

118TH CONGRESS
1ST SESSION

H. R. 6241

To require certain data collection and reporting on space utilization, occupancy, and availability of office space leased by an Executive agency.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2023

Mr. EDWARDS (for himself and Ms. PEREZ) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require certain data collection and reporting on space utilization, occupancy, and availability of office space leased by an Executive agency.

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 “Federal Use it or Lose
5 it Leases Act” or the “FULL Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ACTUAL UTILIZATION.**—The term “actual
9 utilization” means the percentage of capacity used
10 based on the space utilization rate.

1 (2) CAPACITY.—The term “capacity” means a
2 usable office space calculated by the square feet of
3 such space divided by 150.

4 (3) EXECUTIVE AGENCY.—The term “Executive
5 agency” has the meaning given the term in section
6 105 of title 5, United States Code.

7 (4) FEDERAL TENANT.—The term “Federal
8 tenant”—

9 (A) means an Executive agency that has
10 an occupancy agreement with the Administrator
11 of General Services to occupy a commercial
12 lease for office space secured by the Adminis-
13 trator on behalf of the Federal Government;
14 and

15 (B) does not include an element of the in-
16 telligence community.

17 (5) INTELLIGENCE COMMUNITY.—The term
18 “intelligence community” has the meaning given
19 that term in section 3 of the National Security Act
20 of 1947 (50 U.S.C. 3003).

21 (6) OCCUPANCY.—The term “occupancy”
22 means the total number of employees performing his
23 or her duties in-person, in office space, at least 5
24 days per week on a recurring basis.

1 (7) SPACE UTILIZATION RATE.—The term
2 “space utilization rate” means total usable square
3 feet divided by occupancy.

4 **SEC. 3. REPORTING OF SPACE UTILIZATION AND OCCU-**
5 **PANCY DATA FOR OFFICE SPACE.**

6 An occupancy agreement between the Administrator
7 of General Services and a Federal tenant for office space
8 shall—

9 (1) include language that requires the Federal
10 tenant to submit to the Administrator an annual re-
11 port for the duration of the agreement containing
12 data on—

13 (A) monthly total occupancy of such office
14 space;

15 (B) the actual utilization of such office
16 space;

17 (C) monthly space utilization rates; and

18 (D) any other office space utilization data
19 considered important by the Administrator; and

20 (2) include language that requires the Federal
21 tenant to have written procedures in place governing
22 the return of office space to the Administrator if the
23 occupancy of the Federal tenant falls below a 60
24 percent space utilization rate for 6 months within

1 any 1-year period, beginning on the date on which
2 the agreement takes effect.

3 **SEC. 4. REQUIREMENTS FOR FEDERAL AGENCIES WITH**
4 **INDEPENDENT LEASING AUTHORITIES.**

5 The head of any agency with independent leasing au-
6 thorities with leases for office space shall submit to the
7 Committee on Transportation and Infrastructure of the
8 House of Representatives, the Committee on Environment
9 and Public Works of the Senate, and each congressional
10 committee of jurisdiction of the applicable independent
11 leasing authority an annual report for the duration of such
12 agreement containing data on—

- 13 (1) monthly total occupancy of the office space;
14 (2) the actual utilization of such office space;
15 (3) monthly space utilization rates; and
16 (4) any other office space utilization data con-
17 sidered important for collection by Congress.

18 **SEC. 5. EXCEPTIONS TO REPORTING AND OCCUPANCY**
19 **AGREEMENT REQUIREMENTS.**

20 This Act shall not apply to properties used by an ele-
21 ment of the intelligence community.

22 **SEC. 6. APPLICABILITY.**

23 The requirements of this Act shall apply to any occu-
24 pancy or novation agreement entered into on or after the

1 date that is 6 months after the date of enactment of this
2 Act.

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