

Union Calendar No. 314

118TH CONGRESS
2^D SESSION

H. R. 6276

[Report No. 118-384]

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

FEBRUARY 13, 2024

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on November 7, 2023]

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:*

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

13 (2) *ADMINISTRATOR.*—*The term “Adminis-*
14 *trator” means the Administrator of General Services.*

15 (3) *BUILDING UTILIZATION.*—*The term “build-*
16 *ing utilization” means the percentage of utilization*
17 *generated by comparing the actual utilization rate*
18 *with the capacity based on a utilization benchmark of*
19 *150 useable square feet per person.*

20 (4) *CAPACITY.*—*The term “capacity” means the*
21 *total usable square footage of a public building or fed-*
22 *erally-leased space divided by a utilization bench-*
23 *mark.*

24 (5) *DIRECTOR.*—*The term “Director” means the*
25 *Director of the Office of Management and Budget.*

1 (6) *FEDERAL AGENCY.*—*The term “Federal agen-*
2 *cy” means an executive department covered by the*
3 *CFO Act of 1990 (Public Law 101–576).*

4 (7) *OCCUPANCY.*—*The term “occupancy” means*
5 *the total number of employees performing duties in*
6 *person in a public building or federally-leased space*
7 *at least 5 days per week on a regular basis.*

8 **SEC. 3. IDENTIFICATION AND DEPLOYMENT OF BUILDING**
9 **USAGE TECHNOLOGY.**

10 (a) *IN GENERAL.*—*Not later than 60 days after the*
11 *date of enactment of this Act, the Administrator, in coordi-*
12 *nation with the Director, shall establish standard meth-*
13 *odologies and identify technologies available for measuring*
14 *occupancy in public buildings and federally-leased space.*

15 (b) *MEASUREMENT OF UTILIZATION.*—*Not later than*
16 *180 days after the date of enactment of this Act, the heads*
17 *of Federal agencies shall work with the Administrator to*
18 *identify, deploy, and use sensors and other technologies in*
19 *public buildings and federally-leased space, where the Fed-*
20 *eral agency occupies space to measure the occupancy of pub-*
21 *lic buildings and leased space.*

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

23 *Not later than 1 year after the date of enactment of*
24 *this Act, and annually thereafter, the heads of Federal agen-*
25 *cies shall submit to the Director, the Administrator, the*

1 *Committee on Transportation and Infrastructure of the*
2 *House of Representatives, the Committee on Environment*
3 *and Public Works of the Senate, and the Committees on*
4 *Appropriations of the House of Representatives and the*
5 *Senate a report on—*

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

10 (2) *the methodology used for determining occu-*
11 *pancy, including the period of time and other param-*
12 *eters used to determine occupancy on a regular basis;*

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

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

22 **SEC. 5. REDUCING UNNEEDED SPACE.**

23 (a) *TARGET UTILIZATION METRICS.*—*Not later than*
24 *1 year after the date of enactment of this Act, and annually*
25 *thereafter, the Director, in consultation with the Adminis-*

1 *trator, shall ensure building utilization in each public*
2 *building and federally-leased space is not less than 60 per-*
3 *cent on average over each 1-year period.*

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

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

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

17 *(c) SUBSEQUENT FAILURE.—If the tenant agency fails*
18 *to meet the 60 percent target under subsection (a) in the*
19 *reporting period subsequent to the reporting period under*
20 *subsection (b), the Administrator shall, in consultation with*
21 *the Director, take steps to reduce the space of the tenant*
22 *agency, including consolidating the tenant agency with an-*
23 *other agency, selling or disposing of excess capacity space,*
24 *and adjusting space requirements, as appropriate, for any*
25 *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 ex-*
10 *ceptions to building utilization metrics based on the*
11 *amount of non-standard office space a Federal agency*
12 *demonstrates is required to meet the mission of the*
13 *agency, including warehouse space, laboratories crit-*
14 *ical to the mission of the agency, and public cus-*
15 *tomers-facing spaces driven by agency missions.*

16 (2) *REPORTING.*—*The Administrator shall sub-*
17 *mit to the Committee on Transportation and Infra-*
18 *structure of the House of Representatives, the Com-*
19 *mittee on Environment and Public Works of the Sen-*
20 *ate, and the Committees on Appropriations of the*
21 *House of Representatives and the Senate a report on*
22 *any exceptions granted, including the justification for*
23 *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 Di-
4 rector, in consultation with the Administrator, shall submit
5 to the Committee on Transportation and Infrastructure of
6 the House of Representatives, the Committee on Environ-
7 ment and Public Works of the Senate, and the Comptroller
8 General of the United States a plan to consolidate depart-
9 ment and agency headquarters buildings in the National
10 Capital Region that will result in building utilizations of
11 60 percent or greater.

12 (b) *CONTENTS.*—The plan submitted under subsection
13 (a) shall include details on the following:

14 (1) Which departments and agencies will collo-
15 cate and consolidate and into which buildings and as-
16 sociated details before and after plan implementation
17 related to building utilization, building capacities,
18 and actual utilization.

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

22 (3) A detailed breakdown of any costs associated
23 with the proposed consolidations and collocations.

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 the*
4 *submission of the plan under subsection (a), the Adminis-*
5 *trator and Director shall begin implementing such plan.*

Amend the title so as to read: “A bill to authorize 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.”.

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