

[DISCUSSION DRAFT]

SEPTEMBER 28, 2003

1 **TITLE I—ENERGY EFFICIENCY**
2 **Subtitle A—Federal Programs**

3 **SEC. 101. ENERGY AND WATER SAVING MEASURES IN CON-**
4 **GRESSIONAL BUILDINGS.**

5 (a) IN GENERAL.—Part 3 of title V of the National
6 Energy Conservation Policy Act (42 U.S.C. 8251 et seq.)
7 is amended by adding at the end the following:

8 **“SEC. 552. ENERGY AND WATER SAVINGS MEASURES IN**
9 **CONGRESSIONAL BUILDINGS.**

10 “(a) IN GENERAL.—The Architect of the Capitol—

11 “(1) shall develop, update, and implement a
12 cost-effective energy conservation and management
13 plan (referred to in this section as the ‘plan’) for all
14 facilities administered by Congress (referred to in
15 this section as ‘congressional buildings’) to meet the
16 energy performance requirements for Federal build-
17 ings established under section 543(a)(1); and

18 “(2) shall submit the plan to Congress, not
19 later than 180 days after the date of enactment of
20 this section.

21 “(b) PLAN REQUIREMENTS.—The plan shall
22 include—

1 “(1) a description of the life cycle cost analysis
2 used to determine the cost-effectiveness of proposed
3 energy efficiency projects;

4 “(2) a schedule of energy surveys to ensure
5 complete surveys of all congressional buildings every
6 5 years to determine the cost and payback period of
7 energy and water conservation measures;

8 “(3) a strategy for installation of life cycle cost-
9 effective energy and water conservation measures;

10 “(4) the results of a study of the costs and ben-
11 efits of installation of submetering in congressional
12 buildings; and

13 “(5) information packages and ‘how-to’ guides
14 for each Member and employing authority of Con-
15 gress that detail simple, cost-effective methods to
16 save energy and taxpayer dollars in the workplace.

17 “(c) ANNUAL REPORT.—The Architect shall submit
18 to Congress annually a report on congressional energy
19 management and conservation programs required under
20 this section that describes in detail—

21 “(1) energy expenditures and savings estimates
22 for each facility;

23 “(2) energy management and conservation
24 projects; and

1 “(3) future priorities to ensure compliance with
2 this section.”.

3 (b) TABLE OF CONTENTS AMENDMENT.—The table
4 of contents of the National Energy Conservation Policy
5 Act is amended by adding at the end of the items relating
6 to part 3 of title V the following new item:

 “Sec. 552. Energy and water savings measures in congressional buildings.”.

7 (c) REPEAL.—Section 310 of the Legislative Branch
8 Appropriations Act, 1999 (2 U.S.C. 1815), is repealed.

9 (d) ENERGY INFRASTRUCTURE.—The Architect of
10 the Capitol, building on the Master Plan Study completed
11 in July 2000, shall commission a study to evaluate the
12 energy infrastructure of the Capital Complex to determine
13 how the infrastructure could be augmented to become
14 more energy efficient, using unconventional and renewable
15 energy resources, in a way that would enable the Complex
16 to have reliable utility service in the event of power fluc-
17 tuations, shortages, or outages.

18 (e) AUTHORIZATION.—There are authorized to be ap-
19 propriated to the Architect of the Capitol to carry out sub-
20 section (d), \$2,000,000 for each of fiscal years 2004
21 through 2008.

22 **SEC. 102. ENERGY MANAGEMENT REQUIREMENTS.**

23 (a) ENERGY REDUCTION GOALS.—

24 (1) AMENDMENT.—Section 543(a)(1) of the
25 National Energy Conservation Policy Act (42 U.S.C.

1 8253(a)(1)) is amended by striking “its Federal
 2 buildings so that” and all that follows through the
 3 end and inserting “the Federal buildings of the
 4 agency (including each industrial or laboratory facil-
 5 ity) so that the energy consumption per gross square
 6 foot of the Federal buildings of the agency in fiscal
 7 years 2004 through 2013 is reduced, as compared
 8 with the energy consumption per gross square foot
 9 of the Federal buildings of the agency in fiscal year
 10 2001, by the percentage specified in the following
 11 table:

“Fiscal Year	Percentage reduction
2004	2
2005	4
2006	6
2007	8
2008	10
2009	12
2010	14
2011	16
2012	18
2013	20.”.

12 (2) REPORTING BASELINE.—The energy reduc-
 13 tion goals and baseline established in paragraph (1)
 14 of section 543(a) of the National Energy Conserva-
 15 tion Policy Act, as amended by paragraph (1) of this
 16 subsection, supersede all previous goals and base-
 17 lines under such paragraph, and related reporting
 18 requirements.

19 (b) REVIEW AND REVISION OF ENERGY PERFORM-
 20 ANCE REQUIREMENT.—Section 543(a) of the National

1 Energy Conservation Policy Act (42 U.S.C. 8253(a)) is
2 further amended by adding at the end the following:

3 “(3) Not later than December 31, 2012, the Sec-
4 retary shall review the results of the implementation of
5 the energy performance requirement established under
6 paragraph (1) and submit to Congress recommendations
7 concerning energy performance requirements for fiscal
8 years 2014 through 2023.”.

9 (c) EXCLUSIONS.—Section 543(c)(1) of the National
10 Energy Conservation Policy Act (42 U.S.C. 8253(c)(1))
11 is amended by striking “An agency may exclude” and all
12 that follows through the end and inserting “(A) An agency
13 may exclude, from the energy performance requirement
14 for a fiscal year established under subsection (a) and the
15 energy management requirement established under sub-
16 section (b), any Federal building or collection of Federal
17 buildings, if the head of the agency finds that—

18 “(i) compliance with those requirements would
19 be impracticable;

20 “(ii) the agency has completed and submitted
21 all federally required energy management reports;

22 “(iii) the agency has achieved compliance with
23 the energy efficiency requirements of this Act, the
24 Energy Policy Act of 1992, Executive orders, and
25 other Federal law; and

1 “(iv) the agency has implemented all prac-
2 ticable, life cycle cost-effective projects with respect
3 to the Federal building or collection of Federal
4 buildings to be excluded.

5 “(B) A finding of impracticability under subpara-
6 graph (A)(i) shall be based on—

7 “(i) the energy intensiveness of activities car-
8 ried out in the Federal building or collection of Fed-
9 eral buildings; or

10 “(ii) the fact that the Federal building or col-
11 lection of Federal buildings is used in the perform-
12 ance of a national security function.”.

13 (d) REVIEW BY SECRETARY.—Section 543(c)(2) of
14 the National Energy Conservation Policy Act (42 U.S.C.
15 8253(c)(2)) is amended—

16 (1) by striking “impracticability standards” and
17 inserting “standards for exclusion”;

18 (2) by striking “a finding of impracticability”
19 and inserting “the exclusion”; and

20 (3) by inserting “and water conservation meas-
21 ures under subsection (b)(1)” after “for the building
22 concerned”.

23 (e) CRITERIA.—Section 543(c) of the National En-
24 ergy Conservation Policy Act (42 U.S.C. 8253(c)) is fur-
25 ther amended by adding at the end the following:

1 “(3) Not later than 180 days after the date of enact-
2 ment of this paragraph, the Secretary shall issue guide-
3 lines that establish criteria for exclusions under paragraph
4 (1).”.

5 (f) RETENTION OF ENERGY AND WATER SAVINGS.—
6 Section 546 of the National Energy Conservation Policy
7 Act (42 U.S.C. 8256) is amended by adding at the end
8 the following new subsection:

9 “(e) RETENTION OF ENERGY AND WATER SAV-
10 INGS.—An agency may retain any funds appropriated to
11 that agency for energy expenditures, water expenditures,
12 or wastewater treatment expenditures, at buildings subject
13 to the requirements of section 543(a) and (b), that are
14 not made because of energy savings or water savings. Ex-
15 cept as otherwise provided by law, such funds may be used
16 only for energy efficiency, water conservation, or uncon-
17 ventional and renewable energy resources projects.”.

18 (g) REPORTS.—Section 548(b) of the National En-
19 ergy Conservation Policy Act (42 U.S.C. 8258(b)) is
20 amended—

21 (1) in the subsection heading, by inserting
22 “THE PRESIDENT AND” before “CONGRESS”; and

23 (2) by inserting “President and” before “Con-
24 gress”.

1 (h) CONFORMING AMENDMENT.—Section 550(d) of
2 the National Energy Conservation Policy Act (42 U.S.C.
3 8258b(d)) is amended in the second sentence by striking
4 “the 20 percent reduction goal established under section
5 543(a) of the National Energy Conservation Policy Act
6 (42 U.S.C. 8253(a)).” and inserting “each of the energy
7 reduction goals established under section 543(a).”.

8 **SEC. 103. ENERGY USE MEASUREMENT AND ACCOUNT-**
9 **ABILITY.**

10 Section 543 of the National Energy Conservation
11 Policy Act (42 U.S.C. 8253) is further amended by adding
12 at the end the following:

13 “(e) METERING OF ENERGY USE.—

14 “(1) DEADLINE.—By October 1, 2010, in ac-
15 cordance with guidelines established by the Sec-
16 retary under paragraph (2), all Federal buildings
17 shall, for the purposes of efficient use of energy and
18 reduction in the cost of electricity used in such
19 buildings, be metered or submetered. Each agency
20 shall use, to the maximum extent practicable, ad-
21 vanced meters or advanced metering devices that
22 provide data at least daily and that measure at least
23 hourly consumption of electricity in the Federal
24 buildings of the agency. Such data shall be incor-
25 porated into existing Federal energy tracking sys-

1 tems and made available to Federal facility energy
2 managers.

3 “(2) GUIDELINES.—

4 “(A) IN GENERAL.—Not later than 180
5 days after the date of enactment of this sub-
6 section, the Secretary, in consultation with the
7 Department of Defense, the General Services
8 Administration, representatives from the meter-
9 ing industry, utility industry, energy services in-
10 dustry, energy efficiency industry, energy effi-
11 ciency advocacy organizations, national labora-
12 tories, universities, and Federal facility energy
13 managers, shall establish guidelines for agencies
14 to carry out paragraph (1).

15 “(B) REQUIREMENTS FOR GUIDELINES.—

16 The guidelines shall—

17 “(i) take into consideration—

18 “(I) the cost of metering and
19 submetering and the reduced cost of
20 operation and maintenance expected
21 to result from metering and sub-
22 metering;

23 “(II) the extent to which meter-
24 ing and submetering are expected to
25 result in increased potential for en-

1 energy management, increased potential
2 for energy savings and energy effi-
3 ciency improvement, and cost and en-
4 ergy savings due to utility contract
5 aggregation; and

6 “(III) the measurement and ver-
7 ification protocols of the Department
8 of Energy;

9 “(ii) include recommendations con-
10 cerning the amount of funds and the num-
11 ber of trained personnel necessary to gath-
12 er and use the metering information to
13 track and reduce energy use;

14 “(iii) establish priorities for types and
15 locations of buildings to be metered and
16 submetered based on cost-effectiveness and
17 a schedule of one or more dates, not later
18 than 1 year after the date of issuance of
19 the guidelines, on which the requirements
20 specified in paragraph (1) shall take effect;
21 and

22 “(iv) establish exclusions from the re-
23 quirements specified in paragraph (1)
24 based on the de minimis quantity of energy

1 use of a Federal building, industrial proc-
2 ess, or structure.

3 “(3) PLAN.—No later than 6 months after the
4 date guidelines are established under paragraph (2),
5 in a report submitted by the agency under section
6 548(a), each agency shall submit to the Secretary a
7 plan describing how the agency will implement the
8 requirements of paragraph (1), including (A) how
9 the agency will designate personnel primarily respon-
10 sible for achieving the requirements and (B) dem-
11 onstration by the agency, complete with documenta-
12 tion, of any finding that advanced meters or ad-
13 vanced metering devices, as defined in paragraph
14 (1), are not practicable.”.

15 **SEC. 104. PROCUREMENT OF ENERGY EFFICIENT PROD-**
16 **UCTS.**

17 (a) REQUIREMENTS.—Part 3 of title V of the Na-
18 tional Energy Conservation Policy Act (42 U.S.C. 8251
19 et seq.), as amended by section 101 of this Act, is amend-
20 ed by adding at the end the following:

21 **“SEC. 553. FEDERAL PROCUREMENT OF ENERGY EFFI-**
22 **CIENT PRODUCTS.**

23 “(a) DEFINITIONS.—In this section:

1 “(1) ENERGY STAR PRODUCT.—The term ‘En-
2 ergy Star product’ means a product that is rated for
3 energy efficiency under an Energy Star program.

4 “(2) ENERGY STAR PROGRAM.—The term ‘En-
5 ergy Star program’ means the program established
6 by section 324A of the Energy Policy and Conserva-
7 tion Act.

8 “(3) EXECUTIVE AGENCY.—The term ‘executive
9 agency’ has the meaning given the term in section
10 4 of the Office of Federal Procurement Policy Act
11 (41 U.S.C. 403).

12 “(4) FEMP DESIGNATED PRODUCT.—The term
13 ‘FEMP designated product’ means a product that is
14 designated under the Federal Energy Management
15 Program of the Department of Energy as being
16 among the highest 25 percent of equivalent products
17 for energy efficiency.

18 “(b) PROCUREMENT OF ENERGY EFFICIENT PROD-
19 UCTS.—

20 “(1) REQUIREMENT.—To meet the require-
21 ments of an executive agency for an energy con-
22 suming product, the head of the executive agency
23 shall, except as provided in paragraph (2), procure—

24 “(A) an Energy Star product; or

25 “(B) a FEMP designated product.

1 “(2) EXCEPTIONS.—The head of an executive
2 agency is not required to procure an Energy Star
3 product or FEMP designated product under para-
4 graph (1) if the head of the executive agency finds
5 in writing that—

6 “(A) an Energy Star product or FEMP
7 designated product is not cost-effective over the
8 life of the product taking energy cost savings
9 into account; or

10 “(B) no Energy Star product or FEMP
11 designated product is reasonably available that
12 meets the functional requirements of the execu-
13 tive agency.

14 “(3) PROCUREMENT PLANNING.—The head of
15 an executive agency shall incorporate into the speci-
16 fications for all procurements involving energy con-
17 suming products and systems, including guide speci-
18 fications, project specifications, and construction,
19 renovation, and services contracts that include provi-
20 sion of energy consuming products and systems, and
21 into the factors for the evaluation of offers received
22 for the procurement, criteria for energy efficiency
23 that are consistent with the criteria used for rating
24 Energy Star products and for rating FEMP des-
25 igned products.

1 “(c) LISTING OF ENERGY EFFICIENT PRODUCTS IN
2 FEDERAL CATALOGS.—Energy Star products and FEMP
3 designated products shall be clearly identified and promi-
4 nently displayed in any inventory or listing of products
5 by the General Services Administration or the Defense Lo-
6 gistics Agency. The General Services Administration or
7 the Defense Logistics Agency shall supply only Energy
8 Star products or FEMP designated products for all prod-
9 uct categories covered by the Energy Star program or the
10 Federal Energy Management Program, except in cases
11 where the agency ordering a product specifies in writing
12 that no Energy Star product or FEMP designated product
13 is available to meet the buyer’s functional requirements,
14 or that no Energy Star product or FEMP designated
15 product is cost-effective for the intended application over
16 the life of the product, taking energy cost savings into ac-
17 count.

18 “(d) SPECIFIC PRODUCTS.—(1) In the case of elec-
19 tric motors of 1 to 500 horsepower, agencies shall select
20 only premium efficient motors that meet a standard des-
21 ignated by the Secretary. The Secretary shall designate
22 such a standard within 120 days after the date of the en-
23 actment of this section, after considering the recommenda-
24 tions of associated electric motor manufacturers and en-
25 ergy efficiency groups.

1 “(2) All Federal agencies are encouraged to use any
2 additives that will reduce the electricity consumed by air
3 conditioning and refrigeration equipment. Any such addi-
4 tive must be environmentally safe according to the Envi-
5 ronmental Protection Agency and have been tested by Na-
6 tional Institute of Standards and Technology.

7 “(e) REGULATIONS.—Not later than 180 days after
8 the date of the enactment of this section, the Secretary
9 shall issue guidelines to carry out this section.”.

10 (b) CONFORMING AMENDMENT.—The table of con-
11 tents of the National Energy Conservation Policy Act is
12 further amended by inserting after the item relating to
13 section 552 the following new item:

“Sec. 553. Federal procurement of energy efficient products.”.

14 **SEC. 105. ENERGY SAVINGS PERFORMANCE CONTRACTS.**

15 (a) PERMANENT EXTENSION.—Section 801(c) of the
16 National Energy Conservation Policy Act (42 U.S.C.
17 8287(c)) is repealed.

18 (b) REPLACEMENT FACILITIES.—Section 801(a) of
19 the National Energy Conservation Policy Act (42 U.S.C.
20 8287(a)) is amended by adding at the end the following
21 new paragraph:

22 “(3)(A) In the case of an energy savings contract or
23 energy savings performance contract providing for energy
24 savings through the construction and operation of one or
25 more buildings or facilities to replace one or more existing

1 buildings or facilities, benefits ancillary to the purpose of
2 such contract under paragraph (1) may include savings
3 resulting from reduced life-cycle costs of operation and
4 maintenance at such replacement buildings or facilities
5 when compared with costs of operation and maintenance
6 at the buildings or facilities being replaced, established
7 through a methodology set forth in the contract.

8 “(B) Notwithstanding paragraph (2)(B), aggregate
9 annual payments by an agency under an energy savings
10 contract or energy savings performance contract referred
11 to in subparagraph (A) may take into account (through
12 the procedures developed pursuant to this section) savings
13 resulting from reduced costs of operation and maintenance
14 as described in that subparagraph.”.

15 (c) PAYMENT OF COSTS.—Section 802 of the Na-
16 tional Energy Conservation Policy Act (42 U.S.C. 8287a)
17 is amended by inserting “, water, or wastewater treat-
18 ment” after “payment of energy”.

19 (d) ENERGY SAVINGS.—Section 804(2) of the Na-
20 tional Energy Conservation Policy Act (42 U.S.C.
21 8287c(2)) is amended to read as follows:

22 “(2) The term ‘energy savings’ means—

23 “(A) a reduction in the cost of energy,
24 water, or wastewater treatment, from a base
25 cost established through a methodology set

1 forth in the contract, used in an existing feder-
2 ally owned building or buildings or other feder-
3 ally owned facilities as a result of—

4 “(i) the lease or purchase of operating
5 equipment, improvements, altered oper-
6 ation and maintenance, or technical serv-
7 ices;

8 “(ii) the increased efficient use of ex-
9 isting energy sources by cogeneration or
10 heat recovery, excluding any cogeneration
11 process for other than a federally owned
12 building or buildings or other federally
13 owned facilities; or

14 “(iii) the increased efficient use of ex-
15 isting water sources in either interior or
16 exterior applications; or

17 “(B) in the case of a replacement building
18 or facility described in section 801(a)(3), a re-
19 duction in the cost of energy, water, or waste-
20 water treatment, from a base cost established
21 through a methodology set forth in the con-
22 tract, that would otherwise be utilized in one or
23 more existing federally owned buildings or other
24 federally owned facilities by reason of the con-

1 struction and operation of the replacement
2 building or facility.”.

3 (e) ENERGY SAVINGS CONTRACT.—Section 804(3) of
4 the National Energy Conservation Policy Act (42 U.S.C.
5 8287c(3)) is amended to read as follows:

6 “(3) The terms ‘energy savings contract’ and
7 ‘energy savings performance contract’ mean a con-
8 tract that provides for—

9 “(A) the performance of services for the
10 design, acquisition, installation, testing, and,
11 where appropriate, operation, maintenance and
12 repair, of an identified energy or water con-
13 servation measure or series of measures at one
14 or more locations; or

15 “(B) energy savings through the construc-
16 tion and operation of one or more buildings or
17 facilities to replace one or more existing build-
18 ings or facilities.

19 Such contracts shall, with respect to an agency facil-
20 ity that is a public building (as such term is defined
21 in section 3301 of title 40, United States Code), be
22 in compliance with the prospectus requirements and
23 procedures of section 3307 of title 40, United States
24 Code.”.

1 (f) ENERGY OR WATER CONSERVATION MEASURE.—
2 Section 804(4) of the National Energy Conservation Pol-
3 icy Act (42 U.S.C. 8287c(4)) is amended to read as fol-
4 lows:

5 “(4) The term ‘energy or water conservation
6 measure’ means—

7 “(A) an energy conservation measure, as
8 defined in section 551; or

9 “(B) a water conservation measure that
10 improves the efficiency of water use, is life-cycle
11 cost-effective, and involves water conservation,
12 water recycling or reuse, more efficient treat-
13 ment of wastewater or stormwater, improve-
14 ments in operation or maintenance efficiencies,
15 retrofit activities, or other related activities, not
16 at a Federal hydroelectric facility.”.

17 (g) REVIEW.—Not later than 180 days after the date
18 of the enactment of this Act, the Secretary of Energy shall
19 complete a review of the Energy Savings Performance
20 Contract program to identify statutory, regulatory, and
21 administrative obstacles that prevent Federal agencies
22 from fully utilizing the program. In addition, this review
23 shall identify all areas for increasing program flexibility
24 and effectiveness, including audit and measurement ver-
25 ification requirements, accounting for energy use in deter-

1 mining savings, contracting requirements, including the
2 identification of additional qualified contractors, and en-
3 ergy efficiency services covered. The Secretary shall report
4 these findings to the Congress and shall implement identi-
5 fied administrative and regulatory changes to increase
6 program flexibility and effectiveness to the extent that
7 such changes are consistent with statutory authority.

8 **SEC. 106. ENERGY SAVINGS PERFORMANCE CONTRACTS**
9 **PILOT PROGRAM FOR NONBUILDING APPLI-**
10 **CATIONS.**

11 (a) IN GENERAL.—The Secretary of Defense and the
12 heads of other interested Federal agencies are authorized
13 to enter into up to 10 energy savings performance con-
14 tracts using procedures, established under subsection (b),
15 based on the procedures under title VIII of the National
16 Energy Conservation Policy Act (42 U.S.C. 8287 et seq.),
17 for the purpose of achieving energy or water savings, sec-
18 ondary savings, and benefits incidental to those purposes,
19 in nonbuilding applications. The payments to be made by
20 the Federal Government under such contracts shall not
21 exceed a total of \$200,000,000 for all such contracts com-
22 bined.

23 (b) PROCEDURES.—The Secretary of Energy, in con-
24 sultation with the Administrator of General Services and
25 the Secretary of Defense, shall establish procedures based

1 on the procedures under title VIII of the National Energy
2 Conservation Policy Act (42 U.S.C. 8287 et seq.), for im-
3 plementing this section.

4 (c) DEFINITIONS.—For the purposes of this section:

5 (1) The term “nonbuilding application”
6 means—

7 (A) any class of vehicles, devices, or equip-
8 ment that are transportable under their own
9 power by land, sea, or air that consume energy
10 from any fuel source for the purpose of such
11 transportability, or to maintain a controlled en-
12 vironment within such vehicle, device, or equip-
13 ment; or

14 (B) any Federally owned equipment used
15 to generate electricity or transport water.

16 (2) The term “secondary savings” means addi-
17 tional energy or cost savings that are a direct con-
18 sequence of the energy or water savings that result
19 from the financing and implementation of the energy
20 savings performance contract, including, but not lim-
21 ited to, energy or cost savings that result from a re-
22 duction in the need for fuel delivery and logistical
23 support, or the increased efficiency in the production
24 of electricity.

1 (d) REPORT.—Not later than 3 years after the date
2 of enactment of this section, the Secretary of Energy shall
3 report to the Congress on the progress and results of the
4 projects funded pursuant to this section. Such report shall
5 include a description of projects undertaken; the energy,
6 water and cost savings, secondary savings and other bene-
7 fits that resulted from such projects; and recommenda-
8 tions on whether the pilot program should be extended,
9 expanded, or authorized permanently as a part of the pro-
10 gram authorized under title VIII of the National Energy
11 Conservation Policy Act (42 U.S.C. 8287 et seq.).

12 **SEC. 107. VOLUNTARY COMMITMENTS TO REDUCE INDUS-**
13 **TRIAL ENERGY INTENSITY.**

14 (a) VOLUNTARY AGREEMENTS.—The Secretary of
15 Energy is authorized to enter into voluntary agreements
16 with one or more persons in industrial sectors that con-
17 sume significant amounts of primary energy per unit of
18 physical output to reduce the energy intensity of their pro-
19 duction activities by a significant amount relative to im-
20 provements in each sector in recent years.

21 (b) RECOGNITION.—The Secretary of Energy, in co-
22 operation with the Administrator of the Environmental
23 Protection Agency and other appropriate Federal agen-
24 cies, shall recognize and publicize the achievements of par-
25 ticipants in voluntary agreements under this section.

1 (c) DEFINITION.—In this section, the term “energy
2 intensity” means the primary energy consumed per unit
3 of physical output in an industrial process.

4 **SEC. 108. ADVANCED BUILDING EFFICIENCY TESTBED.**

5 (a) ESTABLISHMENT.—The Secretary of Energy, in
6 consultation with the Administrator of the General Serv-
7 ices Administration, shall establish an Advanced Building
8 Efficiency Testbed program for the development, testing,
9 and demonstration of advanced engineering systems, com-
10 ponents, and materials to enable innovations in building
11 technologies. The program shall evaluate efficiency con-
12 cepts for government and industry buildings, and dem-
13 onstrate the ability of next generation buildings to support
14 individual and organizational productivity and health (in-
15 cluding by improving indoor air quality) as well as flexi-
16 bility and technological change to improve environmental
17 sustainability. Such program shall complement and not
18 duplicate existing national programs.

19 (b) PARTICIPANTS.—The program established under
20 subsection (a) shall be led by a university with the ability
21 to combine the expertise from numerous academic fields
22 including, at a minimum, intelligent workplaces and ad-
23 vanced building systems and engineering, electrical and
24 computer engineering, computer science, architecture,
25 urban design, and environmental and mechanical engi-

1 neering. Such university shall partner with other univer-
2 sities and entities who have established programs and the
3 capability of advancing innovative building efficiency tech-
4 nologies.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to the Secretary of En-
7 ergy to carry out this section \$6,000,000 for each of the
8 fiscal years 2004 through 2006, to remain available until
9 expended. For any fiscal year in which funds are expended
10 under this section, the Secretary shall provide one-third
11 of the total amount to the lead university described in sub-
12 section (b), and provide the remaining two-thirds to the
13 other participants referred to in subsection (b) on an equal
14 basis.

15 **SEC. 109. FEDERAL BUILDING PERFORMANCE STANDARDS.**

16 Section 305(a) of the Energy Conservation and Pro-
17 duction Act (42 U.S.C. 6834(a)) is amended—

18 (1) in paragraph (2)(A), by striking “CABO
19 Model Energy Code, 1992” and inserting “the 2003
20 International Energy Conservation Code”; and

21 (2) by adding at the end the following:

22 “(3) REVISED FEDERAL BUILDING ENERGY EFFI-
23 CIENCY PERFORMANCE STANDARDS.—

24 “(A) IN GENERAL.—Not later than 1 year after
25 the date of enactment of this paragraph, the Sec-

1 retary of Energy shall establish, by rule, revised
2 Federal building energy efficiency performance
3 standards that require that—

4 “(i) if life-cycle cost-effective, for new Fed-
5 eral buildings—

6 “(I) such buildings be designed so as
7 to achieve energy consumption levels at
8 least 30 percent below those of the version
9 current as of the date of enactment of this
10 paragraph of the ASHRAE Standard or
11 the International Energy Conservation
12 Code, as appropriate; and

13 “(II) sustainable design principles are
14 applied to the siting, design, and construc-
15 tion of all new and replacement buildings;
16 and

17 “(ii) where water is used to achieve energy
18 efficiency, water conservation technologies shall
19 be applied to the extent they are life-cycle cost
20 effective.

21 “(B) ADDITIONAL REVISIONS.—Not later than
22 1 year after the date of approval of each subsequent
23 revision of the ASHRAE Standard or the Inter-
24 national Energy Conservation Code, as appropriate,
25 the Secretary of Energy shall determine, based on

1 the cost-effectiveness of the requirements under the
2 amendments, whether the revised standards estab-
3 lished under this paragraph should be updated to re-
4 flect the amendments.

5 “(C) STATEMENT ON COMPLIANCE OF NEW
6 BUILDINGS.—In the budget request of the Federal
7 agency for each fiscal year and each report sub-
8 mitted by the Federal agency under section 548(a)
9 of the National Energy Conservation Policy Act (42
10 U.S.C. 8258(a)), the head of each Federal agency
11 shall include—

12 “(i) a list of all new Federal buildings
13 owned, operated, or controlled by the Federal
14 agency; and

15 “(ii) a statement concerning whether the
16 Federal buildings meet or exceed the revised
17 standards established under this paragraph.”.

18 **SEC. 110. INCREASED USE OF RECOVERED MINERAL COM-**
19 **PONENT IN FEDERALLY FUNDED PROJECTS**
20 **INVOLVING PROCUREMENT OF CEMENT OR**
21 **CONCRETE.**

22 (a) AMENDMENT.—Subtitle F of the Solid Waste
23 Disposal Act (42 U.S.C. 6961 et seq.) is amended by add-
24 ing at the end the following new section:

1 “INCREASED USE OF RECOVERED MINERAL COMPONENT
2 IN FEDERALLY FUNDED PROJECTS INVOLVING PRO-
3 CUREMENT OF CEMENT OR CONCRETE

4 “SEC. 6005. (a) DEFINITIONS.—In this section:

5 “(1) AGENCY HEAD.—The term ‘agency head’
6 means—

7 “(A) the Secretary of Transportation; and

8 “(B) the head of each other Federal agen-
9 cy that on a regular basis procures, or provides
10 Federal funds to pay or assist in paying the
11 cost of procuring, material for cement or con-
12 crete projects.

13 “(2) CEMENT OR CONCRETE PROJECT.—The
14 term ‘cement or concrete project’ means a project
15 for the construction or maintenance of a highway or
16 other transportation facility or a Federal, State, or
17 local government building or other public facility
18 that—

19 “(A) involves the procurement of cement
20 or concrete; and

21 “(B) is carried out in whole or in part
22 using Federal funds.

23 “(3) RECOVERED MINERAL COMPONENT.—The
24 term ‘recovered mineral component’ means—

25 “(A) ground granulated blast furnace slag;

1 “(B) coal combustion fly ash; and

2 “(C) any other waste material or byprod-
3 uct recovered or diverted from solid waste that
4 the Administrator, in consultation with an
5 agency head, determines should be treated as
6 recovered mineral component under this section
7 for use in cement or concrete projects paid for,
8 in whole or in part, by the agency head.

9 “(b) IMPLEMENTATION OF REQUIREMENTS.—

10 “(1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this section, the Adminis-
12 trator and each agency head shall take such actions
13 as are necessary to implement fully all procurement
14 requirements and incentives in effect as of the date
15 of enactment of this section (including guidelines
16 under section 6002) that provide for the use of ce-
17 ment and concrete incorporating recovered mineral
18 component in cement or concrete projects.

19 “(2) PRIORITY.—In carrying out paragraph (1)
20 an agency head shall give priority to achieving great-
21 er use of recovered mineral component in cement or
22 concrete projects for which recovered mineral compo-
23 nents historically have not been used or have been
24 used only minimally.

1 “(3) CONFORMANCE.—The Administrator and
2 each agency head shall carry out this subsection in
3 accordance with section 6002.

4 “(c) FULL IMPLEMENTATION STUDY.—

5 “(1) IN GENERAL.—The Administrator, in co-
6 operation with the Secretary of Transportation and
7 the Secretary of Energy, shall conduct a study to de-
8 termine the extent to which current procurement re-
9 quirements, when fully implemented in accordance
10 with subsection (b), may realize energy savings and
11 environmental benefits attainable with substitution
12 of recovered mineral component in cement used in
13 cement or concrete projects.

14 “(2) MATTERS TO BE ADDRESSED.—The study
15 shall—

16 “(A) quantify the extent to which recov-
17 ered mineral components are being substituted
18 for Portland cement, particularly as a result of
19 current procurement requirements, and the en-
20 ergy savings and environmental benefits associ-
21 ated with that substitution;

22 “(B) identify all barriers in procurement
23 requirements to fuller realization of energy sav-
24 ings and environmental benefits, including bar-

1 riers resulting from exceptions from current
2 law; and

3 “(C)(i) identify potential mechanisms to
4 achieve greater substitution of recovered min-
5 eral component in types of cement or concrete
6 projects for which recovered mineral compo-
7 nents historically have not been used or have
8 been used only minimally;

9 “(ii) evaluate the feasibility of establishing
10 guidelines or standards for optimized substi-
11 tution rates of recovered mineral component in
12 those cement or concrete projects; and

13 “(iii) identify any potential environmental
14 or economic effects that may result from great-
15 er substitution of recovered mineral component
16 in those cement or concrete projects.

17 “(3) REPORT.—Not later than 30 months after
18 the date of enactment of this section, the Adminis-
19 trator shall submit to Congress a report on the
20 study.

21 “(d) ADDITIONAL PROCUREMENT REQUIREMENTS.—
22 Unless the study conducted under subsection (c) identifies
23 any effects or other problems described in subsection
24 (c)(2)(C)(iii) that warrant further review or delay, the Ad-
25 ministrator and each agency head shall, within 1 year of

1 the release of the report in accordance with subsection
2 (c)(3), take additional actions authorized under this Act
3 to establish procurement requirements and incentives that
4 provide for the use of cement and concrete with increased
5 substitution of recovered mineral component in the con-
6 struction and maintenance of cement or concrete projects,
7 so as to—

8 “(1) realize more fully the energy savings and
9 environmental benefits associated with increased
10 substitution; and

11 “(2) eliminate barriers identified under sub-
12 section (c).

13 “(e) EFFECT OF SECTION.—Nothing in this section
14 affects the requirements of section 6002 (including the
15 guidelines and specifications for implementing those re-
16 quirements).”.

17 (b) TABLE OF CONTENTS AMENDMENT.—The table
18 of contents of the Solid Waste Disposal Act is amended
19 by adding after the item relating to section 6004 the fol-
20 lowing new item:

 “Sec. 6005. Increased use of recovered mineral component in federally funded
 projects involving procurement of cement or concrete.”.

1 **Subtitle B—Energy Assistance and**
2 **State Programs**

3 **SEC. 121. LOW INCOME HOME ENERGY ASSISTANCE PRO-**
4 **GRAM.**

5 Section 2602(b) of the Low-Income Home Energy
6 Assistance Act of 1981 (42 U.S.C. 8621(b)) is amended
7 by striking “each of fiscal years 2002 through 2004” and
8 inserting “fiscal years 2002 and 2003, and
9 \$3,400,000,000 for each of fiscal years 2004 through
10 2006”.

11 **SEC. 122. WEATHERIZATION ASSISTANCE.**

12 Section 422 of the Energy Conservation and Produc-
13 tion Act (42 U.S.C. 6872) is amended by striking “for
14 fiscal years 1999 through 2003 such sums as may be nec-
15 essary” and inserting “\$325,000,000 for fiscal year 2004,
16 \$400,000,000 for fiscal year 2005, and \$500,000,000 for
17 fiscal year 2006”.

18 **SEC. 123. STATE ENERGY PROGRAMS.**

19 (a) STATE ENERGY CONSERVATION PLANS.—Section
20 362 of the Energy Policy and Conservation Act (42 U.S.C.
21 6322) is amended by inserting at the end the following
22 new subsection:

23 “(g) The Secretary shall, at least once every 3 years,
24 invite the Governor of each State to review and, if nec-
25 essary, revise the energy conservation plan of such State

1 submitted under subsection (b) or (e). Such reviews should
2 consider the energy conservation plans of other States
3 within the region, and identify opportunities and actions
4 carried out in pursuit of common energy conservation
5 goals.”.

6 (b) STATE ENERGY EFFICIENCY GOALS.—Section
7 364 of the Energy Policy and Conservation Act (42 U.S.C.
8 6324) is amended to read as follows:

9 “STATE ENERGY EFFICIENCY GOALS
10 “SEC. 364. Each State energy conservation plan with
11 respect to which assistance is made available under this
12 part on or after the date of enactment of this section shall
13 contain a goal, consisting of an improvement of 25 percent
14 or more in the efficiency of use of energy in the State
15 concerned in calendar year 2010 as compared to calendar
16 year 1990, and may contain interim goals.”.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
18 365(f) of the Energy Policy and Conservation Act (42
19 U.S.C. 6325(f)) is amended by striking “for fiscal years
20 1999 through 2003 such sums as may be necessary” and
21 inserting “\$100,000,000 for each of the fiscal years 2004
22 and 2005 and \$125,000,000 for fiscal year 2006”.

23 **SEC. 124. ENERGY EFFICIENT APPLIANCE REBATE PRO-**
24 **GRAMS.**

25 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE STATE.—The term “eligible
2 State” means a State that meets the requirements
3 of subsection (b).

4 (2) ENERGY STAR PROGRAM.—The term “En-
5 ergy Star program” means the program established
6 by section 324A of the Energy Policy and Conserva-
7 tion Act.

8 (3) RESIDENTIAL ENERGY STAR PRODUCT.—
9 The term “residential Energy Star product” means
10 a product for a residence that is rated for energy ef-
11 ficiency under the Energy Star program.

12 (4) STATE ENERGY OFFICE.—The term “State
13 energy office” means the State agency responsible
14 for developing State energy conservation plans under
15 section 362 of the Energy Policy and Conservation
16 Act (42 U.S.C. 6322).

17 (5) STATE PROGRAM.—The term “State pro-
18 gram” means a State energy efficient appliance re-
19bate program described in subsection (b)(1).

20 (b) ELIGIBLE STATES.—A State shall be eligible to
21 receive an allocation under subsection (c) if the State—

22 (1) establishes (or has established) a State en-
23 ergy efficient appliance rebate program to provide
24 rebates to residential consumers for the purchase of

1 residential Energy Star products to replace used ap-
2 pliances of the same type;

3 (2) submits an application for the allocation at
4 such time, in such form, and containing such infor-
5 mation as the Secretary may require; and

6 (3) provides assurances satisfactory to the Sec-
7 retary that the State will use the allocation to sup-
8 plement, but not supplant, funds made available to
9 carry out the State program.

10 (c) AMOUNT OF ALLOCATIONS.—

11 (1) IN GENERAL.—Subject to paragraph (2),
12 for each fiscal year, the Secretary shall allocate to
13 the State energy office of each eligible State to carry
14 out subsection (d) an amount equal to the product
15 obtained by multiplying the amount made available
16 under subsection (f) for the fiscal year by the ratio
17 that the population of the State in the most recent
18 calendar year for which data are available bears to
19 the total population of all eligible States in that cal-
20 endar year.

21 (2) MINIMUM ALLOCATIONS.—For each fiscal
22 year, the amounts allocated under this subsection
23 shall be adjusted proportionately so that no eligible
24 State is allocated a sum that is less than an amount
25 determined by the Secretary.

1 (d) USE OF ALLOCATED FUNDS.—The allocation to
2 a State energy office under subsection (c) may be used
3 to pay up to 50 percent of the cost of establishing and
4 carrying out a State program.

5 (e) ISSUANCE OF REBATES.—Rebates may be pro-
6 vided to residential consumers that meet the requirements
7 of the State program. The amount of a rebate shall be
8 determined by the State energy office, taking into
9 consideration—

10 (1) the amount of the allocation to the State
11 energy office under subsection (c);

12 (2) the amount of any Federal or State tax in-
13 centive available for the purchase of the residential
14 Energy Star product; and

15 (3) the difference between the cost of the resi-
16 dential Energy Star product and the cost of an ap-
17 pliance that is not a residential Energy Star prod-
18 uct, but is of the same type as, and is the nearest
19 capacity, performance, and other relevant character-
20 istics (as determined by the State energy office) to,
21 the residential Energy Star product.

22 (f) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 \$50,000,000 for each of the fiscal years 2004 through
25 2008.

1 **SEC. 125. ENERGY EFFICIENT PUBLIC BUILDINGS.**

2 (a) GRANTS.—The Secretary of Energy may make
3 grants to the State agency responsible for developing State
4 energy conservation plans under section 362 of the Energy
5 Policy and Conservation Act (42 U.S.C. 6322), or, if no
6 such agency exists, a State agency designated by the Gov-
7 ernor of the State, to assist units of local government in
8 the State in improving the energy efficiency of public
9 buildings and facilities—

10 (1) through construction of new energy efficient
11 public buildings that use at least 30 percent less en-
12 ergy than a comparable public building constructed
13 in compliance with standards prescribed in the most
14 recent version of the International Energy Conserva-
15 tion Code, or a similar State code intended to
16 achieve substantially equivalent efficiency levels; or

17 (2) through renovation of existing public build-
18 ings to achieve reductions in energy use of at least
19 30 percent as compared to the baseline energy use
20 in such buildings prior to renovation, assuming a 3-
21 year, weather-normalized average for calculating
22 such baseline.

23 (b) ADMINISTRATION.—State energy offices receiving
24 grants under this section shall—

25 (1) maintain such records and evidence of com-
26 pliance as the Secretary may require; and

1 (2) energy efficiency projects and energy con-
2 servation programs;

3 (3) studies and other activities that improve en-
4 ergy efficiency in low income rural and urban com-
5 munities;

6 (4) planning and development assistance for in-
7 creasing the energy efficiency of buildings and facili-
8 ties; and

9 (5) technical and financial assistance to local
10 government and private entities on developing new
11 renewable and distributed sources of power or com-
12 bined heat and power generation.

13 (c) DEFINITION.—For purposes of this section, the
14 term “Indian tribe” means any Indian tribe, band, nation,
15 or other organized group or community, including any
16 Alaskan Native village or regional or village corporation
17 as defined in or established pursuant to the Alaska Native
18 Claims Settlement Act (43 U.S.C. 1601 et seq.), that is
19 recognized as eligible for the special programs and services
20 provided by the United States to Indians because of their
21 status as Indians.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—For the
23 purposes of this section there are authorized to be appro-
24 priated to the Secretary of Energy \$20,000,000 for fiscal

1 year 2004 and each fiscal year thereafter through fiscal
2 year 2006.

3 **Subtitle C—Energy Efficient**
4 **Products**

5 **SEC. 131. ENERGY STAR PROGRAM.**

6 (a) AMENDMENT.—The Energy Policy and Conserva-
7 tion Act (42 U.S.C. 6201 et seq.) is amended by inserting
8 the following after section 324:

9 **“SEC. 324A. ENERGY STAR PROGRAM.**

10 “There is established at the Department of Energy
11 and the Environmental Protection Agency a voluntary
12 program to identify and promote energy-efficient products
13 and buildings in order to reduce energy consumption, im-
14 prove energy security, and reduce pollution through vol-
15 untary labeling of or other forms of communication about
16 products and buildings that meet the highest energy effi-
17 ciency standards. Responsibilities under the program shall
18 be divided between the Department of Energy and the En-
19 vironmental Protection Agency consistent with the terms
20 of agreements between the two agencies. The Adminis-
21 trator and the Secretary shall—

22 “(1) promote Energy Star compliant tech-
23 nologies as the preferred technologies in the market-
24 place for achieving energy efficiency and to reduce
25 pollution;

1 “(2) work to enhance public awareness of the
2 Energy Star label, including special outreach to
3 small businesses;

4 “(3) preserve the integrity of the Energy Star
5 label;

6 “(4) solicit comments from interested parties
7 prior to establishing or revising an Energy Star
8 product category, specifications, or criteria (or effec-
9 tive dates for any of the foregoing);

10 “(5) upon adoption of a new or revised product
11 category, specifications, or criteria, provide reason-
12 able notice to interested parties of any changes (in-
13 cluding effective dates) in product categories, speci-
14 fications, or criteria along with an explanation of
15 such changes and, where appropriate, responses to
16 comments submitted by interested parties; and

17 “(6) provide appropriate lead time (which shall
18 be 9 months, unless the Agency or Department de-
19 termines otherwise) prior to the effective date for a
20 new or a significant revision to a product category,
21 specification, or criterion, taking into account the
22 timing requirements of the manufacturing, product
23 marketing, and distribution process for the specific
24 product addressed.”.

1 (b) TABLE OF CONTENTS AMENDMENT.—The table
2 of contents of the Energy Policy and Conservation Act is
3 amended by inserting after the item relating to section
4 324 the following new item:

“Sec. 324A. Energy Star program.”.

5 **SEC. 132. HVAC MAINTENANCE CONSUMER EDUCATION**
6 **PROGRAM.**

7 Section 337 of the Energy Policy and Conservation
8 Act (42 U.S.C. 6307) is amended by adding at the end
9 the following:

10 “(c) HVAC MAINTENANCE.—For the purpose of en-
11 suring that installed air conditioning and heating systems
12 operate at their maximum rated efficiency levels, the Sec-
13 retary shall, within 180 days of the date of enactment of
14 this subsection, carry out a program to educate home-
15 owners and small business owners concerning the energy
16 savings resulting from properly conducted maintenance of
17 air conditioning, heating, and ventilating systems. The
18 Secretary shall carry out the program in a cost-shared
19 manner in cooperation with the Administrator of the Envi-
20 ronmental Protection Agency and such other entities as
21 the Secretary considers appropriate, including industry
22 trade associations, industry members, and energy effi-
23 ciency organizations.

24 “(d) SMALL BUSINESS EDUCATION AND ASSIST-
25 ANCE.—The Administrator of the Small Business Admin-

1 istration, in consultation with the Secretary of Energy and
2 the Administrator of the Environmental Protection Agen-
3 cy, shall develop and coordinate a Government-wide pro-
4 gram, building on the existing Energy Star for Small
5 Business Program, to assist small business to become
6 more energy efficient, understand the cost savings obtain-
7 able through efficiencies, and identify financing options
8 for energy efficiency upgrades. The Secretary and the Ad-
9 ministrator of the Small Business Administration shall
10 make the program information available directly to small
11 businesses and through other Federal agencies, including
12 the Federal Emergency Management Program and the
13 Department of Agriculture.”.

14 **SEC. 133. ENERGY CONSERVATION STANDARDS FOR ADDI-**
15 **TIONAL PRODUCTS.**

16 (a) DEFINITIONS.—Section 321 of the Energy Policy
17 and Conservation Act (42 U.S.C. 6291) is amended—

18 (1) in paragraph (30)(S), by striking the period
19 and adding at the end the following: “but does not
20 include any lamp specifically designed to be used for
21 special purpose applications and that is unlikely to
22 be used in general purpose applications such as
23 those described in subparagraph (D), and also does
24 not include any lamp not described in subparagraph
25 (D) that is excluded by the Secretary, by rule, be-

1 cause the lamp is designed for special applications
2 and is unlikely to be used in general purpose appli-
3 cations.”; and

4 (2) by adding at the end the following:

5 “(32) The term ‘battery charger’ means a de-
6 vice that charges batteries for consumer products.

7 “(33) The term ‘commercial refrigerator, freez-
8 er, and refrigerator-freezer’ means a refrigerator,
9 freezer, or refrigerator-freezer that—

10 “(A) is not a consumer product regulated
11 under this Act; and

12 “(B) incorporates most components in-
13 volved in the vapor-compression cycle and the
14 refrigerated compartment in a single package.

15 “(34) The term ‘external power supply’ means
16 an external power supply circuit that is used to con-
17 vert household electric current into either DC cur-
18 rent or lower-voltage AC current to operate a con-
19 sumer product.

20 “(35) The term ‘illuminated exit sign’ means a
21 sign that—

22 “(A) is designed to be permanently fixed in
23 place to identify an exit; and

24 “(B) consists of an electrically powered in-
25 tegral light source that illuminates the legend

1 ‘EXIT’ and any directional indicators and pro-
2 vides contrast between the legend, any direc-
3 tional indicators, and the background.

4 “(36)(A) Except as provided in subparagraph
5 (B), the term ‘distribution transformer’ means a
6 transformer that—

7 “(i) has an input voltage of 34.5 kilovolts
8 or less;

9 “(ii) has an output voltage of 600 volts or
10 less; and

11 “(iii) is rated for operation at a frequency
12 of 60 Hertz.

13 “(B) The term ‘distribution transformer’ does
14 not include—

15 “(i) transformers with multiple voltage
16 taps, with the highest voltage tap equaling at
17 least 20 percent more than the lowest voltage
18 tap;

19 “(ii) transformers, such as those commonly
20 known as drive transformers, rectifier trans-
21 formers, auto-transformers, Uninterruptible
22 Power System transformers, impedance trans-
23 formers, harmonic transformers, regulating
24 transformers, sealed and nonventilating trans-
25 formers, machine tool transformers, welding

1 transformers, grounding transformers, or test-
2 ing transformers, that are designed to be used
3 in a special purpose application and are unlikely
4 to be used in general purpose applications; or

5 “(iii) any transformer not listed in clause
6 (ii) that is excluded by the Secretary by rule
7 because—

8 “(I) the transformer is designed for a
9 special application;

10 “(II) the transformer is unlikely to be
11 used in general purpose applications; and

12 “(III) the application of standards to
13 the transformer would not result in signifi-
14 cant energy savings.

15 “(37) The term ‘low-voltage dry-type distribu-
16 tion transformer’ means a distribution transformer
17 that—

18 “(i) has an input voltage of 600 volts or
19 less;

20 “(ii) is air-cooled; and

21 “(iii) does not use oil as a coolant.

22 “(38) The term ‘standby mode’ means the low-
23 est power consumption mode that—

24 “(A) cannot be switched off or influenced
25 by the user; and

1 “(B) may persist for an indefinite time
2 when an appliance is connected to the main
3 electricity supply and used in accordance with
4 the manufacturer’s instructions,
5 as defined on an individual product basis by the Sec-
6 retary.

7 “(39) The term ‘torchiere’ means a portable
8 electric lamp with a reflector bowl that directs light
9 upward so as to give indirect illumination.

10 “(40) The term ‘transformer’ means a device
11 consisting of two or more coils of insulated wire that
12 transfers alternating current by electromagnetic in-
13 duction from one coil to another to change the origi-
14 nal voltage or current value.

15 “(41) The term ‘unit heater’ means a self-con-
16 tained fan-type heater designed to be installed with-
17 in the heated space, except that such term does not
18 include a warm air furnace.

19 “(42) The term ‘traffic signal module’ means a
20 standard 8-inch (200mm) or 12-inch (300mm) traf-
21 fic signal indication, consisting of a light source, a
22 lens, and all other parts necessary for operation,
23 that communicates movement messages to drivers
24 through red, amber, and green colors.(38) The term
25 ”.

1 (b) TEST PROCEDURES.—Section 323 of the Energy
2 Policy and Conservation Act (42 U.S.C. 6293) is
3 amended—

4 (1) in subsection (b), by adding at the end the
5 following:

6 “(9) Test procedures for illuminated exit signs
7 shall be based on the test method used under Ver-
8 sion 2.0 of the Energy Star program of the Environ-
9 mental Protection Agency for illuminated exit signs.

10 “(10) Test procedures for distribution trans-
11 formers and low voltage dry-type distribution trans-
12 formers shall be based on the ‘Standard Test Meth-
13 od for Measuring the Energy Consumption of Dis-
14 tribution Transformers’ prescribed by the National
15 Electrical Manufacturers Association (NEMA TP 2-
16 1998). The Secretary may review and revise this test
17 procedure. For purposes of section 346(a), this test
18 procedure shall be deemed to be testing require-
19 ments prescribed by the Secretary under section
20 346(a)(1) for distribution transformers for which the
21 Secretary makes a determination that energy con-
22 servation standards would be technologically feasible
23 and economically justified, and would result in sig-
24 nificant energy savings.

1 “(11) Test procedures for traffic signal modules
2 shall be based on the test method used under the
3 Energy Star program of the Environmental Protec-
4 tion Agency for traffic signal modules, as in effect
5 on the date of enactment of this paragraph.

6 “(12) Test procedures for medium base com-
7 pact fluorescent lamps shall be based on the test
8 methods used under the August 9, 2001, version of
9 the Energy Star program of the Environmental Pro-
10 tection Agency and Department of Energy for com-
11 pact fluorescent lamps. Covered products shall meet
12 all test requirements for regulated parameters in
13 section 325(bb). However, covered products may be
14 marketed prior to completion of lamp life and lumen
15 maintenance at 40 percent of rated life testing pro-
16 vided manufacturers document engineering pre-
17 dictions and analysis that support expected attain-
18 ment of lumen maintenance at 40 percent rated life
19 and lamp life time.”; and

20 (2) by adding at the end the following:

21 “(f) **ADDITIONAL CONSUMER AND COMMERCIAL**
22 **PRODUCTS.**—The Secretary shall within 24 months after
23 the date of enactment of this subsection prescribe testing
24 requirements for suspended ceiling fans, refrigerated bot-
25 tled or canned beverage vending machines, and commer-

1 cial refrigerators, freezers, and refrigerator-freezers. Such
2 testing requirements shall be based on existing test proce-
3 dures used in industry to the extent practical and reason-
4 able. In the case of suspended ceiling fans, such test proce-
5 dures shall include efficiency at both maximum output and
6 at an output no more than 50 percent of the maximum
7 output.”.

8 (c) NEW STANDARDS.—Section 325 of the Energy
9 Policy and Conservation Act (42 U.S.C. 6295) is amended
10 by adding at the end the following:

11 “(u) STANDBY MODE ELECTRIC ENERGY CONSUMP-
12 TION.—

13 “(1) INITIAL RULEMAKING.—(A) The Secretary
14 shall, within 18 months after the date of enactment
15 of this subsection, prescribe by notice and comment,
16 definitions of standby mode and test procedures for
17 the standby mode power use of battery chargers and
18 external power supplies. In establishing these test
19 procedures, the Secretary shall consider, among
20 other factors, existing test procedures used for meas-
21 uring energy consumption in standby mode and as-
22 sess the current and projected future market for
23 battery chargers and external power supplies. This
24 assessment shall include estimates of the significance
25 of potential energy savings from technical improve-

1 ments to these products and suggested product
2 classes for standards. Prior to the end of this time
3 period, the Secretary shall hold a scoping workshop
4 to discuss and receive comments on plans for devel-
5 oping energy conservation standards for standby
6 mode energy use for these products.

7 “(B) The Secretary shall, within 3 years after
8 the date of enactment of this subsection, issue a
9 final rule that determines whether energy conserva-
10 tion standards shall be promulgated for battery
11 chargers and external power supplies or classes
12 thereof. For each product class, any such standards
13 shall be set at the lowest level of standby energy use
14 that—

15 “(i) meets the criteria of subsections (o),
16 (p), (q), (r), (s) and (t); and

17 “(ii) will result in significant overall an-
18 nual energy savings, considering both standby
19 mode and other operating modes.

20 “(2) DESIGNATION OF ADDITIONAL COVERED
21 PRODUCTS.—(A) Not later than 180 days after the
22 date of enactment of this subsection, the Secretary
23 shall publish for public comment and public hearing
24 a notice to determine whether any non-covered prod-
25 ucts should be designated as covered products for

1 the purpose of instituting a rulemaking under this
2 section to determine whether an energy conservation
3 standard restricting standby mode energy consump-
4 tion, should be promulgated; except that any restric-
5 tion on standby mode energy consumption shall be
6 limited to major sources of such consumption.

7 “(B) In making the determinations pursuant to
8 subparagraph (A) of whether to designate new cov-
9 ered products and institute rulemakings, the Sec-
10 retary shall, among other relevant factors and in ad-
11 dition to the criteria in section 322(b), consider—

12 “(i) standby mode power consumption
13 compared to overall product energy consump-
14 tion; and

15 “(ii) the priority and energy savings poten-
16 tial of standards that may be promulgated
17 under this subsection compared to other re-
18 quired rulemakings under this section and the
19 available resources of the Department to con-
20 duct such rulemakings.

21 “(C) Not later than 1 year after the date of en-
22 actment of this subsection, the Secretary shall issue
23 a determination of any new covered products for
24 which the Secretary intends to institute rulemakings
25 on standby mode pursuant to this section and he

1 shall state the dates by which he intends to initiate
2 those rulemakings.

3 “(3) REVIEW OF STANDBY ENERGY USE IN
4 COVERED PRODUCTS.—In determining pursuant to
5 section 323 whether test procedures and energy con-
6 servation standards pursuant to this section should
7 be revised, the Secretary shall consider, for covered
8 products that are major sources of standby mode en-
9 ergy consumption, whether to incorporate standby
10 mode into such test procedures and energy conserva-
11 tion standards, taking into account, among other
12 relevant factors, the criteria for noncovered products
13 in paragraph (2)(B).

14 “(4) RULEMAKING.—(A) Any rulemaking insti-
15 tuted under this subsection or for covered products
16 under this section that restricts standby mode power
17 consumption shall be subject to the criteria and pro-
18 cedures for issuing energy conservation standards
19 set forth in this section and the criteria set forth in
20 paragraph (2)(B).

21 “(B) The Secretary shall not propose a stand-
22 ard for new covered products or covered products in
23 a standby mode unless the Secretary has promul-
24 gated applicable test procedures for each product
25 pursuant to section 323.

1 “(C) Section 327 shall apply to new covered
2 products that are subject to the rulemakings for
3 standby mode after a final rule has been issued.

4 “(5) EFFECTIVE DATE.—Any standard promul-
5 gated under this subsection shall be applicable to
6 products manufactured or imported 3 years after the
7 date of promulgation.

8 “(6) VOLUNTARY PROGRAMS.—The Secretary
9 and the Administrator shall collaborate and develop
10 programs, including programs pursuant to section
11 324A (relating to Energy Star Programs) and other
12 voluntary industry agreements or codes of conduct,
13 that are designed to reduce standby mode energy
14 use.

15 “(v) SUSPENDED CEILING FANS, VENDING MA-
16 CHINES, AND COMMERCIAL REFRIGERATORS, FREEZERS,
17 AND REFRIGERATOR-FREEZERS.—The Secretary shall
18 within 36 months after the date on which testing require-
19 ments are prescribed by the Secretary pursuant to section
20 323(f), prescribe, by rule, energy conservation standards
21 for suspended ceiling fans, refrigerated bottled or canned
22 beverage vending machines, and commercial refrigerators,
23 freezers, and refrigerator-freezers. In establishing stand-
24 ards under this subsection, the Secretary shall use the cri-
25 teria and procedures contained in subsections (l) and (m).

1 Any standard prescribed under this subsection shall apply
2 to products manufactured 3 years after the date of publi-
3 cation of a final rule establishing such standard.

4 “(w) ILLUMINATED EXIT SIGNS.—Illuminated exit
5 signs manufactured on or after January 1, 2005, shall
6 meet the Version 2.0 Energy Star Program performance
7 requirements for illuminated exit signs prescribed by the
8 Environmental Protection Agency.

9 “(x) TORCHIERES.—Torchieres manufactured on or
10 after January 1, 2005—

11 “(1) shall consume not more than 190 watts of
12 power; and

13 “(2) shall not be capable of operating with
14 lamps that total more than 190 watts.

15 “(y) LOW VOLTAGE DRY-TYPE DISTRIBUTION
16 TRANSFORMERS.—The efficiency of low voltage dry-type
17 distribution transformers manufactured on or after Janu-
18 ary 1, 2005, shall be the Class I Efficiency Levels for dis-
19 tribution transformers specified in Table 4-2 of the ‘Guide
20 for Determining Energy Efficiency for Distribution Trans-
21 formers’ published by the National Electrical Manufactur-
22 ers Association (NEMA TP-1-2002).

23 “(z) TRAFFIC SIGNAL MODULES.—Traffic signal
24 modules manufactured on or after January 1, 2006, shall
25 meet the performance requirements used under the En-

1 ergy Star program of the Environmental Protection Agen-
2 cy for traffic signals, as in effect on the date of enactment
3 of this paragraph, and shall be installed with compatible,
4 electrically-connected signal control interface devices and
5 conflict monitoring systems.

6 “(aa) UNIT HEATERS.—Unit heaters manufactured
7 on or after the date that is three years after the date of
8 enactment of this subsection shall be equipped with an
9 intermittent ignition device and shall have either power
10 venting or an automatic flue damper.

11 “(bb) MEDIUM BASE COMPACT FLUORESCENT
12 LAMPS.—Bare lamp and covered lamp (no reflector) me-
13 dium base compact fluorescent lamps manufactured on or
14 after January 1, 2005, shall meet the following require-
15 ments prescribed by the August 9, 2001, version of the
16 Energy Star Program Requirements for Compact Fluores-
17 cent Lamps, Energy Star Eligibility Criteria, Energy-Effi-
18 ciency Specification issued by the Environmental Protec-
19 tion Agency and Department of Energy: minimum initial
20 efficacy; lumen maintenance at 1000 hours; lumen mainte-
21 nance at 40 percent of rated life; rapid cycle stress test;
22 and lamp life. The Secretary may, by rule, establish re-
23 quirements for color quality (CRI); power factor; oper-
24 ating frequency; and maximum allowable start time based
25 on the requirements prescribed by the August 9, 2001,

1 version of the Energy Star Program Requirements for
2 Compact Fluorescent Lamps. The Secretary may, by rule,
3 revise these requirements or establish other requirements
4 considering energy savings, cost effectiveness, and con-
5 sumer satisfaction.

6 “(cc) EFFECTIVE DATE.—Section 327 shall apply—

7 “(1) to products for which standards are to be
8 established under subsection (v) on the date on
9 which a final rule is issued by the Department of
10 Energy, except that any State or local standards
11 prescribed or enacted for any such product prior to
12 the date on which such final rule is issued shall not
13 be preempted until the standard established under
14 subsection (v) for that product takes effect; and

15 “(2) to products for which standards are estab-
16 lished under subsections (w) through (bb) on the
17 date of enactment of those subsections, except that
18 any State or local standards prescribed or enacted
19 prior to the date of enactment of those subsections
20 shall not be preempted until the standards estab-
21 lished under subsections (w) through (bb) take ef-
22 fect.”.

23 (d) RESIDENTIAL FURNACE FANS.—Section
24 325(f)(3) of the Energy Policy and Conservation Act (42

1 U.S.C. 6295(f)(3)) is amended by adding the following
2 new subparagraph at the end:

3 “(D) Notwithstanding any provision of this Act, the
4 Secretary may consider, and prescribe, if the requirements
5 of subsection (o) of this section are met, energy efficiency
6 or energy use standards for electricity used for purposes
7 of circulating air through duct work.”.

8 **SEC. 134. ENERGY LABELING.**

9 (a) RULEMAKING ON EFFECTIVENESS OF CONSUMER
10 PRODUCT LABELING.—Section 324(a)(2) of the Energy
11 Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is
12 amended by adding at the end the following:

13 “(F) Not later than 3 months after the date of enact-
14 ment of this subparagraph, the Commission shall initiate
15 a rulemaking to consider the effectiveness of the current
16 consumer products labeling program in assisting con-
17 sumers in making purchasing decisions and improving en-
18 ergy efficiency and to consider changes to the labeling
19 rules that would improve the effectiveness of consumer
20 product labels. Such rulemaking shall be completed within
21 2 years after the date of enactment of this subpara-
22 graph.”.

23 (b) RULEMAKING ON LABELING FOR ADDITIONAL
24 PRODUCTS.—Section 324(a) of the Energy Policy and

1 Conservation Act (42 U.S.C. 6294(a)) is further amended
2 by adding at the end the following:

3 “(5) The Secretary or the Commission, as appro-
4 priate, may, for covered products referred to in sub-
5 sections (u) through (bb) of section 325, prescribe, by
6 rule, pursuant to this section, labeling requirements for
7 such products after a test procedure has been set pursuant
8 to section 323. In the case of products to which TP-1
9 standards under section 325(y) apply, labeling require-
10 ments shall be based on the ‘Standard for the Labeling
11 of Distribution Transformer Efficiency’ prescribed by the
12 National Electrical Manufacturers Association (NEMA
13 TP-3) as in effect upon the date of enactment of this
14 paragraph.”.

15 **Subtitle D—Public Housing**

16 **SEC. 141. CAPACITY BUILDING FOR ENERGY-EFFICIENT, AF-** 17 **FORDABLE HOUSING.**

18 Section 4(b) of the HUD Demonstration Act of 1993
19 (42 U.S.C. 9816 note) is amended—

20 (1) in paragraph (1), by inserting before the
21 semicolon at the end the following: “, including ca-
22 pabilities regarding the provision of energy efficient,
23 affordable housing and residential energy conserva-
24 tion measures”; and

1 (2) in paragraph (2), by inserting before the
2 semicolon the following: “, including such activities
3 relating to the provision of energy efficient, afford-
4 able housing and residential energy conservation
5 measures that benefit low-income families”.

6 **SEC. 142. INCREASE OF CDBG PUBLIC SERVICES CAP FOR**
7 **ENERGY CONSERVATION AND EFFICIENCY**
8 **ACTIVITIES.**

9 Section 105(a)(8) of the Housing and Community
10 Development Act of 1974 (42 U.S.C. 5305(a)(8)) is
11 amended—

12 (1) by inserting “or efficiency” after “energy
13 conservation”;

14 (2) by striking “, and except that” and insert-
15 ing “; except that”; and

16 (3) by inserting before the semicolon at the end
17 the following: “; and except that each percentage
18 limitation under this paragraph on the amount of
19 assistance provided under this title that may be used
20 for the provision of public services is hereby in-
21 creased by 10 percent, but such percentage increase
22 may be used only for the provision of public services
23 concerning energy conservation or efficiency”.

1 **SEC. 143. FHA MORTGAGE INSURANCE INCENTIVES FOR**
2 **ENERGY EFFICIENT HOUSING.**

3 (a) SINGLE FAMILY HOUSING MORTGAGE INSUR-
4 ANCE.—Section 203(b)(2) of the National Housing Act
5 (12 U.S.C. 1709(b)(2)) is amended, in the first undesig-
6 nated paragraph beginning after subparagraph (B)(ii)(IV)
7 (relating to solar energy systems), by striking “20 per-
8 cent” and inserting “30 percent”.

9 (b) MULTIFAMILY HOUSING MORTGAGE INSUR-
10 ANCE.—Section 207(c) of the National Housing Act (12
11 U.S.C. 1713(c)) is amended, in the second undesignated
12 paragraph beginning after paragraph (3) (relating to solar
13 energy systems and residential energy conservation meas-
14 ures), by striking “20 percent” and inserting “30 per-
15 cent”.

16 (c) COOPERATIVE HOUSING MORTGAGE INSUR-
17 ANCE.—Section 213(p) of the National Housing Act (12
18 U.S.C. 1715e(p)) is amended by striking “20 per centum”
19 and inserting “30 percent”.

20 (d) REHABILITATION AND NEIGHBORHOOD CON-
21 SERVATION HOUSING MORTGAGE INSURANCE.—Section
22 220(d)(3)(B)(iii)(IV) of the National Housing Act (12
23 U.S.C. 1715k(d)(3)(B)(iii)(IV)) is amended by striking
24 “20 per centum” and inserting “30 percent”.

25 (e) LOW-INCOME MULTIFAMILY HOUSING MORT-
26 GAGE INSURANCE.—Section 221(k) of the National Hous-

1 ing Act (12 U.S.C. 1715l(k)) is amended by striking “20
2 per centum” and inserting “30 percent”.

3 (f) ELDERLY HOUSING MORTGAGE INSURANCE.—
4 Section 231(c)(2)(C) of the National Housing Act (12
5 U.S.C. 1715v(e)(2)(C)) is amended by striking “20 per
6 centum” and inserting “30 percent”.

7 (g) CONDOMINIUM HOUSING MORTGAGE INSUR-
8 ANCE.—Section 234(j) of the National Housing Act (12
9 U.S.C. 1715y(j)) is amended by striking “20 per centum”
10 and inserting “30 percent”.

11 **SEC. 144. PUBLIC HOUSING CAPITAL FUND.**

12 Section 9 of the United States Housing Act of 1937
13 (42 U.S.C. 1437g) is amended—

14 (1) in subsection (d)(1)—

15 (A) in subparagraph (I), by striking “and”
16 at the end;

17 (B) in subparagraph (J), by striking the
18 period at the end and inserting a semicolon;
19 and

20 (C) by adding at the end the following new
21 subparagraphs:

22 “(K) improvement of energy and water-use
23 efficiency by installing fixtures and fittings that
24 conform to the American Society of Mechanical
25 Engineers/American National Standards Insti-

1 tute standards A112.19.2-1998 and A112.18.1-
2 2000, or any revision thereto, applicable at the
3 time of installation, and by increasing energy
4 efficiency and water conservation by such other
5 means as the Secretary determines are appro-
6 priate; and

7 “(L) integrated utility management and
8 capital planning to maximize energy conserva-
9 tion and efficiency measures.”; and

10 (2) in subsection (e)(2)(C)—

11 (A) by striking “The” and inserting the
12 following:

13 “(i) IN GENERAL.—The”; and

14 (B) by adding at the end the following:

15 “(ii) THIRD PARTY CONTRACTS.—
16 Contracts described in clause (i) may in-
17 clude contracts for equipment conversions
18 to less costly utility sources, projects with
19 resident-paid utilities, and adjustments to
20 frozen base year consumption, including
21 systems repaired to meet applicable build-
22 ing and safety codes and adjustments for
23 occupancy rates increased by rehabilita-
24 tion.

1 “(iii) TERM OF CONTRACT.—The total
2 term of a contract described in clause (i)
3 shall not exceed 20 years to allow longer
4 payback periods for retrofits, including
5 windows, heating system replacements,
6 wall insulation, site-based generation, ad-
7 vanced energy savings technologies, includ-
8 ing renewable energy generation, and other
9 such retrofits.”.

10 **SEC. 145. GRANTS FOR ENERGY-CONSERVING IMPROVE-**
11 **MENTS FOR ASSISTED HOUSING.**

12 Section 251(b)(1) of the National Energy Conserva-
13 tion Policy Act (42 U.S.C. 8231(1)) is amended—

14 (1) by striking “financed with loans” and in-
15 serting “assisted”;

16 (2) by inserting after “1959,” the following:
17 “which are eligible multifamily housing projects (as
18 such term is defined in section 512 of the Multi-
19 family Assisted Housing Reform and Affordability
20 Act of 1997 (42 U.S.C. 1437f note)) and are subject
21 to mortgage restructuring and rental assistance suf-
22 ficiency plans under such Act,”; and

23 (3) by inserting after the period at the end of
24 the first sentence the following new sentence: “Such
25 improvements may also include the installation of

1 energy and water conserving fixtures and fittings
2 that conform to the American Society of Mechanical
3 Engineers/American National Standards Institute
4 standards A112.19.2-1998 and A112.18.1-2000, or
5 any revision thereto, applicable at the time of instal-
6 lation.”.

7 **SEC. 146. NORTH AMERICAN DEVELOPMENT BANK.**

8 Part 2 of subtitle D of title V of the North American
9 Free Trade Agreement Implementation Act (22 U.S.C.
10 290m–290m-3) is amended by adding at the end the fol-
11 lowing:

12 **“SEC. 545. SUPPORT FOR CERTAIN ENERGY POLICIES.**

13 “Consistent with the focus of the Bank’s Charter on
14 environmental infrastructure projects, the Board members
15 representing the United States should use their voice and
16 vote to encourage the Bank to finance projects related to
17 clean and efficient energy, including energy conservation,
18 that prevent, control, or reduce environmental pollutants
19 or contaminants.”.

20 **SEC. 147. ENERGY-EFFICIENT APPLIANCES.**

21 In purchasing appliances, a public housing agency
22 shall purchase energy-efficient appliances that are Energy
23 Star products or FEMP-designated products, as such
24 terms are defined in section 552 of the National Energy
25 Policy and Conservation Act (as amended by this Act),

1 unless the purchase of energy-efficient appliances is not
2 cost-effective to the agency.

3 **SEC. 148. ENERGY EFFICIENCY STANDARDS.**

4 Section 109 of the Cranston-Gonzalez National Af-
5 fordable Housing Act (42 U.S.C. 12709) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) by striking “1 year after the date
9 of the enactment of the Energy Policy Act
10 of 1992” and inserting “September 30,
11 2004”;

12 (ii) in subparagraph (A), by striking
13 “and” at the end;

14 (iii) in subparagraph (B), by striking
15 the period at the end and inserting “;
16 and”;

17 (iv) by adding at the end the fol-
18 lowing:

19 “(C) rehabilitation and new construction of
20 public and assisted housing funded by HOPE
21 VI revitalization grants under section 24 of the
22 United States Housing Act of 1937 (42 U.S.C.
23 1437v), where such standards are determined
24 to be cost effective by the Secretary of Housing
25 and Urban Development.”; and

1 (B) in paragraph (2), by striking “Council
2 of American” and all that follows through
3 “90.1–1989’)” and inserting “2003 Inter-
4 national Energy Conservation Code”;

5 (2) in subsection (b)—

6 (A) by striking “within 1 year after the
7 date of the enactment of the Energy Policy Act
8 of 1992” and inserting “by September 30,
9 2004”; and

10 (B) by striking “CABO” and all that fol-
11 lows through “1989” and inserting “the 2003
12 International Energy Conservation Code”; and

13 (3) in subsection (c)—

14 (A) in the heading, by striking “MODEL
15 ENERGY CODE” and inserting “THE INTER-
16 NATIONAL ENERGY CONSERVATION CODE”;
17 and

18 (B) by striking “CABO” and all that fol-
19 lows through “1989” and inserting “the 2003
20 International Energy Conservation Code”.

21 **SEC. 149. ENERGY STRATEGY FOR HUD.**

22 The Secretary of Housing and Urban Development
23 shall develop and implement an integrated strategy to re-
24 duce utility expenses through cost-effective energy con-
25 servation and efficiency measures and energy efficient de-

1 sign and construction of public and assisted housing. The
2 energy strategy shall include the development of energy
3 reduction goals and incentives for public housing agencies.
4 The Secretary shall submit a report to Congress, not later
5 than one year after the date of the enactment of this Act,
6 on the energy strategy and the actions taken by the De-
7 partment of Housing and Urban Development to monitor
8 the energy usage of public housing agencies and shall sub-
9 mit an update every two years thereafter on progress in
10 implementing the strategy.