

Overview of the Using Space Efficiently and Improving Technologies Act of 2023 (H.R. 6276)

March 11, 2024

The Using Space Efficiently and Improving Technologies Act ([H.R. 6276](#)) was reported, with amendments, by the House Committee on Transportation and Infrastructure on February 13, 2024. The bill would require certain federal agencies to track and report on the occupancy and utilization rates of buildings they lease and own. The bill would also require agencies to reduce unused space in buildings that do not meet a utilization rate of 60% over time, including through the consolidation of department and agency headquarters buildings.

Background

In an effort to stem the spread of the COVID-19 virus in 2020, federal agencies began operating under maximum telework policies, which permitted many government employees to work from home. An October 2023 [report](#) by the Government Accountability Office (GAO) found that daily building utilization remained well below capacity during the first three months of 2023. Specifically, GAO found that 17 of the 24 agencies that are subject to the Chief Financial Officers Act of 1990 had utilization rates of less than 25% in their headquarters buildings, and the other seven had an average utilization rate of 36%. Reliable pre-pandemic utilization rates are generally not available for comparison. GAO reported that increased telework was a major factor in reducing agencies' building utilization rates as compared to pre-pandemic levels, along with inefficient office configurations and long-standing problems managing unneeded space. GAO also noted that there are no government-wide benchmarks for how agencies should measure building utilization, including a lack of standards for targets such as "full" utilization.

Overview of H.R. 6276

Section 1 provides that the short title of the bill is the USE IT Act of 2023.

Section 2 establishes that the bill would apply to the [24 agencies](#) subject to the Chief Financial Officers Act of 1990. These agencies control approximately [98% of federal real property](#). It defines four key terms that covered agencies would use when reporting on federally owned or leased building space:

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1. Occupancy. The total number of employees performing duties at least five days a week on a regular basis.
2. Actual utilization rate. The total usable square footage divided by the occupancy.
3. Capacity. The total usable square footage divided by a utilization benchmark.
4. Building utilization. The percentage of utilization generated by comparing the actual utilization rate with capacity based on a benchmark of 150 usable square feet per person.

Section 3 would require the General Services Administration (GSA), in coordination with the Office of Management and Budget (OMB), to establish standard methodologies and identify technologies available for measuring occupancy in federally owned or leased buildings no later than 60 days after enactment. It would further require agencies, in consultation with GSA, to deploy technologies to measure the occupancy of the space they lease and own no later than 180 days after enactment.

Section 4 would require agencies to report to Congress, OMB, and GSA on

- the occupancy, actual utilization rates, and building utilization percentage of the buildings they own and lease;
- the methodology for calculating occupancy; and
- the costs associated with any capacity that exceeds occupancy.

The first report would be due one year after enactment and annually thereafter.

Section 5 would require OMB, in consultation with GSA, to identify federally owned or leased buildings that have a building utilization rate below 60% over a one-year period and to notify any tenant agencies of that excess capacity and the associated costs of the excess space. GSA would also be required to notify Congress of excess building capacity and the associated costs.

If a tenant agency failed to meet the 60% utilization rate in the subsequent reporting period, GSA would be required to dispose of the excess space, including through consolidation or sale. GSA would also be required to prioritize, to the maximum extent practicable, capital investments in buildings that meet the 60% target rate or in projects that would result in building utilization of 60% or more.

Section 6 would require OMB, in consultation with GSA, to submit a plan to Congress for the consolidation of agency headquarters in the National Capital Region that would result in building utilization rates of 60% or greater. The plan would be due not later than one year after enactment, and OMB and GSA would be required to begin implementation one year after the plan was submitted.

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