

FEDERAL USE IT OR LOSE IT LEASES ACT

NOVEMBER 26, 2024.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRAVES of Missouri, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 6241]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 6241) to require certain data collection and reporting on space utilization, occupancy, and availability of office space leased by an Executive agency, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE OF LEGISLATION

The purpose of H.R. 6241, *the Federal Use it or Lose it Leases (FULL) Act*, is to require certain data collection and reporting on

space utilization, occupancy, and availability of office space leased by an Executive agency.

BACKGROUND AND NEED FOR LEGISLATION

The General Services Administration (GSA) currently manages 8,800 owned and leased assets, totaling over 370 million square feet, and 500 historic buildings.¹ Of the 370 million square feet, 181 million is in leased space, which is comprised of over 6,659 buildings and costs more than six billion dollars per year.² While GSA continues to reduce the amount of leased space, more than half of GSA's operating leases (96 million square feet) will expire in the next five years.³

Currently, office occupancy in the Washington, D.C., metro area is still below 54 percent of pre-pandemic levels.⁴ Additionally, 30 percent of the Federal workforce is expected to be eligible to retire this year.⁵ There have also been increasing reports of “shadow” or “dark” space in Federal buildings and leases—unassigned, unused space.⁶ The concerns about “shadow” or “dark” space were further emphasized during the Committee on Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management's Roundtable on “*The State of Federal Real Estate*,” held on March 22, 2023, where participants noted that 30 percent of Federal employees plan to retire within the next five years and nearly 30 percent of Federal employees with remote work agreements live outside their assigned region.⁷

During the 117th Congress, the Committee requested the Government Accountability Office (GAO) conduct a study on office space utilization rates across the 24 Chief Financial Officer (CFO) agency headquarters to better understand how the Federal government is utilizing its real estate portfolio.⁸ In order to assess space utilization, GAO collected building size and attendance data from all 24 agencies for one week each in January, February, and March of 2023. Utilization was then calculated by dividing in-office attendance by the building's useable square footage or capacity.⁹ GAO found that on average, 17 of the 24 CFO agency headquarters were at 25 percent or less utilization.¹⁰ GAO found the headquarters buildings for certain agencies, including GSA, the Depart-

¹ Press Release, GSA, *Nina M. Albert Appointed Commissioner of GSA's Public Buildings Service*, (July 6, 2021), available at <https://www.gsa.gov/about-us/newsroom/news-releases/nina-m-albert-appointed-commissioner-of-gsas-public-buildings-service-07062021>.

² GSA, *Inventory of GSA Owned and Leased Properties*, (Last reviewed Sept. 9, 2022), available at <https://www.gsa.gov/tools-overview/buildings-and-real-estate-tools/inventory-of-gsa-owned-and-leased-properties>.

³ *Id.*

⁴ Bailey McConnel, *Chart of the Week: Office Occupancy Rates and Remote Work*, D.C. POLICY CENTER, (Feb. 24, 2023), available at <https://www.dcpolicycenter.org/publications/office-occupancy-remote-work-dc/>.

⁵ Angie Petty, *2023 Workforce Federal Contracting Trends to Watch*, GovWIN, (Dec. 7, 2022), available at <https://iq.govwin.com/neo/marketAnalysis/view/2023-Workforce-Federal-Contracting-Trends-to-Watch/6981?researchTypeId=1&researchMarket>.

⁶ GSA, *Unused & Underused Space*, (Last reviewed Mar. 4, 2022), available at <https://www.gsa.gov/real-estate/gsa-properties/unused-underused-space>.

⁷ *The State of Federal Real Estate: Roundtable Before the Subcomm. on Economic Development, Public Buildings, and Emergency Management of the H. Comm. on Transp. and Infrastructure*, 118th Cong., (Mar. 22, 2023).

⁸ Letter from Peter DeFazio, Chairman, H. Comm. on Transp. and Infrastructure, et. al. to Gene Dodaro, Comptroller General, GAO (Nov. 10, 2021) (on file with Comm.).

⁹ Briefing from Staff, GAO, to Staff, H. Comm. on Transp. and Infrastructure (June 26, 2023, 11:00 AM EST).

¹⁰ GAO, GAO-24-107006, FEDERAL REAL PROPERTY: AGENCIES NEED NEW BENCHMARKS AND SHED UNDERUTILIZED SPACE (2023) available at <https://www.gao.gov/assets/d24107006.pdf>.

ment of Agriculture, the Department of Housing and Urban Development, the Office of Personnel Management, the Small Business Administration, and the Social Security Administration were as low as a nine percent space utilization.¹¹

HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 118th Congress, the following hearing was used to develop or consider H.R. 6241:

On July 13, 2023, the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure held a hearing entitled, “*When the Lights Are On but No One’s Home: An Examination of Federal Office Space Utilization.*” The hearing discussed Federal real estate, including office space utilization. The Subcommittee received testimony from Ms. Nina Albert, Commissioner, Public Buildings Service, GSA; and Mr. David Marroni, Acting Director, Physical Infrastructure, GAO.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 6241 was introduced in the United States House of Representatives on November 6, 2023, by Mr. Edwards of North Carolina, and referred to the Committee on Transportation and Infrastructure. Within the Committee on Transportation and Infrastructure, H.R. 6241 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management. The Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 6241 on November 15, 2023.

The Committee considered H.R. 6241 on November 15, 2023, and ordered the measure to be reported to the House with a favorable recommendation, without amendment, by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

No record votes were requested during consideration of H.R. 6241.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974* has been timely

¹¹*Id.*

submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the enclosed cost estimate for H.R. 6241 from the Director of the Congressional Budget Office:

The Congressional Budget Act of 1974 requires the Congressional Budget Office, to the extent practicable, to prepare estimates of the budgetary effects of legislation ordered reported by Congressional authorizing committees. In order to provide the Congress with as much information as possible, the attached table summarizes information about the estimated direct spending and revenue effects of some of the legislation that has been ordered reported by the House Committee on Transportation and Infrastructure during the 118th Congress. The legislation listed in this table generally would have small effects, if any, on direct spending or revenues, CBO estimates. Where possible, the table also provides information about the legislation's estimated effects on spending subject to appropriation and on intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act.

ESTIMATED BUDGETARY EFFECTS AND MANDATES INFORMATION

Bill number	Title	Status	Last action	Budget function	Direct spending, 2025-2034	Revenues, 2025-2034	Spending subject to appropriation, 2025-2029	Pay-as-you-go procedures apply?	Budgetary effects after 2034	Mandates	Contact
H.R. 1586	Forest Protection and Wildland Fire-fighter Safety Act of 2023. H.R. 1586 would authorize federal, state, local, and tribal firefighting agencies to use approved fire retardants to prevent and suppress wildfires without first obtaining a National Discharge Elimination System permit. The bill also would prohibit state courts from issuing injunctions against state or tribal entities' dispersal of aerial fire retardants as part of wildfire suppression or control. CBO estimates that enacting H.R. 1586 would not affect direct spending or revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) that would not exceed the annual threshold established in UMRA (\$100 million in 2024, adjusted annually for inflation). The bill contains no private-sector mandates as defined in UMRA.	Ordered reported	11/15/23	300	0	0	Not estimated	No	No	Yes	Lilia Ledezma
H.R. 1720	Ocean Pollution Reduction Act II H.R. 1720 would allow the Point Loma Wastewater Treatment Plant in San Diego, California, to discharge water without applying for an exemption from the secondary treatment standards of the National Pollutant Discharge Elimination System if plant meets certain conditions specified in the bill. CBO estimates that enacting H.R. 1720 would not affect direct spending or revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.	Ordered reported	09/18/24	300	0	0	Not estimated	No	No	No	Aurora Swanson
H.R. 2892	WARN Act	Ordered reported	09/18/24	800	0	0	Between zero and \$500,000	No	No	No	Matthew Pickford
H.R. 3149	A bill to designate United States Route 20 in the States of Oregon, Idaho, Montana, Wyoming, Nebraska, Iowa, Illinois, Indiana, Ohio, Pennsylvania, New York, and Massachusetts as the "National Medal of Honor Highway," and for other purposes. H.R. 3149 would designate U.S. Route 20 as the National Medal of Honor Highway. CBO estimates that enacting H.R. 3149 would not affect direct spending or revenues. CBO estimates that implementing the bill would increase spending subject to appropriation by less than \$500,000 over the 2025-2029 period. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.	Ordered reported	09/18/24	400	0	0	Between zero and \$500,000	No	No	No	Kelly Durand
H.R. 3988	ARTICLE ONE Act	Ordered reported	09/18/24	800	Between -\$500,000 and zero	0	Not estimated	Yes	No	No	Kelly Durand

ESTIMATED BUDGETARY EFFECTS AND MANDATES INFORMATION—Continued

Bill number	Title	Status	Last action	Budget function	Direct spending, 2025–2034	Revenues, 2025–2034	Spending subject to appropriation, 2025–2029	Pay-as-you-go procedures apply?	Budgetary effects after 2034	Mandates	Contact
H.R. 4043	H.R. 4043, a bill to amend the Save Our Seas 2.0 Act to expand eligibility for certain wastewater infrastructure grants, and for other purposes.	Ordered reported	09/18/24	300	0	0	Not estimated	No	No	No	Aurora Swanson
H.R. 6241	H.R. 6241 would expand eligibility for certain wastewater infrastructure grants administered by the Environmental Protection Agency. CBO estimates that enacting H.R. 4043 would not affect direct spending or revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.	Ordered reported	11/15/23	800	Between zero and \$500,000	0	Not estimated	No	No	No	Matthew Pickford
H.R. 6984	A bill to designate the Federal building located at 300 E. 3rd Street in North Platte, Nebraska, as the "Virginia Smith Federal Building," and for other purposes.	Ordered reported	09/18/24	800	0	0	Between zero and \$500,000	No	No	No	Matthew Pickford
H.R. 7671	H.R. 6984 would designate the federal building located at 300 E. 3rd Street in North Platte, Nebraska, as the Virginia Smith Federal Building. CBO estimates that enacting H.R. 6984 would not affect direct spending or revenues. CBO estimates that implementing the bill would increase spending subject to appropriation by less than \$500,000 over the 2025–2029 period. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.	Ordered reported	09/25/24	450	0	0	Not estimated	No	No	No	Jon Speri

Bill Number	Bill Title	Ordered reported	09/18/24	300	Between zero and \$500,000	0	Not estimated	Yes	Insignificant	No	Aurora Swanson
H.R. 7779	Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024	Ordered reported	09/18/24	300	Between zero and \$500,000	0	Not estimated	Yes	Insignificant	No	Aurora Swanson
H.R. 7779	<p>H.R. 7779 would allow state and local governments that receive disaster assistance from the Federal Emergency Management Agency to repurpose unused funds that originally were allocated for management costs. State and local governments could use the funds to increase their administrative capacity to prepare for, recover from, or mitigate the effects of disasters. Under current law, unused funds are returned to the Disaster Relief Fund. Under the bill, those governments could retain unused funds for up to five years for disasters that are declared on or after the bill's enactment date. CBO estimates that enacting H.R. 7671 would not affect direct spending or revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>										
H.R. 7779	Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024	Ordered reported	09/18/24	300	Between zero and \$500,000	0	Not estimated	Yes	Insignificant	No	Aurora Swanson
H.R. 8505	Household Goods Shipping Consumer Protection Act.	Ordered reported	09/18/24	400	Between zero and \$500,000	0	Not estimated	Yes	No	No	Zunara Naeem
H.R. 8505	<p>H.R. 7779 would establish a Good Samaritan pilot program and authorize the Environmental Protection Agency to issue permits for projects to remediate mine residue at abandoned hardrock mine sites. The bill would establish a remediation fund for federal agencies to administer projects carried out by Good Samaritans (entities that are not current owners or operators of an abandoned site) had no role in the creation of the mine residue; and are not potentially liable under any law for the remediation, treatment, or control of the mine residue). The spending would be funded by appropriations and by deposits from nonfederal sources, such as donations, agreements for long-term operations and maintenance costs, and insurance proceeds if a Good Samaritan fails to complete a project. The bill also would waive the applicability of all other laws with respect to the use of the fund, including the Antideficiency Act, which could allow amounts to be obligated before expected deposits into the fund are received. However, CBO expects that spending of any such advance obligations would be constrained by amounts ultimately deposited into the fund. On that basis, CBO estimates that enacting H.R. 7779 would increase net direct spending by less than \$300,000 over the 2025-2034 period and have no effect on revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>										
H.R. 8505	Household Goods Shipping Consumer Protection Act.	Ordered reported	09/18/24	400	Between zero and \$500,000	0	Not estimated	Yes	No	No	Zunara Naeem
H.R. 8505	<p>H.R. 8505 would allow the Federal Motor Carrier Safety Administration to assess penalties for entities that illegally ship household goods. The bill also would allow states to enforce and collect fines on such entities. As a result, CBO estimates that enacting H.R. 8505 could increase revenues because those penalties are recorded in the budget as revenues. Because the number of entities affected is likely to be small, CBO estimates that the increase in revenues would be less than \$500,000 over the 2025-2034 period. CBO estimates that enacting the bill would have no effect on direct spending. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>										
H.R. 8530	Improving Federal Building Security Act of 2024.	Ordered reported	09/18/24	800	Between zero and \$500,000	0	Not estimated	Yes	No	No	Matthew Pickford
H.R. 8530	<p>H.R. 8530 would require federal agencies to respond within 90 days to recommendations by the Federal Protective Service, within the Department of Homeland Security (DHS), concerning building security. Agencies could adopt or reject those recommendations but would need to explain their rejections. The bill would require DHS to track recommendations and responses and to report annually to the Congress concerning all recommendations. Enacting H.R. 8530 could increase direct spending by some agencies that are allowed to use fees, receipts from the sale of goods, and other collections to cover operating costs. CBO estimates that any net changes in direct spending by those agencies would be negligible because most of them can adjust amounts collected to reflect changes in operating costs. CBO estimates that enacting H.R. 8530 would have no effect on revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>										
H.R. 8692	The Amtrak Transparency and Accountability for Passengers and Taxpayer Act.	Ordered reported	09/18/24	400	0	0	0	No	No	Yes	Zunara Naeem
H.R. 8692	<p>H.R. 8692 would require Amtrak to hold open meetings in accordance with current requirements for most federal agencies. Because Amtrak is considered a nonfederal entity, CBO estimates that enacting H.R. 8692 would have no effect on the federal budget. The bill would impose a private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) that would not exceed the annual threshold established in UMRA (\$200 million in 2024, adjusted annually for inflation). The bill contains no intergovernmental mandates as defined in UMRA.</p>										
H.R. 8995	Baby Changing on Board Act	Ordered reported	09/18/24	400	0	0	0	No	No	Yes	Kelly Durand

ESTIMATED BUDGETARY EFFECTS AND MANDATES INFORMATION—Continued

Bill number	Title	Status	Last action	Budget function	Direct spending, 2025–2034	Revenues, 2025–2034	Spending subject to appropriation, 2025–2029	Pay-as-you-go procedures apply?	Budgetary effects after 2034	Mandates	Contact	
	<p>H.R. 8995 would require Amtrak trains purchased after the bill's enactment to include baby-changing tables in all train restrooms that are subject to the requirements of the Americans With Disabilities Act of 1990. Because Amtrak is considered a nonfederal entity, CBO estimates that enacting H.R. 8995 would have no effect on the federal budget. The bill would impose a private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) that would not exceed the threshold established in UMRA (\$200 million in 2024, adjusted annually for inflation). The bill contains no intergovernmental mandates as defined in UMRA.</p>											
H.R. 9024	Extreme Weather and Heat Response Modernization Act.	Ordered reported	09/18/24	450	0	0	Not estimated	No	No	No	Jon Sperl	
	<p>H.R. 9024 would require the Federal Emergency Management Agency (FEMA) to issue guidance for disaster relief programs concerning extreme-temperature events and to consider innovative preparedness and mitigation projects for such disasters in its grantmaking. The bill also would require FEMA to convene an advisory panel to review the definition of incident periods for extreme-temperature events and to issue regulations revising those periods. Finally, the bill would require FEMA to study the effects of extreme-temperature disasters, develop guidance and best practices for responding to such events, and report to the Congress. CBO estimates that enacting H.R. 9024 would not affect direct spending or revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>											
H.R. 9313	Think Differently About Building Accessibility Act.	Ordered reported	09/18/24	800	0	0	Between zero and \$500,000	No	No	No	Matthew Pickford	
	<p>H.R. 9313 would direct the Government Accountability Office to report to the Congress concerning accessibility for people with disabilities in all office buildings controlled by the General Services Administration. CBO estimates that enacting H.R. 9313 would not affect direct spending or revenues. CBO estimates that implementing the bill would increase spending subject to appropriation by less than \$500,000 over the 2025–2029 period. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>											
H.R. 9541	POWER Act of 2024	Ordered reported	09/18/24	450	0	0	Not estimated	No	No	No	Jon Sperl	
	<p>H.R. 9541 would authorize electric utilities that receive disaster assistance from the Federal Emergency Management Agency for emergency power restoration to implement mitigation activities as part of power restoration. Those actions would not disqualify utilities from receiving mitigation assistance under the Public Assistance Program. CBO estimates that enacting H.R. 9541 would not affect direct spending or revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>											
H.R. 9591	A bill to require the Administrator of General Services to sell certain property related to United States Penitentiary, Leavenworth, and for other purposes.	Ordered reported	09/18/24	800	Between -\$500,000 and zero	0	Not estimated	No	No	No	Emma Uebelhor	
	<p>H.R. 9591 would require the General Services Administration (GSA) to sell any property in the State of Missouri associated with the Federal Correctional Institution, Leavenworth, which is located in Kansas. Net proceeds from the sale would be deposited into the Federal Buildings Fund and recorded in the budget as offsetting receipts (that is, as reductions in direct spending). Using information from GSA, CBO estimates that the property could be sold for about \$500,000; therefore, CBO estimates that enacting H.R. 9591 would decrease direct spending by an insignificant amount. CBO estimates that enacting the bill would not affect revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.</p>											
H.R. 9750	Natural Disaster Recovery Program Act of 2024.	Ordered reported	09/25/24	450	0	0	Not estimated	No	No	No	Jon Sperl	

H.R. 9750 would create a Natural Disaster Recovery Fund, to be administered by the Federal Emergency Management Agency, from which the agency would make grants to state and tribal governments to cover unmet needs following major disasters. Those governments would determine how funds are spent. The bill also would expand the availability of disaster assistance for housing repairs and require several reports related to disaster recovery programs. CBO estimates that enacting H.R. 9750 would not affect direct spending or revenues. CBO has not estimated the bill's effects on spending subject to appropriation. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to require certain data collection and reporting on space utilization, occupancy, and availability of office space leased by an Executive agency.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 6241 establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED
TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the *Unfunded Mandates Reform Act* (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the *Congressional Budget Act of 1974* requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 6241 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the definition of Section 5(b) of the appendix to Title 5, United States Code, are created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the *Congressional Accountability Act* (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides the Act may be cited as the “*Federal Use it or Lose it Leases Act*” or the “*FULL Act*”.

Section 2. Definitions

This section establishes definitions for the terms included in the bill. The definition for occupancy ensures the methodologies used consider a five-day work week. The language is not intended to imply only those employees performing in-house duties five days a week are counted, rather in counting space usage the presumption shall be agencies operate at least five days a week.

Section 3. Reporting of space utilization and occupancy data for office space

This section states that any occupancy agreement between the Administrator of GSA and a Federal tenant for office space shall include language that requires the Federal tenant to submit to the Administrator an annual report for the duration of the agreement.

The annual report shall contain the following data: monthly total occupancy of the office space, the actual utilization of such office space, monthly space utilization rates, and any other office space utilization data considered important by the Administrator.

The occupancy agreement must include language that requires the Federal tenant to have written procedures in place governing the return of office space to the Administrator if the occupancy of the Federal tenant falls below a 60 percent space utilization rate for six months within any one-year period, beginning on the date on which the agreement takes effect.

Section 4. Requirements for Federal agencies with independent leasing authorities

This section requires the head of any agency with independent leasing authorities with leases for office space to submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and each Congressional committee of jurisdiction of the applicable independent leasing authority an annual report for the duration of such agreement.

The annual report shall contain the following data: monthly total occupancy of the office space, the actual utilization of such office space, monthly space utilization rates, and any other office space utilization data considered important for collection by Congress.

Section 5. Exceptions to reporting and occupancy agreement requirements

This section states that this Act does not apply to properties used by an element of the intelligence community.

Section 6. Applicability

This section states that the requirements of this Act shall apply to any occupancy or novation agreement entered into on or after the date that is six months after the date of enactment of this Act.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 6241 makes no changes in existing law.