b) SENSE OF CONGRESS.—It is the sense of Con-  
12          gress that—

13               (1) Federal agencies should not be limited when  
14               placing unused or underused office space on the  
15               market for sale; and

16               (2) Federal agencies should be able to sell their  
17               unused offices to provide for greater fiscal responsi-  
18               bility and better stewardship of taxpayer dollars.

19       **SEC. 3. REMOVAL OF GSA VERIFICATION REQUIREMENT.**

20          (a) IN GENERAL.—Section 524 of title 40, United  
21          States Code, is amended—

22               (1) by striking subsection (a);

23               (2) in subsection (b)—

24                       (A) in paragraph (1) by striking the semi-  
25                       colon and inserting “; and”;

1 (B) by striking paragraph (2); and

2 (C) by redesignating paragraph (3) as  
3 paragraph (2); and

4 (3) by redesignating subsections (b) and (c) as  
5 subsections (a) and (b), respectively.

6 (b) PROCEDURE FOR DISPOSAL.—Section 545 of title  
7 40, United States Code, is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (7) by striking the semi-  
10 colon and inserting “; or”;

11 (B) by striking paragraph (8); and

12 (C) by redesignating paragraph (9) as  
13 paragraph (8); and

14 (2) in subsection (d)—

15 (A) by striking “NEGOTIATED SALE AT  
16 FIXED PRICE” and all that follows through  
17 “The Administrator may” and inserting “NE-  
18 GOTIATED SALE AT FIXED PRICE.—The Ad-  
19 ministrator may”; and

20 (B) by striking paragraph (2).

21 (c) REAL PROPERTY.—Chapter 5 of title 40, United  
22 States Code, is amended by inserting after section 574 the  
23 following new section:

1 **“§ 575. Proceeds from sale of certain agency property**

2 “Notwithstanding any other provision of this sub-  
3 chapter, proceeds from the sale of excess property or sur-  
4 plus property by an agency pursuant to section 102-  
5 75.255 of title 41, Code of Federal Regulations, shall be  
6 deposited into the General Fund of the Treasury where  
7 such amounts shall be—

8 “(1) dedicated to the sole purpose of deficit re-  
9 duction; and

10 “(2) prohibited from use as an offset for other  
11 spending increases or revenue reductions.”.

12 (d) CLERICAL AMENDMENT.—The analysis for chap-  
13 ter 5 of title 40, United States Code, is amended by insert-  
14 ing after the item relating to section 574 the following  
15 new item:

“575. Proceeds from sale of certain agency property.”.

16 (e) REGULATIONS.—Not later than 180 days after  
17 the date of enactment of this Act, the Administrator of  
18 General Services shall issue such regulations as are nec-  
19 essary to update section 102-75.255 of title 41, Code of  
20 Federal Regulations, to authorize executive agencies to  
21 dispose of surplus property and excess property without  
22 making the property available to other executive agencies  
23 or State and local governments before such disposal.

24 (f) DEFINITIONS.—In this section, the terms “excess  
25 property”, “executive agency”, and “surplus property”

1 have the meaning given such terms in section 102 of title  
2 40, United States Code.

3 **SEC. 4. GSA REPORTS.**

4 (a) REVIEW.—Not later than 18 months after the  
5 date of enactment of this Act, and every 5 years there-  
6 after, the Administrator of General Services, in coordina-  
7 tion with the Congressional Research Service, shall submit  
8 to Congress a report containing the information described  
9 in subsection (b).

10 (b) CONTENTS OF REPORT.—The report required  
11 under subsection (a) shall contain the following:

12 (1) A survey of all unused or vacant office  
13 space held by each executive agency and rec-  
14 ommendations for reducing each agency's real prop-  
15 erty assets, selling such assets in an efficient man-  
16 ner, and addressing any potential safety hazards as-  
17 sociated with vacant office space.

18 (2) A survey of all the underutilized or partially  
19 empty agency office space held by each executive  
20 agency and recommendations for reducing each  
21 agency's real property assets, selling such assets in  
22 an efficient manner, and addressing any potential  
23 safety hazards associated with partially empty office  
24 space.

1           (3) For each excess property and surplus prop-  
2       erty disposed of by an executive agency, an indica-  
3       tion of—

4           (A) the date and method of disposal; and

5           (B) the proceeds obtained from the disposi-  
6       tion of such disposal.

7           (4) For all excess property and surplus prop-  
8       erty disposed of by all executive agencies, an indica-  
9       tion of

10          (A) the amount of time required to fully  
11       dispose of excess property and surplus property  
12       under the custody and control of all executive  
13       agencies; and

14          (B) the cost to dispose of excess property  
15       and surplus property under the custody and  
16       control of all executive agencies.

17       (c) DEFINITIONS.—In this section, the terms “excess  
18   property”, “executive agency”, and “surplus property”  
19   have the meaning given such terms in section 102 of title  
20   40, United States Code.