

112TH CONGRESS
2^D SESSION

H. R. 6238

To amend title 39, United States Code, to authorize the United States Postal Service to sell, at fair market value, any post office building subject to relocation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2012

Mrs. DAVIS of California (for herself, Mr. BILBRAY, and Mr. FILNER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 39, United States Code, to authorize the United States Postal Service to sell, at fair market value, any post office building subject to relocation, 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 “Community Post Office
5 Relocation Act”.

1 **SEC. 2. SALE OF POST OFFICE BUILDINGS SUBJECT TO RE-**
2 **LOCATION.**

3 (a) IN GENERAL.—Chapter 4 of title 39, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 417. Authority to sell buildings containing post of-**
7 **fices subject to relocation**

8 “(a) In addition to the authority provided under sec-
9 tion 401(5), the Postal Service may sell, at fair market
10 value, to an eligible buyer fee simple title to a covered post
11 office building.

12 “(b)(1) Beginning on the date on which the Postal
13 Service makes an announcement, as described in para-
14 graph (2), that a covered post office building is for sale,
15 an eligible buyer shall have 30 days to make an offer to
16 the Postal Service for the purchase of such building.

17 “(2) The announcement under paragraph (1) shall be
18 posted prominently in a publicly accessible space in the
19 covered post office building subject to sale.

20 “(c)(1) The Postal Service shall enter into negotia-
21 tions for the sale of such building with the eligible buyer
22 that submits the first offer, as determined by postmark
23 date, during such 30-day period. If such negotiations fail,
24 then the Postal Service shall enter into negotiations for
25 sale with each subsequent eligible buyer, as determined by
26 postmark date, that submits an offer during such 30-day

1 period until a sale is made or until all such eligible buyers
2 are exhausted.

3 “(2) If an offer under paragraph (1) is for the fair
4 market value of such building, and all other relevant con-
5 ditions have been met with respect to making a successful
6 sale within 45 days after the postmark date of such offer,
7 the Postal Service shall sell such building to such buyer.

8 “(3) The fair market value of a post office building
9 sold by the Postal Service under this section shall be deter-
10 mined by an independent professional appraiser, licensed
11 within the State in which such building is located, mutu-
12 ally agreed upon by the Postal Service and the eligible
13 buyer.

14 “(d)(1) After the sale of a covered post office building
15 to an eligible buyer under this section, the Postal Service
16 may lease, at fair market value, such building from such
17 buyer for purposes of operating a post office in such build-
18 ing.

19 “(2) If the Postal Service does not require all of the
20 space in such building while operating a post office pursu-
21 ant to paragraph (1), the eligible buyer may use the re-
22 maining space for any purpose permitted under Federal,
23 State, or local law or regulation.

24 “(e) If an eligible buyer makes a covered post office
25 purchased under this section available for sale, the Postal

1 Service shall have the right of first refusal to purchase
2 such building at fair market value or at the price of such
3 purchase plus any improvements, whichever is less.

4 “(f) For purposes of this section—

5 “(1) the term ‘covered post office building’
6 means a building owned by the Postal Service that
7 contains a post office subject to relocation (as that
8 term is described in section 241.4 of title 39, Code
9 of Federal Regulations); and

10 “(2) the term ‘eligible buyer’ means a private
11 organization—

12 “(A) that is described in section 501(c)(3)
13 of the Internal Revenue Code of 1986 and ex-
14 empt from taxation under section 501(a) of
15 such Code;

16 “(B) that operates primarily within the ge-
17 ographic area served by a covered post office
18 building subject to sale under this section; and

19 “(C) that has been in operation within
20 such area for at least 5 years prior to the date
21 on which the announcement of the sale of the
22 building is made (as described in subsection
23 (b)(1)).”.

24 (b) TECHNICAL AMENDMENT.—The table of sections
25 of chapter 4 of title 39, United States Code, is amended

- 1 by adding after the item relating to section 416 the fol-
- 2 lowing new item:

“417. Authority to sell buildings containing post offices subject to relocation.”.

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