

118TH CONGRESS
1ST SESSION

H. R. 6276

To direct the Administrator of General Services and the Director of the Office of Management and Budget to identify the utilization rate of certain public buildings and federally-leased space, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2023

Mr. PERRY introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of General Services and the Director of the Office of Management and Budget to identify the utilization rate of certain public buildings and federally-leased space, 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 “Utilizing Space Effi-
5 ciently and Improving Technologies Act of 2023” or the
6 “USE IT Act of 2023”.

7 **SEC. 2. DEFINITIONS.**

8 (a) IN GENERAL.—In this Act:

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

5 (2) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of General Serv-
7 ices.

8 (3) BUILDING UTILIZATION.—The term “build-
9 ing utilization” means the percentage of utilization
10 generated by comparing the actual utilization rate
11 with the capacity based on a utilization benchmark
12 of 150 useable square feet per person.

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

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

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

23 (7) OCCUPANCY.—The term “occupancy”
24 means the total number of employees performing du-

1 ties in person in a public building or federally-leased
2 space at least 5 days per week on a regular basis.

3 **SEC. 3. IDENTIFICATION AND DEPLOYMENT OF BUILDING**
4 **USAGE TECHNOLOGY.**

5 (a) IN GENERAL.—Not later than 60 days after the
6 date of enactment of this Act, the Administrator, in co-
7 ordination with the Director, shall establish standard
8 methodologies and identify technologies available for
9 measuring occupancy in public buildings and federally-
10 leased space.

11 (b) MEASUREMENT OF UTILIZATION.—Not later
12 than 180 days after the date of enactment of this Act,
13 the heads of Federal agencies shall work with the Admin-
14 istrator to identify, deploy, and use sensors and other
15 technologies in public buildings and federally-leased space,
16 where the Federal agency occupies space to measure the
17 occupancy of public buildings and leased space.

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

19 Not later than 1 year after the date of enactment
20 of this Act, and annually thereafter, the heads of Federal
21 agencies shall submit to the Director, the Administrator,
22 the Committee on Transportation and Infrastructure of
23 the House of Representatives, the Committee on Environ-
24 ment and Public Works of the Senate, and the Committees

1 on Appropriations of the House of Representatives and the
2 Senate a report on—

3 (1) the occupancy and the actual utilization
4 rates of space in public buildings and federally-
5 leased space occupied by the respective agency of the
6 Federal agency head broken down by building and
7 lease;

8 (2) the methodology used for determining occu-
9 pancy, including the period of time and other pa-
10 rameters used to determine occupancy on a regular
11 basis;

12 (3) the utilization percentage of each public
13 building and federally-leased space by the respective
14 agency of the Federal agency head, comparing the
15 capacity to the actual utilization rate based on a uti-
16 lization benchmark of 150 usable square feet per
17 person; and

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

21 **SEC. 5. REDUCING UNNEEDED SPACE.**

22 (a) **TARGET UTILIZATION METRICS.**—Not later than
23 1 year after the date of enactment of this Act, and annu-
24 ally thereafter, the Director, in consultation with the Ad-
25 ministrator, shall ensure building utilization in each public

1 building and federally-leased space is not less than 60 per-
2 cent on average over each 1-year period.

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

7 (1) provide notice to the tenant agency inform-
8 ing such agency of the excess in capacity along with
9 associated costs of such excess; and

10 (2) notify the Committee on Transportation
11 and Infrastructure of the House of Representatives,
12 the Committee on Environment and Public Works of
13 the Senate, and the Committees on Appropriations
14 of the House of Representatives and the Senate of
15 such excess capacity and associated costs.

16 (c) SUBSEQUENT FAILURE.—If the tenant agency
17 fails to meet the 60 percent target under subsection (a)
18 in the reporting period subsequent to the reporting period
19 under subsection (b), the Administrator shall, in consulta-
20 tion with the Director, take steps to reduce the space of
21 the tenant agency, including consolidating the tenant
22 agency with another agency, selling or disposing of excess
23 capacity space, and adjusting space requirements, as ap-
24 propriate, for any replacement space.

1 (d) PRIORITIZATION.—The Administrator, in coordi-
2 nation with the Director, shall prioritize to the maximum
3 extent practicable capital investments in public buildings
4 where Federal agencies meet or exceed building utilization
5 metrics, except that prioritization may be given to projects
6 that will result in building utilization of 60 percent or
7 more.

8 (e) EXCEPTIONS.—

9 (1) IN GENERAL.—The Director may provide
10 exceptions to building utilization metrics based on
11 the amount of non-standard office space a Federal
12 agency demonstrates is required to meet the mission
13 of the agency, including warehouse space, labora-
14 tories critical to the mission of the agency, and pub-
15 lic customer-facing spaces driven by agency mis-
16 sions.

17 (2) REPORTING.—The Administrator shall sub-
18 mit to the Committee on Transportation and Infra-
19 structure of the House of Representatives, the Com-
20 mittee on Environment and Public Works of the
21 Senate, and the Committees on Appropriations of
22 the House of Representatives and the Senate a re-
23 port on any exceptions granted, including the jus-
24 tification for such exception.

1 **SEC. 6. HEADQUARTERS BUILDINGS.**

2 (a) HEADQUARTERS CONSOLIDATIONS.—Not later
3 than 1 year after the date of enactment of this Act, the
4 Director, in consultation with the Administrator, shall
5 submit to the Committee on Transportation and Infra-
6 structure of the House of Representatives and the Com-
7 mittee on Environment and Public Works of the Senate
8 a plan to consolidate department and agency headquarters
9 buildings in the National Capital Region that will result
10 in building utilizations of 60 percent or greater.

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

13 (1) Which departments and agencies will collo-
14 cate and consolidate and into which buildings and
15 associated details before and after plan implementa-
16 tion related to building utilization, building capac-
17 ities, and actual utilization.

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

21 (3) A detailed breakdown of any costs associ-
22 ated with the proposed consolidations and colloca-
23 tions.

24 (4) An estimate of future savings as a result of
25 space reductions and consolidations, including costs

1 associated with energy savings and building oper-
2 ations.

3 (c) IMPLEMENTATION.—Not later than 1 year after
4 the submission of the plan under subsection (a), the Ad-
5 ministrator and Director shall begin implementing such
6 plan.

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