

September 1992

REAL PROPERTY DISPOSITIONS

Flexibility Afforded Agencies to Meet Disposition Objectives Varies



147627



General Government Division

B-249511

September 18, 1992

The Honorable John Conyers, Jr.
Chairman, Committee on Government
Operations
House of Representatives

Dear Mr. Chairman:

As requested, we are providing for your Committee's consideration information on the various disposition objectives, legislative mandates, and policy requirements that affect real property dispositions within the federal sector. Appendix I identifies 17 agencies¹ authorized to dispose of real property and their disposition objectives. Appendix II describes the laws, programs, and executive orders that have an impact on the agencies' ability to meet their disposition objectives. Appendix III identifies, by agency, which of the laws, programs, and executive orders that each agency² indicated it was subject to. Appendix IV identifies the impact of the various laws, programs, and executive orders on agency operations, as reported by each of the affected agencies. Appendix V provides information on the methodology used in developing this information.

BACKGROUND

In September 1991, we reported that within the federal sector there was a fragmented approach to managing and disposing of assets targeted for disposition.³ At that time, we reported that the disposing agencies had assets--financial, real property, and personal property--valued in excess of \$190 billion awaiting disposition. These assets included property (1) acquired from failing and failed financial institutions, (2)

¹For this report, we are using the term "agency" to include the Resolution Trust Corporation, the Federal Deposit Insurance Corporation, the Postal Service, and the National Credit Union Administration.

²The Department of Housing and Urban Development submitted responses from each of its organizational units that dispose of real property--Single-Family Housing (SFH), Multifamily Housing (MFH), Community Planning and Development (CPD), and Public and Indian Housing (PIH)--because they are subject to different laws and regulations.

³Asset Management: Governmentwide Asset Disposition Activities (GAO/GGD-91-139FS, Sept. 27, 1991).

designated as excess to the government's needs, (3) assumed as the result of a loan foreclosure, (4) abandoned or unclaimed, and (5) seized as a result of a law enforcement operation. Real property assets accounted for about \$30 billion of the \$190 billion. Real property assets totaled more than 125,000 in number and ranged from single-family homes valued at less than \$25,000 to commercial properties valued in excess of \$50 million. Not included in that report, but included in this fact sheet, is information on Department of Defense (DOD) activities.

In prior years, not much attention was directed at overall disposition efforts within the federal sector. However, in recent years that situation has begun to change. More and more government officials are beginning to question whether major organizational changes would enhance the federal government's ability to meet its disposition responsibilities. Some of the more prominent activity in this arena today includes

- draft legislation proposed by Congressman Tom McMillen that would establish an Asset Disposition Council with responsibility for liquidating federal real property assets;
- draft legislation proposed by Senator Terry Sanford that would, in part, identify programs that are duplicative and should be consolidated with similar operations in other departments to promote efficiency in operation,
- draft legislation proposed by the General Services Administration (GSA) that would make GSA the focal point for all federal real property activity;
- work being done by the Department of the Treasury's Financial Management Service and the Office of Management and Budget (OMB) to define and document governmentwide standards, guidelines, and decision models for the acquisition, management, and disposition of real property acquired by the Department of Housing and Urban Development (HUD), Department of Veterans Affairs (VA), Farmers Home Administration (FmHA), and Small Business Administration (SBA) as a result of direct and guaranteed loan defaults; and
- work being done by OMB to develop performance measures for evaluating federal agencies' effectiveness in meeting their real property management and disposition responsibilities.

We are encouraged by the amount and depth of activity in this area. However, major reform will not occur overnight. And, if it is to succeed, it must be well planned and executed. The information in this fact sheet should be useful in examining the desirability of establishing a comprehensive and consistent governmentwide real property disposition policy.

NUMBER AND NATURE OF PROGRAM
REQUIREMENTS VARY BY AGENCY

For the most part, agencies that have been given the authority to dispose of real property have also been tasked with disposing of the properties quickly and at the highest possible price. Agencies, however, have not been given carte blanche authority to operate at will in meeting their overall disposition objectives. Rather, each agency has a set of programmatic requirements⁴ under which it must operate, and those requirements vary considerably by agency. These variations may stem from differences in the capacity in which the agencies acquire the property and on whose behalf the disposition occurs. For example, the Federal Deposit Insurance Corporation (FDIC) and Resolution Trust Corporation (RTC) dispose of the assets of failing and failed financial institutions in their capacity as either conservator or receiver. When acting as conservator or receiver, FDIC and RTC are fiduciaries charged with managing the estate on behalf of the beneficiaries of each estate.⁵

To facilitate discussion of the different programmatic requirements, we have grouped the requirements by the following program categories--aid to the homeless programs, affordable housing programs, historic preservation laws, environmental laws, and other, which includes any identified requirement not clearly fitting into one of the other categories. The following statements summarize, by category, the requirements identified and their applicability as reported by agency officials. See appendixes II and III for details.

- Homeless--of the 17 disposing agencies, 11 reported having requirements to aid the homeless, and 6 did not. Ten homeless programs were identified with 8 being agency specific. One of the other two--the Stewart B. McKinney Homeless Assistance Act--applies to the underutilized properties of federal landholding agencies. The other one--DOD Shelter for the Homeless program--applies to the Army, Navy, and Air Force.
- Affordable housing--of the 17 disposing agencies, 5 reported having requirements designed to make housing affordable for very low-, low-, and moderate-income families. Four affordable housing programs were identified with three being agency specific and one applying to FmHA, HUD, and VA.
- Historic preservation--the RTC and the FDIC in their capacities as conservator or receiver, were the only two agencies that indicated they are not required to take specific steps to help ensure protection of historic places and properties. Four laws and one executive order relating to

⁴We are using the term "requirement" to describe any law, program, or executive order that must be considered when disposing of real properties.

⁵In the case of failed financial institutions, the beneficiaries typically would include the depositors, creditors, and shareholders of the institution.

historic preservation were identified. Most agencies indicated that they were subject to a majority of these requirements.

- Environmental--all of the 17 disposing agencies reported being covered by at least one environmental law, program, or executive order that has an impact on real property dispositions. Twenty-one such environmental laws, programs, and executive orders were identified. Of the 21, the number applicable to each agency varied considerably--from 3 at RTC to 19 at HUD.
- Other--nineteen other laws, programs, or executive orders that affect real property dispositions and do not clearly fit into one of the above categories were also identified. The nature and applicability of these laws, regulations, programs, and executive orders varied substantially. For example, legislation governing the disposal of land acquired for electric transmission lines and legislation governing the disposal of real property acquired under the Atomic Energy Act are agency specific while others, such as the Federal Property and Administrative Services Act of 1949, as amended, is more universally applicable. Also included in this category are state right of redemption laws, which give individuals the right to redeem property taken through a foreclosure proceeding.

Overall, the number and type of requirements imposed on each agency varied substantially. For example, at one end of the spectrum is FDIC, which with the exception of its recently mandated affordable housing program, indicated that it was not covered by any other program requirement outside those of an environmental nature. At the other end of the spectrum are HUD, FmHA, and DOD agencies that indicated they are covered by a large number of program requirements.

Also, there seemed to be some correlation between the source of assets and the requirements imposed on an agency's disposition activities. For example, agencies disposing of properties acquired from failing and failed financial institutions were subject to the fewest requirements because, as set forth above, these agencies are acting in their capacities as conservator or receiver. Agencies disposing of properties acquired due to military base closures or foreclosures on loans guaranteed by the government under an insurance program, were generally subject to the greatest number of requirements. The number of requirements applicable to the agencies disposing of seized and forfeited properties fell between these two extremes.

Disposing of property quickly at the best possible price is a principal objective for real property dispositions, but it is not the only objective. The federal government has determined that there are other objectives to be achieved and has established a number of implementing programmatic requirements--many of which differ on an agency-by-agency basis. Under the current operating structure, agencies participate in the disposition process on an uneven playing field, causing the government's credibility to suffer in the eyes of the public. This fact sheet makes no value judgements on any of the programmatic requirements but rather points out the differences in their application.

REQUIREMENTS VIEWED AS EITHER
HAVING NO EFFECT ON OR DETRACTING
FROM DISPOSITION RESPONSIBILITIES

The agencies viewed these requirements as either having no effect on or detracting from their asset disposition responsibilities. Overall, they were pretty evenly divided between these two views. However, on a requirement-by-requirement basis the responses were sometimes heavily clustered around a particular impact. Few requirements were identified by the agencies as enhancing disposition responsibilities. (See app. IV for details.) Some of the more notable exceptions to these generalizations are highlighted below:

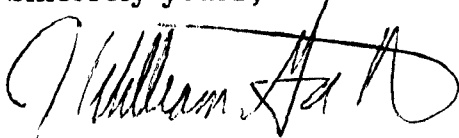
- On a requirement-by-requirement basis, at least 60 percent of the affected agencies viewed the Stewart B. McKinney Homeless Assistance Act; the National Historic Preservation Act; Executive Order 11593 providing for protection and enhancement of the cultural environment; the Comprehensive Environmental Response, Compensation, and Liability Act; Executive Order 11988 providing for floodplain management; Executive Order 11990 providing for protection of wetlands; the Lead-Based Paint Poisoning Prevention Act; and state right of redemption laws as detracting from overall disposition responsibilities.
- On a requirement-by-requirement basis, at least 60 percent of the affected agencies viewed the Antiquities Act, the National Environmental Policy Act, the National Environmental Policy Act, the Safe Drinking Water Act, the water quality planning and management programs found at 40 C.F.R. part 130, the Clean Water Act, and the Clean Air Act as having no effect on their ability to meet disposition responsibilities.
- Half of the affected agencies viewed the Federal Property and Administrative Services Act as having no effect on their ability to meet disposition responsibilities while the other half were fairly evenly divided between enhancing and detracting from their ability to meet disposition responsibilities. Similar views were expressed concerning the Federal Acquisition Regulation System.
- The DOD agencies and GSA have opposite views on how the use of special legislation affects their ability to meet disposition responsibilities. The DOD agencies view this practice as enhancing their ability to meet disposition responsibilities while GSA views this practice as detracting from its ability to meet disposition responsibilities.
- Agencies having affordable housing programs generally viewed them as enhancing their ability to meet disposition responsibilities.
- Within each of the five program categories--homeless, affordable housing, historic preservation, environmental, and other--at least one agency identified at least one requirement as enhancing its ability to meet disposition responsibilities.

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We are sending copies of this report to other interested congressional committees, the Director of OMB, the disposing agencies, and other interested parties. We will also make copies available to others upon request.

Please contact me on (202) 275-8387 if you have any questions. Major contributors to this fact sheet are listed in appendix VII.

Sincerely yours,

A handwritten signature in black ink, appearing to read "J. William Gadsby". The signature is fluid and cursive, with a large initial "J" and a stylized "G" at the end.

J. William Gadsby
Director, Federal
Management Issues

CONTENTS

	<u>Page</u>
LETTER	1
APPENDIX	
I AGENCIES AUTHORIZED TO DISPOSE OF REAL PROPERTY AND THEIR DISPOSITION OBJECTIVES	8
II SHORT DESCRIPTION OF LAWS, PROGRAMS, AND EXECUTIVE ORDERS THAT HAVE AN IMPACT ON REAL PROPERTY DISPOSITION	9
III APPLICABILITY OF THE VARIOUS LAWS, PROGRAMS, AND EXECUTIVE ORDERS TO THE DISPOSING AGENCIES	16
IV IMPACT OF LAWS, PROGRAMS, AND EXECUTIVE ORDERS ON AGENCIES' DISPOSITION EFFORTS	24
V OBJECTIVE, SCOPE, AND METHODOLOGY	34
VI SAMPLE QUESTIONNAIRE ON LAWS AND PROGRAMS THAT AFFECT REAL PROPERTY DISPOSITIONS	35
VII MAJOR CONTRIBUTORS TO THIS FACT SHEET	48

ABBREVIATIONS

DOD	Department of Defense
EDA	Economic Development Administration
EPA	Environmental Protection Agency
FmHA	Farmers Home Administration
FDIC	Federal Deposit Insurance Corporation
GSA	General Services Administration
HUD	Department of Housing and Urban Development
HUD/SFH	HUD's Single Family Housing unit
HUD/CPD	HUD's Community Planning and Development unit
HUD/MFH	HUD's Multifamily Housing unit
HUD/PIH	HUD's Public and Indian Housing unit
NCUA	National Credit Union Administration
RTC	Resolution Trust Corporation
SBA	Small Business Administration
VA	Department of Veterans Affairs

**AGENCIES AUTHORIZED TO DISPOSE OF REAL PROPERTY
AND THEIR DISPOSITION OBJECTIVES**

Agency	Disposition objectives
Air Force	To dispose of property not needed to achieve current or programmed missions
Army	To dispose of property not needed for the agency's mission
Customs Service	To sell to the highest bidder at public auction those seized and forfeited assets that are not retained for official use, transferred to state and local law enforcement agencies, destroyed, or donated to approved private organizations
EDA	To maximize recovery on defaulted loans secured by real property
Energy	To dispose of property not needed for the agency's mission
EPA	To dispose of property not needed for the agency's mission
FmHA	To sell acquired properties to program-eligible applicants as quickly as possible at current market value to reduce the cost of retaining properties in government inventory
FDIC	To maximize the net present value
GSA	To conduct sales in an efficient, expeditious manner and obtain maximum net returns with a minimum of inconvenience to holding agencies
HUD	To reduce the inventory of acquired properties using methods to maximize net return without adversely affecting the character of residential communities
Marshals Service	To maximize the return from the sale of properties
Navy	To dispose of property not needed for the agency's mission
NCUA	To liquidate the real property to protect the fund or the interests of the credit unions
Postal Service	To dispose of all real property not needed for postal operations or required to meet a specific anticipated postal need through the outright sale of its fee or leasehold interest in the property
RTC	To maximize the net present value return from the sale of insolvent institutions, or the assets of such institutions, minimize the impact of the sales on local real estate and financial markets, maximize the preservation of affordable housing for low and moderate income individuals, and minimize the loss realized in the resolution of insolvent savings and loans
SBA	To achieve maximum recovery against the outstanding loan balance
VA	To recover the maximum amount of the government's investment in acquired properties by disposing of these properties at the best possible prices within a reasonable period of time

**SHORT DESCRIPTION OF LAWS, PROGRAMS, AND
EXECUTIVE ORDERS THAT HAVE AN IMPACT
ON REAL PROPERTY DISPOSITION**

Category	Authorities^a	Short description^a
Homeless laws/programs		
Stewart B. McKinney Homeless Assistance Act	42 U.S.C. 11411	Underutilized federal real property is made available as facilities to assist the homeless through homeless assistance providers
HUD's Homeless Lease with Option to Purchase Program	24 C.F.R. Part 291	Eligible properties are made available to applicants to lease with option to purchase properties for use by the homeless
HUD's Homeless Sales Program	24 C.F.R. Part 291	Eligible properties are made available to applicants to purchase by either direct or competitive sales for use by the homeless
HUD's Supportive Housing Demonstration (SHD) Program	24 C.F.R. Part 291	Eligible properties are made available under a lease-option agreement to applicants for acquisition advances
FmHA's Homeless Lease Program	7 C.F.R. Section 1955.72	Certain housing properties may be leased to public bodies and nonprofit organizations for use as transitional housing for the homeless
FmHA's Homeless Purchase Program	7 C.F.R. Section 1955.119	Certain housing properties in inventory may be sold to public bodies and nonprofit organizations to provide transitional housing for the homeless
Housing Assistance for Homeless Veterans	38 U.S.C. 3735	Certain VA-acquired properties may be sold to non-profit and state government agencies if used primarily for homeless veterans and their families
VA's Compensated Work Therapy/Therapeutic Transitional Housing Program	38 U.S.C. 1718 note	VA-acquired properties may be used as transitional housing for veterans participating in a compensated work therapy program
RTC's Conveyance Program	12 U.S.C. 1441a(a)(14)(B)(XV)	RTC may convey properties having no reasonable recovery value for public purposes, such as, low income housing, homeless shelters, or day care centers for low income families

Category	Authorities*	Short description*
DOD's Shelter for the Homeless Program	32 C.F.R. Part 226	Shelters for the homeless may be established on military installations
Affordable housing programs		
RTC's Affordable Housing Disposition Program	12 U.S.C. 1441a(c) 12 C.F.R. 1609	Provides home ownership and rental housing opportunities to low, very low, and moderate-income families
FDIC's Affordable Housing Program	12 U.S.C. 1831q	Provides home ownership and rental housing opportunities to low, very low, and moderate-income families
National Affordable Housing Act	42 U.S.C. 1437aaa <u>et. seq.</u>	Provides home ownership opportunities for low income families to purchase single-family, multifamily, and Indian housing units and provides affordable rental housing
VA Housing Loan Program	38 U.S.C. 3701 <u>et. seq.</u>	To assist veterans in purchasing or constructing homes with housing loan benefits
Historic preservation laws/ programs/executive orders		
National Historic Preservation Act	16 U.S.C. 470 <u>et. seq.</u>	Requires agencies to examine properties that have historic value and take various steps to ensure protection for historic places and properties
Archaeological and Historic Preservation Act	16 U.S.C. 469 <u>et. seq.</u>	Provides for the protection of significant scientific, prehistorical, historical, or archeological data in connection with any federal construction project, federally assisted or federally licensed activity or program
Protection and Enhancement of the Cultural Environment	Executive Order 11593, 5/13/71	The federal government shall preserve, restore, and maintain federal properties that qualify or appear to qualify for listing on the National Register of Historic Places
Antiquities Act	16 U.S.C. 431, 432, 433	The President is authorized to declare historic landmarks, structures, and other objects of historic or scientific interest situated on lands owned or controlled by the United States or private citizens to be national monuments

Category	Authorities*	Short description*
Historic Sites, Buildings, and Antiquities Act	16 U.S.C. 461-467	The Secretary of Interior has specific enumerated powers to effectuate the national policy of preserving for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States
Environmental laws/ programs/executive orders		
National Environmental Policy Act	42 U.S.C. 4321 <u>et. seq.</u>	Preserves important historic, cultural, and natural aspects of our national heritage and requires agencies to prepare an environmental impact statement prior to taking major federal action
Safe Drinking Water Act	42 U.S.C. 300f <u>et. seq.</u>	Preserves safe public drinking water systems by regulating water contamination at the tap and controlling certain types of ground water pollution
Comprehensive Environmental Response, Compensation, and Liability Act	42 U.S.C. 9601 <u>et. seq.</u>	Provides a mechanism for clean-up of hazardous waste sites and imposes the cost of clean-up on those responsible for the contamination
Resource, Conservation and Recovery Act	42 U.S.C. 6901 <u>et. seq.</u>	Provides for the disposal of nonhazardous solid waste and for the management and disposal of hazardous waste
Water Quality Planning and Management programs	40 C.F.R. part 130	Establishes program requirements for water quality planning and implementation of the Clean Water Act
Farmland Protection Policy Act	7 U.S.C. 4201	Minimizes the extent to which federal programs contribute to the unnecessary conversion of farmland for nonagricultural uses
Coastal Zone Management Act	16 U.S.C. 1451 <u>et. seq.</u>	Preserves and protects the resources of the nation's coastal zone

Category	Authorities ^a	Short description ^a
Floodplain Management	Executive Order 11988, 5/24/77	Requires agencies to reduce the risk of flood loss; minimize the impact of floods on human health, safety, and welfare; and restore and preserve natural values served by floodplains in acquiring, managing, and disposing of federal lands and facilities
Endangered Species Act	16 U.S.C. 1531 <u>et seq.</u>	Requires that agencies consult with the Secretary of Interior and take appropriate action to avoid jeopardizing endangered species
Wild and Scenic Rivers Act	16 U.S.C. 1271 <u>et seq.</u>	Preserves selected rivers and adjacent lands as components of the national wild and scenic rivers system
Flood Disaster Protection Act	42 U.S.C. 4001 <u>et seq.</u>	Expands the National Flood Insurance Program and prohibits federal financial assistance for property acquisition or construction in any area having special flood hazards unless the community in which the property is located is participating in the National Flood Insurance Program
Clean Water Act (Federal Water Pollution Control Act)	33 U.S.C. 1251 to 1387	Establishes a goal of no pollution discharge in navigable waters and mandates a system of technology based state of the art effluent limitations to supplement the existing water quality standards
Clean Air Act	42 U.S.C. 7401-7642	Controls sources of air pollution by establishing primary and secondary air quality standards for hazardous pollutants
Toxic Substances Control Act	15 U.S.C. 2601 <u>et seq.</u>	Prevents unreasonable risk of injury to health and the environment associated with the manufacturing, processing, distribution, or the disposal of chemical substances

Category	Authorities ^a	Short description ^a
Coastal Barrier Resources Act	16 U.S.C. 3501 to 3510	Protects undeveloped coastal barrier areas by limiting federal expenditures or financial assistance which have an effect of encouraging development of lands within the coastal barrier systems; and requires the Secretary of Interior to monitor the events within the coastal barriers and make recommendations to Congress to protect these areas
Coastal Barrier Improvement Act	12 U.S.C. 1441a-3	Limits FDIC's and RTC's disposition of properties located in the coastal barrier resource system
Robert T. Stafford Disaster Relief and Emergency Assistance Act	42 U.S.C. 5174	Authorizes the federal government to provide suitable temporary housing to persons who require such housing as a result of a disaster and provides that the occupants of the temporary housing may purchase the housing at fair and reasonable prices
Protection of Wetlands	Executive Order 11990, 5/24/77	Requires federal agencies to minimize destruction, loss, or degradation of wetlands in acquiring, managing, and disposing of federal land and facilities
Lead-Based Paint Poisoning Prevention Act	42 U.S.C. 4821-4846	Authorizes the Secretary of HUD to establish and implement procedures to eliminate the hazards of lead-based paint poisoning in all federally owned properties when their use is intended for residential habitation
Noise Control Act	42 U.S.C. 4901-4918	Directs EPA to identify major sources of noise pollution and to publish noise emission standards to protect the public from these sources
Archeological Resources Protection Act	16 U.S.C. 470aa-470kk	Requires the issuance of permits for authorized professional excavation or removal of archeological resources located on public and Indian lands
Other laws/programs		
Federal Property and Administrative Services Act	40 U.S.C. 484	Provides for the disposal of surplus government property

Category	Authorities ^a	Short description ^a
Defense Base Closure and Realignment Act	10 U.S.C. 2687 note	Provides for the selection, closure, and realignment of military installations and for disposing of excess/surplus real property located at military installations closed or realigned under the act
Special Legislation, such as the Military Construction Authorization/ Appropriation Acts	Examples: P.L. 99-173 P.L. 99-167 P.L. 99-500 P.L. 99-591 P.L. 100-180 P.L. 100-202 P.L. 100-456	Authorizes acquisition of real property and new construction at designated military installations
Requirement/policy on minimum sales price	RTC--12 U.S.C. 1441a(b)(12) Customs and Marshals Service-- Internal Policy	RTC property may not be sold below 95 percent of market value in distressed areas Customs/Marshals Service--policies on minimum bids
Right of redemption (state laws)	Governed by state law	Gives specified parties the right to redeem property in the manner prescribed by statute
Judicial forfeiture requirement	21 U.S.C. 881(a)7 18 U.S.C. 1963 18 U.S.C. 981(d) Asset Forfeiture Policy 87-02	All seized real property must be forfeited judicially
Federal Acquisition Regulation System	48 C.F.R. chapter 1	Governs all federal acquisitions in contracting for goods and services with appropriated funds
Principles of Intergovernmental Tax Immunity	Dept. of Justice Asset Forfeiture Policy 91-26	Property forfeited to the government is immune from state and local taxes arising after the date of an offense that leads to forfeiture
Intergovernmental Review of Federal Programs	Executive Orders 12372(7/14/82) and 12416 (4/8/83)	Requires coordination with state agencies
Uniform Relocation and Real Property Acquisition Policies Act	42 U.S.C. 4638	Agencies are authorized to transfer surplus real property to a state agency to provide replacement housing for persons displaced by federal or federally assisted projects
Agricultural Credit Act	7 U.S.C. 1985 and 2000	Former farm owners/borrowers have first option to purchase or lease with option to purchase property the government has foreclosed, redeemed, or otherwise acquired

Category	Authorities*	Short description*
Food, Agriculture, Conservation and Trade Act	7 U.S.C. 1813	Suitable farm property that can be used to produce agricultural commodities are marketed to farmers for 12 months before being reclassified as surplus and sold to the highest bidder
Atomic Energy Act	42 U.S.C. 2201(g)	Authorizes the disposal of real property acquired under the Atomic Energy Act
Atomic Energy Community Act	42 U.S.C. 2301 <u>et. seq.</u>	Authorizes disposal of real property at three specific communities
Bonneville Project Act	16 U.S.C. 832a	Authorizes disposal of land acquired in connection with construction or operation of electric transmission lines or substations
Federal Nonnuclear Energy Research and Development Act	42 U.S.C. 5919	Provides for the disposal of oil shale modular conversion facilities
Energy Policy and Conservation Act	42 U.S.C. 6239	Authorizes disposal of storage and related facilities acquired for the Strategic Petroleum Reserve Plan
Small Business Act	15 U.S.C. 634	Provides the Administrator of SBA a general grant of authority to carry out responsibilities under this act which includes the authority to dispose of real property acquired in connection with the payment of loans granted by SBA
Small Business Investment Act	15 U.S.C. 687	Provides the Administrator of SBA a general grant of authority to carry out responsibilities under the act which includes the authority to dispose of real property acquired in connection with the payment of loans

*In many instances we limited the authority and description to reflect only that part of the requirement relating to real property dispositions.

APPLICABILITY OF THE VARIOUS LAWS, PROGRAMS, AND EXECUTIVE ORDERS TO THE DISPOSING AGENCIES

Category	Air Force	Army	Customs	EDA	Energy	EPA	FDIC	FmHA	GSA	HUD/SFH
Homeless laws/programs										
Stewart B. McKinney Homeless Assistance Act	X	X	X		X	X			X	X
HUD's Homeless Lease with Option to Purchase Program										X
HUD's Homeless Sales Program										X
HUD's Supportive Housing Demonstration Program										X
FmHA's Homeless Lease Program								X		
FmHA's Homeless Purchase Program								X		
Housing Assistance for Homeless Veterans										
VA's Compensated Work Therapy/Therapeutic Transitional Housing Program										
RTC's Conveyance Program										
DOD's Shelter for the Homeless Program	X	X								
Affordable housing programs										
RTC's Affordable Housing Disposition program										
FDIC's Affordable Housing Program							X			
National Affordable Housing Act								X		X
VA Housing Loan program										

HUD/CPD	HUD/MFH	HUD/PIH	Marshals Service	Navy	NCUA	Postal Service	RTC	SBA	VA
X				X					
X									
X									
									X
									X
							X		
				X					
							X		
X	X								X
									X

Category	Air Force	Army	Customs	EDA	Energy	EPA	FDIC	FmHA	GSA	HUD/SFH
Historic preservation laws/programs/executive orders										
National Historic Preservation Act	X	X	X	X	X	X		X	X	X
Archaeological and Historic Preservation Act	X	X	X		X	X		X	X	X
Protection and Enhancement of the Cultural Environment	X	X	X	X	X	X		X	X	X
Antiquities Act	X	X	X		X	X		X		X
Historic Sites, Buildings, and Antiquities Act	X	X	X			X		X	X	
Environmental laws/programs/executive orders										
National Environmental Policy Act	X	X	X	X	X	X		X	X	X
Safe Drinking Water Act	X	X	X		X	X	X*	X		
Comprehensive Environmental Response, Compensation, and Liability Act	X	X	X	X	X	X	X*	X	X	X
Resource, Conservation, and Recovery Act	X	X	X	X	X	X	X*	X	X	
Water Quality Planning and Management Programs	X	X	X		X	X		X	X	
Farmland Protection Policy Act	X	X			X	X		X	X	
Coastal Zone Management Act	X	X			X	X		X	X	
Floodplain Management	X	X	X		X	X		X	X	X
Endangered Species Program	X	X			X	X	X*	X	X	
Wild and Scenic Rivers Act	X				X	X		X	X	
Flood Disaster Protection Act		X			X	X		X	X	X
Clean Water Act (Federal Water Pollution Control Act)	X	X		X	X	X	X*	X	X	
Clean Air Act	X	X	X	X	X	X	X*	X	X	
Toxic Substances Control Act	X	X		X	X		X*	X	X	
Coastal Barrier Resources Act	X	X			X	X		X	X	
Coastal Barrier Improvement Act							X			

HUD/CPD	HUD/MFH	HUD/PIH	Marshall Service	Navy	NCUA	Postal Service	RTC	SBA	VA
X	X	X	X	X	X	X		X	X
X		X	X	X	X			X	X
X	X	X		X	X	X		X	
X		X		X	X				
X		X		X					
X	X	X	X	X		X		X	X
X				X	X	X			
X		X	X	X	X	X		X	
X		X		X	X	X		X	
X				X	X			X	
X				X	X	X			
X		X		X	X	X		X	
X		X	X	X	X	X		X	
X		X		X	X	X			
X		X		X	X	X			
X		X		X	X	X		X	X
X		X		X	X	X		X	
X				X		X			
X		X	X	X	X			X	X
							X		

Category	Air Force	Army	Customs	EDA	Energy	EPA	FDIC	FmHA	GSA	HUD/SFH
Robert T. Stafford Disaster Relief and Emergency Assistance Act					X					X
Protection of Wetlands	X	X	X	X	X	X		X	X	
Lead-Based Paint Poisoning and Prevention Act		X					X	X	X	X
Noise Control Act										
Archeological Resources Protection Act										
Other laws/programs/executive orders										
Federal Property and Administrative Services Act	X	X	X		X	X			X	X
Defense Base Closure and Realignment Acts	X	X							X	X
Special Legislation, such as, the Military Construction Authorization/Appropriation Acts	X	X							X	
Requirement/policy on minimum sales price			X							
Right of redemption (state laws)	X			X				X		X
Judicial forfeiture requirement			X							
Federal Acquisition Regulation System	X	X	X					X	X	X
Principles of Intergovernmental Tax Immunity										
Intergovernmental Review of Federal Programs										
Uniform Relocation and Real Property Acquisition Policies Act										
Agricultural Credit Act								X		
Food, Agriculture, Conservation and Trade Act								X		
Atomic Energy Act					X					
Atomic Energy Community Act					X					
Bonneville Project Act					X					

HUD/CPD	HUD/MFH	HUD/PIH	Marshall Service	Navy	NCUA	Postal Service	RTC	SBA	VA
					X			X	X
X		X	X	X	X	X	X	X	
X	X	X		X	X			X	X
X									
							X		
X				X				X	
				X					
				X					
			X				X		
			X		X			X	X
			X						
X	X	X	X	X					X
			X						
				X					
X									

Category	Air Force	Army	Customs	EDA	Energy	EPA	FDIC	FmHA	GSA	HUD/SFH
Federal Nonnuclear Energy Research and Development Act					X					
Energy Policy and Conservation Act					X					
Small Business Act										
Small Business Investment Act										

*FDIC indicated when acting as a receiver these laws apply to the same extent they apply to private entities.

HUD/CPD	HUD/MFH	HUD/PIH	Marshall Service	Navy	NCUA	Postal Service	RTC	SBA	VA
								X	
								X	

**IMPACT OF LAWS, PROGRAMS, AND EXECUTIVE ORDERS
ON AGENCIES' DISPOSITION EFFORTS**

Category	Agencies Indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Homeless laws/programs						
Stewart B. McKinney Homeless Assistance Act	Air Force Army Customs Service Energy EPA GSA HUD/SFH HUD/CPD Navy			X	X	X
HUD's Homeless Lease with Option to Purchase program	HUD/SFH HUD/CPD			X	X	
HUD's Homeless Sales Program	HUD/SFH			X		
HUD's Supportive Housing Demonstration Program	HUD/SFH HUD/CPD			X		X
FmHA's Homeless Lease Program	FmHA			X		
FmHA's Homeless Purchase Program	FmHA		X			
Housing Assistance for Homeless Veterans	VA			X		
VA's Compensated Work Therapy/Therapeutic Transitional Housing Program	VA			X		
RTC's Conveyance Program	RTC	X				
DOD's Shelter for the Homeless Program	Air Force Army Navy			X X	X	
Affordable housing programs						
RTC's Affordable Housing Disposition Program	RTC	X				
FDIC's Affordable Housing Program	FDIC*					

*An agency official stated that the program is too new to assess.

Category	Agencies indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Environmental laws/programs/executive orders						
National Environmental Policy Act	Air Force Army Customs Service EDA Energy EPA FmHA GSA HUD/SFH HUD/CPD HUD/MFH HUD/PIH Marshals Service Navy Postal Service SBA VA			X	X	X
Safe Drinking Water Act	Air Force Army Customs Service Energy EPA FmHA FDIC HUD/CPD Navy NCUA Postal Service			X X X X X X X X X	X	
Comprehensive Environmental Response, Compensation, and Liability Act	Air Force Army Customs Service EDA Energy EPA FmHA FDIC GSA HUD/SFH HUD/CPD HUD/PIH Marshals Service Navy NCUA Postal Service SBA			X X X X X X X X X	X X X X X X X	X X X X

Category	Agencies indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Resource, Conservation, and Recovery Act	Air Force Army Customs Service EDA Energy EPA FmHA FDIC GSA HUD/CPD HUD/PIH Navy NCUA Postal Service SBA			X X X X X X	X X X X X X	 X X
Water Quality Planning and Management Programs	Air Force Army Customs Service Energy EPA FmHA GSA HUD/CPD Navy NCUA SBA			X X X X X X X	 X X X X	
Farmland Protection Policy Act	Air Force Army Energy EPA FmHA GSA HUD/CPD Navy NCUA Postal Service			 X X X X X	X X X X X	
Coastal Zone Management Act	Air Force Army Energy EPA FmHA GSA HUD/CPD HUD/PIH Navy NCUA Postal Service SBA			 X X X X X	X X X X X X	X

Category	Agencies indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Floodplain Management	Air Force Army Customs Service Energy EPA FmHA GSA HUD/SFH HUD/CPD HUD/PIH Marshals Service Navy NCUA Postal Service SBA			X X X X X X X	X X X X X X X	X
Endangered Species Act	Air Force Army Energy EPA FmHA FDIC GSA HUD/CPD HUD/PIH Navy NCUA Postal Service			X X X X X	X X X X X	X X
Wild and Scenic Rivers Act	Air Force Energy EPA FmHA GSA HUD/CPD HUD/PIH Navy NCUA Postal Service			X X X X X	X X X X	X
Flood Disaster Protection Act	Army Energy EPA FmHA GSA HUD/SFH HUD/CPD HUD/PIH Navy NCUA SBA VA			X X X X X X X	X X X X	

Category	Agencies indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Clean Water Act (Federal Water Pollution Control Act)	Air Force Army EDA Energy EPA FmHA FDIC GSA HUD/CPD HUD/PIH Navy NCUA Postal Service SBA			X X X X X X X X X X X X	X X X X X X	X
Clean Air Act	Air Force Army Customs Service EDA Energy EPA FmHA FDIC GSA HUD/CPD HUD/PIH Navy NCUA Postal Service SBA			X X X X X X X X X X X	X X X X X X X X	
Toxic Substances Control Act	Air Force Army EDA Energy FmHA FDIC GSA HUD/CPD Navy Postal Service			X X X X X X X X X	X X X X	
Coastal Barrier Resources Act	Air Force Army EPA Energy FmHA GSA HUD/CPD HUD/PIH Marshals Service Navy NCUA SBA VA			X X X X X X X X X X X X	X X X X X X X	

Category	Agencies indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Coastal Barrier Improvement Act	FDIC RTC		X	X		
Robert T. Stafford Disaster Relief and Emergency Assistance Act	Energy HUD/SFH NCUA SBA VA			X X X X X		
Protection of Wetlands	Air Force Army Customs Service EDA Energy EPA FmHA GSA HUD/CPD HUD/PIH Marshals Service Navy NCUA Postal Service SBA			X X X X	X X X X X X X X	X X X
Lead-Based Paint Poisoning Prevention Act	Army FDIC FmHA GSA HUD/SFH HUD/CPD HUD/MFH HUD/PIH Navy NCUA SBA VA			X X	X X X X X X	X X X X
Noise Control Act	HUD/CPD				X	
Archeological Resources Protection Act	Navy			X		
Other laws/programs						
Federal Property and Administrative Services Act	Air Force Army Customs Service EPA Energy GSA HUD/SFH HUD/CPD Navy SBA		X X X	X X X X X		X X

Category	Agencies indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Defense Base Closure and Realignment Acts	Air Force Army GSA HUD/SFH Navy		X	X X		X X
Special Legislation, such as, the Military Construction Authorization/ Appropriation Acts	Air Force Army GSA Navy	X	X X			X
Requirement/policy on minimum sales price	Customs Service Marshals Service RTC	X	X	X		
Right of redemption (state laws)	Air Force EDA FmHA HUD/SFH Marshals Service NCUA SBA VA			X X	X X X	X X
Judicial forfeiture requirement	Customs Service Marshals Service	X		X		
Federal Acquisition Regulation System	Air Force Army Customs FmHA GSA HUD/SFH HUD/CPD HUD/MFH HUD/PIH Marshals Service Navy VA		X X	X X X X	X X X	X
Principles of Intergovernmental Tax Immunity	Marshals Service					X
Intergovernmental Review of Federal Programs	Navy				X	
Uniform Relocation and Real Property Acquisition Policies Act	HUD/CPD				X	
Agricultural Credit Act	FmHA					X
Food, Agriculture, Conservation, and Trade Act	FmHA	X				
Atomic Energy Act	Energy		X			
Atomic Energy Community Act	Energy		X			

Category	Agencies indicating coverage	Impact				
		Enhances		Neither	Detracts	
		Greatly	Somewhat		Somewhat	Greatly
Bonneville Project Act	Energy		X			
Federal Nonnuclear Energy Research and Development Act	Energy		X			
Energy Policy and Conservation Act	Energy		X			
Small Business Act	SBA			X		
Small Business Investment Act	SBA			X		

OBJECTIVE, SCOPE, AND METHODOLOGY

Our objective was to provide the House Committee on Government Operations with information on the various disposition objectives, legislative mandates, and policy requirements that have an impact on federal real property dispositions.

To accomplish this objective, we researched agency specific legislation governing real property dispositions in each of the 17 agencies authorized to dispose of real property assets. Additionally, we identified and researched non-agency-specific legislation that was also applicable to real property dispositions (e.g., the Stewart B. McKinney Homeless Assistance Act, historic preservation laws, and environmental laws). Through that research and discussions with agency officials, we identified each agency's disposition objectives and compiled a list of 42 requirements--laws, programs, and executive orders--that potentially have an impact on program operations. That information was then summarized and provided to each of the 17 agencies for review. (See app. VI for a sample of the questionnaire sent to the agencies.)

Each agency was then asked to review the information provided and indicate which of the requirements they were subject to. Each agency was also asked to review for completeness and add to the list any program requirements that we missed. Additionally, each agency was asked to assess, for each law, program, or executive order they were subject to, the impact of that requirement on their ability to meet overall disposition objectives. That process resulted in the identification of 21 additional requirements and the elimination of 4 requirements from our initial list because they were no longer applicable to program operations.

We did our work between October 1991 and May 1992 in accordance with generally accepted government auditing standards.

SAMPLE QUESTIONNAIRE ON
LAWS AND PROGRAMS THAT AFFECT REAL PROPERTY DISPOSITIONS

GAO

United States
General Accounting Office
Washington, D.C. 20548

February 14, 1992

Dear

The Senate Committee on Governmental Affairs and House Committee on Government Operations have asked that we review federal real property dispositions with a view toward exploring whether the government should continue with the current structure for disposing of properties or whether some consolidation or restructuring of those activities is desirable. As part of that work, the House Committee on Government Operations has asked that we identify the similarities and differences among the various agencies' statutory and policy requirements.

Through a variety of sources, we have compiled a list (see attachment) of the various laws and programs which may impact on real property dispositions. We are asking that you review the attached list and identify those laws and programs which you are subject to, and assess their impact on your agency's ability to meet its disposition responsibilities. We are also asking that you add to the list any other laws or programs that we may have missed.

Similar letters are being sent to each of the 18 agencies that we identified as disposing of federal real properties. Should you have any questions concerning this request please contact Ms. Shirley Bates at (202) 736-0462.

Responses should be mailed in the enclosed pre-addressed envelope within 15 days following receipt of this letter. The job code for this assignment is 246025.

Sincerely yours,

J. William Gadsby
Director, Federal
Management Issues

Enclosure

Please enter the name, title, and telephone number of a person we could follow-up with if we have any questions.

Name: _____ Title: _____ Telephone Number: (____) _____

LAWS/PROGRAMS THAT MAY IMPACT ON FEDERAL REAL PROPERTY DISPOSITIONS

Homeless Laws/Programs	Short Description	Are you subject to this law or program? <i>(Check one box for each law/program.)</i>	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? <i>(Check one box for each "Yes" response.)</i>				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Stewart B. McKinney Homeless Assistance Act	Surplus federal real property is made available to homeless assistance providers.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
HUD's Homeless Lease Program	Up to 10% of FHA's inventory of eligible single-family homes is made available for lease by homeless providers at \$1 a year.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
HUD's Direct Sales Program	Homeless providers may purchase properties at a 10% discount before the property goes on the market.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
HUD's Supportive Housing Demonstration (SHD) Program	Non-profit organizations may enter a 6 month lease/purchase option agreement while applying for a grant under the SHD program.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
FmHA's Homeless Lease Program	Certain single-family homes in rural areas may be leased for up to 10 years for a \$1 lease fee.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Homeless Laws/Programs (Continued)	Short Description	Are you subject to this law or program? (Check one box for each law/program.)	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each "Yes" response.)				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
FmHA's Homeless Purchase Program	Certain single-family homes in inventory may be sold to public bodies and nonprofit organizations for use as transitional housing for the homeless with a 10% discount.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
VA's Homeless Veterans Program	Certain VA-acquired properties may be sold to non-profit and community-based agencies at a 50% discount provided the property will be used primarily for homeless veterans and their families.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
VA's Compensated Work Therapy/Therapeutic Transitional Housing Program	VA-acquired properties may be used as transitional housing for veterans participating in a compensated work therapy program.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
RTC's Conveyance Program	Properties valued at or below \$25,000 may be conveyed to eligible applicants at no cost.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
DOD's Shelter for the Homeless Program	Military facilities are used as temporary housing.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Affordable Housing Programs	Short Description	Are you subject to this law or program? <i>(Check one box for each law/program.)</i>	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? <i>(Check one box for each "Yes" response.)</i>				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
RTC's Affordable Housing Disposition Program	RTC disposes of eligible residential properties for home ownership and rental housing opportunities to moderate, low, and very low-income families.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Urban Homesteading Program	Vacant and unrepared single-family homes are transferred to new homeowners for rehabilitation	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Low Income Housing Preservation and Resident Homeownership Act	Preserves privately-owned low-income housing projects.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Housing and Community Development Act of 1974	The secretary of HUD is authorized to transfer suitable real property to which the Secretary holds title to a local or state government, without payment, to be used in connection with an urban homestead program.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Demonstration Cities and Metropolitan Development Act of 1966	Establishes a new city demonstration program of Federal grants and technical assistance to help provide the incentive and financial means for a city to rebuild slum and blighted areas and to improve the general welfare of people who live in these areas.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Historic Preservation Laws/Programs	Short Description	Are you subject to this law or program? <i>(Check one box for each law/program.)</i>	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? <i>(Check one box for each "Yes" response.)</i>				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
National Historic Preservation Act	Requires agencies to examine properties that have historic value and take various steps to ensure protection for historic places and properties.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Archeological and Historic Preservation Act of 1974	Provides for the protection of significant scientific, prehistorical, historical or archeological data in connection with any federal, federally assisted, or federally licensed activity or program.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Protection and Enhancement of the Cultural Environment, Executive Order 11593	The Federal government shall preserve, restore, and maintain federal properties which qualify or appear to qualify for listing on the National Register of Historic Places.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Antiquities Act of 1906	The President is authorized to declare historic landmarks, structures, and other objects of historic or scientific interest situated on lands owned or controlled by the U.S. (or private citizens) to be national monuments.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Historic Preservation Laws/Programs (Continued)	Short Description	Are you subject to this law or program? (Check one box for each law/program.) 1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each "Yes" response.)					
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)	
Historic Sites Act of 1935	The Secretary of the Interior has specific enumerated powers to effectuate the national policy of preserving for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.							

Environmental Laws/Programs	Short Description	Are you subject to this law or program? (Check one box for each law/program.)	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each "Yes" response.)				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Safe Drinking Water Programs	Preserves safe public drinking water systems	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Environmental Laws/Programs (Continued)	Short Description	Are you subject to this law or program? (Check one box for each law/program.)	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each "Yes" response.)				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)	Provides a mechanism for clean-up of hazardous waste sites and imposes the cost of clean-up on those responsible for the contamination.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Solid Waste Disposal Act	Provides for the disposal of non-hazardous solid waste and the management and disposal of hazardous waste.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Water Quality Management Programs	Identifies and solves water pollution problems.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Farmland protection Policy Act	Minimizes the extent to which federal programs provide for the unnecessary conversion of farmland to non-agricultural uses.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Coastal Zone management Program	Preserves the nation's coastal zone.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Environmental Laws/Programs (Continued)	Short Description	Are you subject to this law or program? <i>(Check one box for each law/program.)</i>	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? <i>(Check one box for each "Yes" response.)</i>				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Floodplain Management Executive Order 11988	Requires federal agencies to reduce the risk of flood loss, minimize the impact of floods on human health, safety and welfare, and restore and preserve natural values served by floodplains in (1) acquiring, managing, and disposing of federal lands and facilities; (2) providing federally undertaken, financed, or assisted construction and improvements; and (3) conducting federal activities and programs affecting land use, including water and related land resources, planning, regulating, and licensing activities.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Endangered Species Program	Requires that agencies consult with the Secretary of the Interior and take appropriate action to avoid jeopardizing endangered species.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Wild and Scenic Rivers Act	Preserves selected rivers and adjacent lands as components of the national wild and scenic rivers system.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Environmental Laws/Programs (Continued)	Short Description	Are you subject to this law or program? (Check one box for each law/program.)	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each "Yes" response.)				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Flood Disaster Protection Act of 1973	Expands the National Flood Insurance Program and prohibits any federal officer from approving any financial assistance for the acquisition or construction in any area that has been identified as having special flood hazards unless the community in which the property is located is participating in the national flood insurance program.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Clean Water Act (Federal Water Pollution Control Act)	Prohibits the discharge of pollutants in navigable waters and requires that entities follow federal, state, and local requirements in connection with handling such pollutants.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Clean Air Act	Controls sources of air pollution by establishing primary and secondary air quality standards for hazardous pollutants.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Toxic Substance Control Act	Requires manufacturers of chemicals to conduct certain tests and to provide information concerning properties, intended use, and marketing to the EPA.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Environmental Laws/Programs (Continued)	Short Description	Are you subject to this law or program? (Check one box for each law/program.)	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each "Yes" response.)				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Coastal Barrier Resources Act	Protects undeveloped coastal barrier areas by limiting federal expenditures or financial assistance which have the effect of encouraging development of lands within the coastal barrier systems and requires the Secretary of the Interior to monitor the events within the coastal barriers and make recommendations to Congress to protect these areas.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Robert T. Stafford Disaster Relief and Emergency Assistance Act	Amends the Disaster Relief Act of 1974 to revise the definition of emergency under the act; increases the amount that may be authorized for grants to states for plans for disaster preparedness programs; requires the President to establish comprehensive standards to assess the efficiency and effectiveness of major disasters and emergency assistance programs under this act; establishes penalties for the misuse of funds and the violation of provisions under this act; and directs the President to conduct audits and investigations to assure compliance with the act.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Environmental Laws/Programs (Continued)	Short Description	Are you subject to this law or program? (Check one box for each law/program.)	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each "Yes" response.)				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Protection of Wetlands Executive Order 11990	Requires federal agencies to minimize destruction, loss, or degradation of wetlands in (1) acquiring, managing, and disposing of federal land and facilities; (2) provides federally undertaken financed or assisted construction and improvement; and (3) conducting federal activities and programs affecting land use, including water and related land resources planning, regulating, and licensing activities.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Lead Base Paint Poisoning Prevention Act	Authorized the Secretary of HUD to establish and implement procedures to eliminate the hazards of lead based paint poisoning in all federally owned properties when their use is intended for residential habitation.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Other Laws/Programs	Short Description	Are you subject to this law or program? <i>(Check one box for each law/program.)</i>	If yes, does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? <i>(Check one box for each "Yes" response.)</i>				
			Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
Federal Property and Administrative Services Act of 1949, as amended	Provides for the acquisition, management, and disposal of government property.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Base Closure and Realignment Acts of 1990	Provides for the selection, closure, and realignment of military installations and for disposing of excess/surplus real property located at military installations closed or realigned under this act.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Special Legislation (for example, Military Construction Act)	Authorizes acquisition of real property and new construction at designated military installations.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
RTC policy on recovery value in distressed markets	Property not sold below 95% of market value.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					
Right of Redemption (State Laws)	Gives appropriate parties the right to redeem property after a foreclosure sale in the manner prescribed by statute.	1. <input type="checkbox"/> Yes 2. <input type="checkbox"/> No					

Other Laws/Programs (Continued)	Short Description	Does your agency's compliance with this law/program enhance, have no effect, or detract from its ability to meet its disposition responsibilities? (Check one box for each law/program that you entered.)				
		Enhances greatly (1)	Enhances somewhat (2)	Neither enhances nor detracts (3)	Detracts somewhat (4)	Detracts greatly (5)
_____	_____					
_____	_____					
_____	_____					
_____	_____					
_____	_____					
_____	_____					
_____	_____					
_____	_____					

Thank you for your assistance. Please return your completed questionnaire in the pre-addressed envelope.

MAJOR CONTRIBUTORS TO THIS FACT SHEET

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