

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6276
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Utilizing Space Effi-
3 ciently and Improving Technologies Act of 2023” or the
4 “USE IT Act of 2023”.

5 SEC. 2. DEFINITIONS.

6 (a) IN GENERAL.—In this Act:

7 (1) ACTUAL UTILIZATION RATE.—The term
8 “actual utilization rate” means the total usable
9 square footage of a public building or federally-
10 leased space divided by the occupancy.

11 (2) ADMINISTRATOR.—The term “Adminis-
12 trator” means the Administrator of General Serv-
13 ices.

14 (3) BUILDING UTILIZATION.—The term “build-
15 ing utilization” means the percentage of utilization
16 generated by comparing the actual utilization rate
17 with the capacity based on a utilization benchmark
18 of 150 useable square feet per person.

1 (4) CAPACITY.—The term “capacity” means the
2 total usable square footage of a public building or
3 federally-leased space divided by a utilization bench-
4 mark.

5 (5) DIRECTOR.—The term “Director” means
6 the Director of the Office of Management and Budg-
7 et.

8 (6) FEDERAL AGENCY.—The term “Federal
9 agency” means an executive department covered by
10 the CFO Act of 1990 (Public Law 101–576).

11 (7) OCCUPANCY.—The term “occupancy”
12 means the total number of employees performing du-
13 ties in person in a public building or federally-leased
14 space at least 5 days per week on a regular basis.

15 **SEC. 3. IDENTIFICATION AND DEPLOYMENT OF BUILDING**
16 **USAGE TECHNOLOGY.**

17 (a) IN GENERAL.—Not later than 60 days after the
18 date of enactment of this Act, the Administrator, in co-
19 ordination with the Director, shall establish standard
20 methodologies and identify technologies available for
21 measuring occupancy in public buildings and federally-
22 leased space.

23 (b) MEASUREMENT OF UTILIZATION.—Not later
24 than 180 days after the date of enactment of this Act,
25 the heads of Federal agencies shall work with the Admin-

1 istrator to identify, deploy, and use sensors and other
2 technologies in public buildings and federally-leased space,
3 where the Federal agency occupies space to measure the
4 occupancy of public buildings and leased space.

5 **SEC. 4. REPORTING ON USAGE OF REAL PROPERTY.**

6 Not later than 1 year after the date of enactment
7 of this Act, and annually thereafter, the heads of Federal
8 agencies shall submit to the Director, the Administrator,
9 the Committee on Transportation and Infrastructure of
10 the House of Representatives, the Committee on Environ-
11 ment and Public Works of the Senate, and the Committees
12 on Appropriations of the House of Representatives and the
13 Senate a report on—

14 (1) the occupancy and the actual utilization
15 rates of space in public buildings and federally-
16 leased space occupied by the respective agency of the
17 Federal agency head broken down by building and
18 lease;

19 (2) the methodology used for determining occu-
20 pancy, including the period of time and other pa-
21 rameters used to determine occupancy on a regular
22 basis;

23 (3) the utilization percentage of each public
24 building and federally-leased space by the respective
25 agency of the Federal agency head, comparing the

1 capacity to the actual utilization rate based on a uti-
2 lization benchmark of 150 usable square feet per
3 person; and

4 (4) any costs associated with capacity that ex-
5 ceeds occupancy with respect to the respective agen-
6 cy of the Federal agency head.

7 **SEC. 5. REDUCING UNNEEDED SPACE.**

8 (a) TARGET UTILIZATION METRICS.—Not later than
9 1 year after the date of enactment of this Act, and annu-
10 ally thereafter, the Director, in consultation with the Ad-
11 ministrator, shall ensure building utilization in each public
12 building and federally-leased space is not less than 60 per-
13 cent on average over each 1-year period.

14 (b) ACTIONS.—In the event that building utilization
15 is below 60 percent on average over a 1-year period de-
16 scribed in subsection (a) for any particular public building
17 or federally-leased space, the Administrator shall—

18 (1) provide notice to the tenant agency inform-
19 ing such agency of the excess in capacity along with
20 associated costs of such excess; and

21 (2) notify the Committee on Transportation
22 and Infrastructure of the House of Representatives,
23 the Committee on Environment and Public Works of
24 the Senate, and the Committees on Appropriations

1 of the House of Representatives and the Senate of
2 such excess capacity and associated costs.

3 (c) SUBSEQUENT FAILURE.—If the tenant agency
4 fails to meet the 60 percent target under subsection (a)
5 in the reporting period subsequent to the reporting period
6 under subsection (b), the Administrator shall, in consulta-
7 tion with the Director, take steps to reduce the space of
8 the tenant agency, including consolidating the tenant
9 agency with another agency, selling or disposing of excess
10 capacity space, and adjusting space requirements, as ap-
11 propriate, for any replacement space.

12 (d) PRIORITIZATION.—The Administrator, in coordi-
13 nation with the Director, shall prioritize to the maximum
14 extent practicable capital investments in public buildings
15 where Federal agencies meet or exceed building utilization
16 metrics, except that prioritization may be given to projects
17 that will result in building utilization of 60 percent or
18 more.

19 (e) EXCEPTIONS.—

20 (1) IN GENERAL.—The Director may provide
21 exceptions to building utilization metrics based on
22 the amount of non-standard office space a Federal
23 agency demonstrates is required to meet the mission
24 of the agency, including warehouse space, labora-
25 tories critical to the mission of the agency, and pub-

1 lic customer-facing spaces driven by agency mis-
2 sions.

3 (2) REPORTING.—The Administrator shall sub-
4 mit to the Committee on Transportation and Infra-
5 structure of the House of Representatives, the Com-
6 mittee on Environment and Public Works of the
7 Senate, and the Committees on Appropriations of
8 the House of Representatives and the Senate a re-
9 port on any exceptions granted, including the jus-
10 tification for such exception.

11 **SEC. 6. HEADQUARTERS BUILDINGS.**

12 (a) HEADQUARTERS CONSOLIDATIONS.—Not later
13 than 1 year after the date of enactment of this Act, the
14 Director, in consultation with the Administrator, shall
15 submit to the Committee on Transportation and Infra-
16 structure of the House of Representatives, the Committee
17 on Environment and Public Works of the Senate, and the
18 Comptroller General of the United States a plan to con-
19 solidate department and agency headquarters buildings in
20 the National Capital Region that will result in building
21 utilizations of 60 percent or greater.

22 (b) CONTENTS.—The plan submitted under sub-
23 section (a) shall include details on the following:

24 (1) Which departments and agencies will collo-
25 cate and consolidate and into which buildings and

1 associated details before and after plan implementa-
2 tion related to building utilization, building capaci-
3 ties, and actual utilization.

4 (2) Details on the strategies for the sale or dis-
5 posal of buildings that will no longer be needed for
6 Federal use.

7 (3) A detailed breakdown of any costs associ-
8 ated with the proposed consolidations and colloca-
9 tions.

10 (4) An estimate of future savings as a result of
11 space reductions and consolidations, including costs
12 associated with energy savings and building oper-
13 ations.

14 (c) IMPLEMENTATION.—Not later than 1 year after
15 the submission of the plan under subsection (a), the Ad-
16 ministrator and Director shall begin implementing such
17 plan.

Amend the title to read as follows: “A bill to author-
ize the Administrator of General Services and the Direc-
tor of the Office of Management and Budget to identify
the utilization rate of certain public buildings and feder-
ally-leased space, and for other purposes.”.

