

115TH CONGRESS  
1ST SESSION

# S. 894

To amend title 40, United States Code, to provide requirements for the disposal of surplus Federal property relating to review of bidders and post-sale responsibilities.

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## IN THE SENATE OF THE UNITED STATES

APRIL 7, 2017

Mr. DAINES introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend title 40, United States Code, to provide requirements for the disposal of surplus Federal property relating to review of bidders and post-sale responsibilities.

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. MODIFICATIONS RELATING TO METHOD OF**  
4 **DISPOSITION OF SURPLUS FEDERAL PROP-**  
5 **ERTY AND SUBSEQUENT RESPONSIBILITIES.**

6 Section 543 of title 40, United States Code, is  
7 amended—

8 (1) in the first sentence, by striking “An execu-  
9 tive” and inserting the following:

1       “(a) IN GENERAL.—The Administrator of General  
2 Services or an executive”;

3               (2) in the second sentence—

4                       (A) by striking “it considers”; and

5                       (B) by striking “The agency” and insert-  
6 ing the following:

7       “(b) DISPOSAL ACTIONS.—

8               “(1) DOCUMENTATION.—The Administrator of  
9 General Services or an executive agency”; and

10               (3) in subsection (b) (as designated by para-  
11 graph (2)(B)), by adding at the end the following:

12               “(2) OBSERVATIONS OF BIDDER.—For pur-  
13 poses of ensuring settlement of a loan used for the  
14 purchase by a member of the public of any Federal  
15 real property with a significant health or safety con-  
16 cern sold by the General Services Administration  
17 under this chapter, the Administrator of General  
18 Services shall—

19                       “(A) during the course of the ordinary bid-  
20 ding process, identify, to the best of the ability  
21 of the Administrator of General Services,  
22 whether any obvious and significant indication  
23 is present that the purchaser is not capable  
24 of—

25                               “(i) settling the loan obligation; or

1 “(ii) removing any health or safety  
2 conditions; and

3 “(B) if such an obvious and significant in-  
4 dication is identified—

5 “(i) document the indication; and

6 “(ii) disallow sale of the Federal prop-  
7 erty to the prospective purchaser.

8 “(3) ASBESTOS.—

9 “(A) DEFINITION OF ASBESTOS-AFFECTED  
10 PROPERTY.—In this paragraph, the term ‘as-  
11 bestos-affected property’ means any Federal  
12 property that—

13 “(i) is sold by the General Services  
14 Administration under this chapter after  
15 April 30, 2013; and

16 “(ii) contains—

17 “(I) friable asbestos; and

18 “(II) a significant overall quan-  
19 tity of asbestos, such that damage in-  
20 flicted on the Federal property by a  
21 natural disaster would cause signifi-  
22 cant damage to the public due to the  
23 quantity of asbestos.

24 “(B) RESPONSIBILITY.—In the event that  
25 an immediate or subsequent purchaser of an as-

1           bestos-affected property is a debtor (as defined  
2           in section 101 of title 11, United States Code),  
3           and transfers any portion of the asbestos-af-  
4           fected property with significant quantities of  
5           unabated asbestos to a unit of State or local  
6           government, on request by that unit of govern-  
7           ment, the Administrator of General Services  
8           shall coordinate with other Federal agencies to  
9           identify funding resources for the purpose of  
10          asbestos abatement if that unit of government  
11          submits the request to the Administrator of  
12          General Services not later than 20 years after  
13          the date of the initial sale of the real property  
14          by the General Services Administration.”.

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