

*Tom Coburn* S.C.

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To pay for the costs of supplemental spending by reducing Congress' own budget and disposing of unneeded Federal property and uncommitted Federal funds.

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

**H.R. 4899**

Making relief tentative	<b>AMENDMENT NO 4232</b>
By	<i>Coburn - McCain</i>
To:	<i>H.R. 4899</i>
Referred	<i>7</i>
	Page(s)

GPO: 2008 45-008 (case)

AMENDMENT intended to be proposed by Mr. COBURN (*FOR HIMSELF AND MR. McCAIN*)

Viz:

- 1 At the end of the bill, add the following:
- 2 **TITLE IV—PAYMENT OF COSTS**
- 3 **OF SUPPLEMENTAL APPRO-**
- 4 **PRIATIONS**
- 5 **SEC. 4001. REDUCING BUDGETS OF MEMBERS OF CON-**
- 6 **GRESS.**
- 7 Of the funds made available under Public Law 111-
- 8 68 for the legislative branch, \$100,000,000 in unobligated

1 balances are permanently rescinded: *Provided*, That the  
2 rescissions made by the section shall not apply to funds  
3 made available to the Capitol Police.

4 **SEC. 4002. DISCLOSING COST OF CONGRESSIONAL BOR-**  
5 **ROWING AND SPENDING.**

6 (a) IN GENERAL.—The Secretary of the Senate shall  
7 post prominently on the front page of the public website  
8 of the Senate (<http://www.senate.gov/>) the following infor-  
9 mation:

10 (1) The total amount of discretionary and di-  
11 rect spending passed by the Senate that has not  
12 been paid for, including emergency designated  
13 spending or spending otherwise exempted from  
14 PAYGO requirements.

15 (2) The total amount of net spending author-  
16 ized in legislation passed by the Senate, as scored by  
17 CBO.

18 (3) The number of new government programs  
19 created in legislation passed by the Senate.

20 (4) The totals for paragraphs (1) through (3)  
21 as passed by both Houses of Congress and signed  
22 into law by the President.

23 (b) DISPLAY.—The information tallies required by  
24 subsection (a) shall be itemized by bill and date, updated  
25 weekly, and archived by calendar year.

1 (c) EFFECTIVE DATE.—The PAYGO tally required  
2 by subsection (a)(1) shall begin with the date of enactment  
3 of the Statutory Pay-As-You-Go Act of 2010 and the au-  
4 thorization tally required by subsection (a)(2) shall apply  
5 to all legislation passed beginning January 1, 2010.

6 **SEC. 4003. DISPOSING OF UNNEEDED AND UNUSED GOV-**  
7 **ERNMENT PROPERTY.**

8 (a) IN GENERAL.—Chapter 5 of subtitle I of title 40,  
9 United States Code, is amended by adding at the end the  
10 following:

11 “SUBCHAPTER VII—EXPEDITED DISPOSAL OF  
12 REAL PROPERTY

13 “§ 621. Definitions

14 “In this subchapter:

15 “(1) DIRECTOR.—The term ‘Director’ means  
16 the Director of the Office of Management and Budg-  
17 et.

18 “(2) EXPEDITED DISPOSAL OF A REAL PROP-  
19 erty.—The term ‘expedited disposal of a real prop-  
20 erty’ means a demolition of real property or a sale  
21 of real property for cash that is conducted under the  
22 requirements of section 545.

23 “(3) LANDHOLDING AGENCY.—The term ‘land-  
24 holding agency’ means a landholding agency as de-

1        fined under section 501(i)(3) of the McKinney-Vento  
2        Homeless Assistance Act (42 U.S.C. 11411(i)(3)).

3        “(4) REAL PROPERTY.—

4                “(A) IN GENERAL.—The term ‘real prop-  
5        erty’ means—

6                “(i) a parcel of real property under  
7        the administrative jurisdiction of the Fed-  
8        eral Government that is—

9                        “(I) excess;

10                       “(II) surplus;

11                       “(III) underperforming; or

12                       “(IV) otherwise not meeting the  
13        needs of the Federal Government, as  
14        determined by the Director; and

15                “(ii) a building or other structure lo-  
16        cated on real property described under  
17        clause (i).

18                “(B) EXCLUSION.—The term ‘real prop-  
19        erty’ excludes any parcel of real property or  
20        building or other structure located on such real  
21        property that is to be closed or realigned under  
22        the Defense Base Closure and Realignment Act  
23        of 1990 (part A of title XXIX of Public Law  
24        101–510; 10 U.S.C. 2687 note).

1 **“§ 622. Disposal program**

2 “(a) The Director of the Office of Management and  
3 Budget shall dispose of by sale or auction not less than  
4 \$15,000,000,000 worth of real property that is not meet-  
5 ing Federal Government from fiscal year 2010 to fiscal  
6 year 2015.

7 “(b) Agencies shall recommend candidate disposition  
8 real properties to the Director for participation in the pilot  
9 program established under section 622.

10 “(c) The Director, with the concurrence of the head  
11 of the executive agency concerned and consistent with the  
12 criteria established in this subchapter, may then select  
13 such candidate real properties for participation in the pro-  
14 gram and notify the recommending agency accordingly.

15 “(d) The Director shall ensure that all real properties  
16 selected for disposition under this section are listed on a  
17 website that shall—

18 “(1) be updated routinely; and

19 “(2) include the functionality to allow members  
20 of the public, at their option, to receive such updates  
21 through electronic mail.

22 “(e) The Director may transfer real property identi-  
23 fied in the enactment of this section to the Department  
24 of Housing and Urban Development if the Secretary of  
25 Housing and Urban Development has determined such  
26 properties are suitable for use to assist the homeless.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
2 The table of sections for chapter 5 of subtitle I of title  
3 40, United States Code, is amended by inserting after the  
4 item relating to section 611 the following:

“SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

“Sec. 621. Definitions .

“Sec. 622. Disposal program.”.

5 **SEC. 4004. AUCTIONING AND SELLING OF UNUSED AND**  
6 **UNNEEDED EQUIPMENT.**

7 (a) Notwithstanding section 1033 of the National De-  
8 fense Authorization Act of 1997 or any other provision  
9 of law, the Secretary of Defense shall auction or sell un-  
10 used, unnecessary, or surplus supplies and equipment  
11 without providing preference to State or local govern-  
12 ments.

13 (b) The Secretary may make exceptions to the sale  
14 or auction of such equipment for transfers of excess mili-  
15 tary property to state and local law enforcement agencies  
16 related to counter-drug efforts, counter-terrorism activi-  
17 ties, or other efforts determined to be related to national  
18 defense or homeland security. The Secretary of Defense  
19 may sell such equipment to State and local agencies at  
20 fair market value.

1 **SEC. 4005. RESCINDING UNSPENT AND UNCOMMITTED FED-**  
2 **ERAL FUNDS.**

3 (a) IN GENERAL.—Notwithstanding any other provi-  
4 sion of law, of all available uncommitted unobligated Fed-  
5 eral funds, \$80,000,000,000 in appropriated discretionary  
6 unexpired funds are rescinded.

7 (b) IMPLEMENTATION.—Not later than 60 days after  
8 the date of enactment of this Act, the Director of the Of-  
9 fice of Management and Budget shall—

10 (1) identify the accounts and amounts rescinded  
11 to implement subsection (a); and

12 (2) submit a report to the Secretary of the  
13 Treasury and Congress of the accounts and amounts  
14 identified under paragraph (1) for rescission.

15 (c) EXCEPTION.—This section shall not apply to the  
16 unobligated Federal funds of the Department of Defense  
17 or the Department of Veterans Affairs.