

Calendar No. 103

105TH CONGRESS
1ST SESSION

H. R. 680

To amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessities to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 1997

Received; read twice and referred to the Committee on Governmental Affairs

JUNE 26, 1997

Reported by Mr. THOMPSON, without amendment

AN ACT

To amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessities to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

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. TRANSFER OF SURPLUS PERSONAL PROPERTY**
4 **FOR DONATION TO PROVIDERS OF NEC-**
5 **CESSARIES TO IMPOVERISHED FAMILIES AND**
6 **INDIVIDUALS.**

7 Section 203(j)(3)(B) of the Federal Property and Ad-
8 ministrative Services Act of 1949 (40 U.S.C.
9 484(j)(3)(B)) is amended by inserting after “homeless in-
10 dividuals” the following: “, providers of assistance to fami-
11 lies or individuals whose annual incomes are below the
12 poverty line (as that term is defined in section 673 of the
13 Community Services Block Grant Act),”.

14 **SEC. 2. TRANSFER OF SURPLUS REAL PROPERTY FOR PRO-**
15 **VIDING HOUSING OR HOUSING ASSISTANCE**
16 **FOR LOW-INCOME INDIVIDUALS OR FAMI-**
17 **LIES.**

18 (a) IN GENERAL.—Section 203(k) of the Federal
19 Property and Administrative Services Act of 1949 (40
20 U.S.C. 484(k)) is amended by adding at the end the fol-
21 lowing new paragraph:

22 “(6)(A) Under such regulations as the Administrator
23 may prescribe, the Administrator may, in the discretion
24 of the Administrator, assign to the Secretary of Housing
25 and Urban Development for disposal such surplus real

1 property, including buildings, fixtures, and equipment sit-
2 uated thereon, as is recommended by the Secretary as
3 being needed for providing housing or housing assistance
4 for low-income individuals or families.

5 “(B) Subject to the disapproval of the Administrator
6 within 30 days after notice to the Administrator by the
7 Secretary of Housing and Urban Development of a pro-
8 posed transfer of property for the purpose of providing
9 such housing or housing assistance, the Secretary, through
10 such officers or employees of the Department of Housing
11 and Urban Development as the Secretary may designate,
12 may sell or lease such property for that purpose to any
13 State, any political subdivision or instrumentality of a
14 State, or any nonprofit organization that exists for the pri-
15 mary purpose of providing housing or housing assistance
16 for low-income individuals or families.

17 “(C) The Administrator shall disapprove a proposed
18 transfer of property under this paragraph unless the Ad-
19 ministrator determines that the property will be used for
20 low-income housing opportunities through the construc-
21 tion, rehabilitation, or refurbishment of self-help housing,
22 under terms that require that—

23 “(i) any individual or family receiving housing
24 or housing assistance constructed, rehabilitated, or
25 refurbished through use of the property shall con-

1 tribute a significant amount of labor toward the con-
2 struction, rehabilitation, or refurbishment; and

3 “(ii) dwellings constructed, rehabilitated, or re-
4 furnished through use of the property shall be qual-
5 ity dwellings that comply with local building and
6 safety codes and standards and shall be available at
7 prices below prevailing market prices.

8 “(D)(i) In fixing the sale or lease value of property
9 to be disposed of under this paragraph, the Secretary of
10 Housing and Urban Development shall take into consider-
11 ation and discount the value with respect to any benefit
12 which has accrued or may accrue to the United States
13 from the use of such property by any such State, political
14 subdivision, instrumentality, or nonprofit organization.

15 “(ii) The amount of the discount under clause (i)
16 shall be 75 percent of the market value of the property,
17 except that the Secretary may discount by a greater per-
18 centage if the Secretary, in consultation with the Adminis-
19 trator, determines that a higher percentage is justified.”.

20 (b) CONFORMING AMENDMENTS.—Section 203(k)(4)
21 of such Act (40 U.S.C. 484(k)(4)) is amended—

22 (1) in subparagraph (C), by striking “or” after
23 the semicolon;

24 (2) in subparagraph (D), by striking the period
25 at the end and inserting “; or”; and

1 (3) by inserting after subparagraph (D) the fol-
2 lowing:

3 “(E) the Secretary of Housing and Urban De-
4 velopment, through such officers or employees of the
5 Department of Housing and Urban Development as
6 the Secretary may designate, in the case of property
7 transferred under paragraph (6),”.

Passed the House of Representatives April 29, 1997.

Attest:

ROBIN H. CARLE,

Clerk.

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