

113TH CONGRESS  
1ST SESSION

# S. 1261

To amend the National Energy Conservation Policy Act and the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 27, 2013

Mr. UDALL of Colorado (for himself and Mr. RISCH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the National Energy Conservation Policy Act and the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, 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 “Energy Efficient Gov-  
5 ernment Technology Act”.

1 **SEC. 2. ENERGY-EFFICIENT AND ENERGY-SAVING INFOR-**  
2 **MATION AND COMMUNICATIONS TECH-**  
3 **NOLOGIES.**

4 Section 543 of the National Energy Conservation  
5 Policy Act (42 U.S.C. 8253) is amended—

6 (1) by redesignating the second subsection (f)  
7 (relating to large capital energy investments) as sub-  
8 section (g); and

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

10 “(h) **FEDERAL IMPLEMENTATION STRATEGY FOR**  
11 **ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION**  
12 **AND COMMUNICATIONS TECHNOLOGIES.—**

13 “(1) **IN GENERAL.—**Not later than 1 year after  
14 the date of enactment of this subsection, each Fed-  
15 eral agency shall collaborate with the Director of the  
16 Office of Management and Budget (referred to in  
17 this subsection as the ‘Director’) to develop an im-  
18 plementation strategy (including best-practices and  
19 measurement and verification techniques) for the  
20 maintenance, purchase, and use by the Federal  
21 agency of energy-efficient and energy-saving infor-  
22 mation and communications technologies and prac-  
23 tices.

24 “(2) **CONTENT.—**Each implementation strategy  
25 shall be flexible, cost-effective, and based on the spe-

1 cific operating requirements and statutory mission of  
2 the agency.

3 “(3) ADMINISTRATION.—In developing an im-  
4 plementation strategy, each Federal agency shall—

5 “(A) consider information and communica-  
6 tions technologies (referred to in this subsection  
7 as ‘ICT’) and related infrastructure and prac-  
8 tices, such as—

9 “(i) advanced metering infrastructure;

10 “(ii) ICT services and products;

11 “(iii) efficient data center strategies  
12 and methods of increasing ICT asset and  
13 related infrastructure utilization;

14 “(iv) ICT and related infrastructure  
15 power management;

16 “(v) building information modeling,  
17 including building energy management;  
18 and

19 “(vi) secure telework and travel sub-  
20 stitution tools; and

21 “(B) ensure that the agency realizes the  
22 savings and rewards brought about through in-  
23 creased efficiency and utilization.

24 “(4) PERFORMANCE GOALS.—

1           “(A) IN GENERAL.—Not later than 180  
2 days after the date of enactment of this sub-  
3 section, the Director, in consultation with the  
4 Secretary, shall establish performance goals for  
5 evaluating the efforts of Federal agencies in im-  
6 proving the maintenance, purchase, and use of  
7 energy-efficient and energy-saving information  
8 and communications technology systems and  
9 practices.

10           “(B) ENERGY EFFICIENT DATA CEN-  
11 TERS.—The Director shall include within the  
12 performance goals established under this para-  
13 graph—

14           “(i) specifications and benchmarks  
15 that will enable Federal data center opera-  
16 tors to make more informed decisions  
17 about the energy efficiency and cost sav-  
18 ings of data centers, including an overall  
19 Federal target for increased energy effi-  
20 ciency, with initial reliance on the Power  
21 Usage Effectiveness metric;

22           “(ii) overall asset utilization; and

23           “(iii) recommendations and best prac-  
24 tices for how the benchmarks will be at-  
25 tained, with the recommendations to in-

1           clude a requirement for agencies to evalu-  
2           ate the use of energy savings performance  
3           contracting and utility energy services con-  
4           tracting as preferred acquisition methods.

5           “(C) ADMINISTRATION.—The performance  
6           goals established under this paragraph shall—

7                   “(i) measure information technology  
8                   costs over a specific time period of 3 to 5  
9                   years;

10                   “(ii) measure cost savings attained via  
11                   the use of energy-efficient and energy-sav-  
12                   ing information and communications solu-  
13                   tions during the same time period; and

14                   “(iii) provide, to the maximum extent  
15                   practicable, a complete picture of all costs  
16                   and savings, including energy costs and  
17                   savings.

18           “(5) FEDERAL DATA CENTERS TASK FORCE.—

19                   “(A) IN GENERAL.—The Director shall  
20                   maintain a Governmentwide Data Center Task  
21                   Force comprised of Federal data center pro-  
22                   gram managers, facilities managers, and sus-  
23                   tainability officers.

24                   “(B) DUTIES.—The members of the task  
25                   force shall—

1           “(i) be responsible for working to-  
2           gether to share progress toward individual  
3           agency goals and the overall Federal target  
4           for increased energy efficiency; and

5           “(ii) regularly exchange best practices  
6           and other strategic information related to  
7           energy efficiency with the private sector.

8           “(6) REPORTS.—

9           “(A) AGENCY REPORTS.—Each Federal  
10          agency subject to the requirements of this sub-  
11          section shall include in the report of the agency  
12          under section 527 of the Energy Independence  
13          and Security Act of 2007 (42 U.S.C. 17143) a  
14          description of the efforts and results of the  
15          agency under this subsection.

16          “(B) OMB GOVERNMENT EFFICIENCY RE-  
17          PORTS AND SCORECARDS.—Effective beginning  
18          not later than October 1, 2013, the Director  
19          shall include in the annual report and scorecard  
20          of the Director required under section 528 of  
21          the Energy Independence and Security Act of  
22          2007 (42 U.S.C. 17144) a description of the ef-  
23          forts and results of Federal agencies under this  
24          subsection.”.

1 **SEC. 3. ENERGY EFFICIENT DATA CENTERS.**

2 Section 453 of the Energy Independence and Security  
3 Act of 2007 (42 U.S.C. 17112) is amended—

4 (1) in subsection (c), by striking paragraph (1)  
5 and inserting the following:

6 “(1) IN GENERAL.—Not later than 30 days  
7 after the date of enactment of the Energy Efficient  
8 Government Technology Act, the Secretary and the  
9 Administrator shall—

10 “(A) designate an established information  
11 technology industry organization to coordinate  
12 the program described in subsection (b); and

13 “(B) make the designation public, includ-  
14 ing on an appropriate website.”;

15 (2) by striking subsections (e) and (f) and in-  
16 serting the following:

17 “(e) STUDY.—The Secretary, with assistance from  
18 the Administrator, shall—

19 “(1) not later than December 31, 2013, make  
20 available to the public an update to the Report to  
21 Congress on Server and Data Center Energy Effi-  
22 ciency published on August 2, 2007, under section  
23 1 of Public Law 109–431 (120 Stat. 2920), that  
24 provides—

25 “(A) a comparison and gap analysis of the  
26 estimates and projections contained in the origi-

1           nal report with new data regarding the period  
2           from 2007 through 2012;

3           “(B) an analysis considering the impact of  
4           information and communications technologies  
5           asset and related infrastructure utilization solu-  
6           tions, to include virtualization and cloud com-  
7           puting-based solutions, in the public and private  
8           sectors; and

9           “(C) updated projections and recommenda-  
10          tions for best practices; and

11          “(2) collaborate with the organization des-  
12          ignated under subsection (c) in preparing the report.

13          “(f) DATA CENTER ENERGY PRACTITIONER PRO-  
14          GRAM.—

15          “(1) IN GENERAL.—The Secretary, in collabo-  
16          ration with the organization designated under sub-  
17          section (c) and the Federal Chief Information Offi-  
18          cer, shall maintain a data center energy practitioner  
19          program that leads to the certification of energy  
20          practitioners qualified to evaluate the energy usage  
21          and efficiency opportunities in data centers.

22          “(2) EVALUATIONS.—Each Federal agency  
23          shall have the data centers of the agency evaluated  
24          every 4 years by energy practitioners certified pursu-

1 ant to the program, whenever practicable using cer-  
2 tified practitioners employed by the agency.”;

3 (3) by redesignating subsection (g) as sub-  
4 section (j); and

5 (4) by inserting after subsection (f) the fol-  
6 lowing:

7 “(g) OPEN DATA INITIATIVE.—

8 “(1) IN GENERAL.—The Secretary, in collabo-  
9 ration with the organization designated under sub-  
10 section (c) and the Federal Chief Information Offi-  
11 cer, shall establish an open data initiative for Fed-  
12 eral data center energy usage data, with the purpose  
13 of making the data available and accessible in a  
14 manner that empowers further data center innova-  
15 tion while protecting United States national security  
16 interests.

17 “(2) ADMINISTRATION.—In establishing the ini-  
18 tiative, the Secretary shall consider use of the online  
19 Data Center Maturity Model.

20 “(h) INTERNATIONAL SPECIFICATIONS AND  
21 METRICS.—The Secretary, in collaboration with the orga-  
22 nization designated under subsection (c), shall actively  
23 participate in efforts to harmonize global specifications  
24 and metrics for data center energy efficiency.

1       “(i) ICT ASSET UTILIZATION METRIC.—The Sec-  
2 retary, in collaboration with the organization designated  
3 under subsection (c), shall assist in the development of  
4 an efficiency metric that measures the energy efficiency  
5 of the overall data center, including information and com-  
6 munications technology systems and related infrastruc-  
7 ture.”.

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