

114TH CONGRESS
2D SESSION

H. R. 1268

IN THE SENATE OF THE UNITED STATES

MARCH 15, 2016

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To amend 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Energy Efficient Gov-
3 ernment Technology Act”.

4 **SEC. 2. ENERGY-EFFICIENT AND ENERGY-SAVING INFOR-**
5 **MATION TECHNOLOGIES.**

6 (a) AMENDMENT.—Subtitle C of title V of the En-
7 ergy Independence and Security Act of 2007 (Public Law
8 110–140; 121 Stat. 1661) is amended by adding at the
9 end the following:

10 **“SEC. 530. ENERGY-EFFICIENT AND ENERGY-SAVING INFOR-**
11 **MATION TECHNOLOGIES.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) DIRECTOR.—The term ‘Director’ means
14 the Director of the Office of Management and Budg-
15 et.

16 “(2) INFORMATION TECHNOLOGY.—The term
17 ‘information technology’ has the meaning given that
18 term in section 11101 of title 40, United States
19 Code.

20 “(b) DEVELOPMENT OF IMPLEMENTATION STRAT-
21 EGY.—Not later than 1 year after the date of enactment
22 of this section, each Federal agency shall coordinate with
23 the Director, the Secretary, and the Administrator of the
24 Environmental Protection Agency to develop an implemen-
25 tation strategy (that includes best practices and measure-
26 ment and verification techniques) for the maintenance,

1 purchase, and use by the Federal agency of energy-effi-
2 cient and energy-saving information technologies, taking
3 into consideration the performance goals established under
4 subsection (d).

5 “(c) ADMINISTRATION.—In developing an implemen-
6 tation strategy under subsection (b), each Federal agency
7 shall consider—

8 “(1) advanced metering infrastructure;

9 “(2) energy-efficient data center strategies and
10 methods of increasing asset and infrastructure utili-
11 zation;

12 “(3) advanced power management tools;

13 “(4) building information modeling, including
14 building energy management;

15 “(5) secure telework and travel substitution
16 tools; and

17 “(6) mechanisms to ensure that the agency re-
18 alizes the energy cost savings brought about through
19 increased efficiency and utilization.

20 “(d) PERFORMANCE GOALS.—

21 “(1) IN GENERAL.—Not later than 180 days
22 after the date of enactment of this section, the Di-
23 rector, in consultation with the Secretary, shall es-
24 tablish performance goals for evaluating the efforts
25 of Federal agencies in improving the maintenance,

1 purchase, and use of energy-efficient and energy-sav-
2 ing information technology.

3 “(2) BEST PRACTICES.—The Chief Information
4 Officers Council established under section 3603 of
5 title 44, United States Code, shall recommend best
6 practices for the attainment of the performance
7 goals, which shall include Federal agency consider-
8 ation of, to the extent applicable by law, the use
9 of—

10 “(A) energy savings performance con-
11 tracting; and

12 “(B) utility energy services contracting.

13 “(e) REPORTS.—

14 “(1) AGENCY REPORTS.—Each Federal agency
15 shall include in the report of the agency under sec-
16 tion 527 a description of the efforts and results of
17 the agency under this section.

18 “(2) OMB GOVERNMENT EFFICIENCY REPORTS
19 AND SCORECARDS.—Effective beginning not later
20 than October 1, 2017, the Director shall include in
21 the annual report and scorecard of the Director re-
22 quired under section 528 a description of the efforts
23 and results of Federal agencies under this section.”.

24 (b) CONFORMING AMENDMENT.—The table of con-
25 tents for the Energy Independence and Security Act of

1 2007 is amended by adding after the item relating to sec-
2 tion 529 the following:

“Sec. 530. Energy-efficient and energy-saving information technologies.”.

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

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

6 (1) in subsection (b)(2)(D)(iv), by striking “de-
7 termined by the organization” and inserting “pro-
8 posed by the stakeholders”;

9 (2) by striking subsection (b)(3); and

10 (3) by striking subsections (c) through (g) and
11 inserting the following:

12 “(c) **STAKEHOLDER INVOLVEMENT.**—The Secretary
13 and the Administrator shall carry out subsection (b) in
14 collaboration with the information technology industry and
15 other key stakeholders, with the goal of producing results
16 that accurately reflect the most relevant and useful infor-
17 mation available. In such collaboration, the Secretary and
18 the Administrator shall pay particular attention to organi-
19 zations that—

20 “(1) have members with expertise in energy ef-
21 ficiency and in the development, operation, and
22 functionality of data centers, information technology
23 equipment, and software, such as representatives of
24 hardware manufacturers, data center operators, and
25 facility managers;

1 “(2) obtain and address input from Department
2 of Energy National Laboratories or any college, uni-
3 versity, research institution, industry association,
4 company, or public interest group with applicable ex-
5 pertise;

6 “(3) follow—

7 “(A) commonly accepted procedures for
8 the development of specifications; and

9 “(B) accredited standards development
10 processes; and

11 “(4) have a mission to promote energy effi-
12 ciency for data centers and information technology.

13 “(d) MEASUREMENTS AND SPECIFICATIONS.—The
14 Secretary and the Administrator shall consider and assess
15 the adequacy of the specifications, measurements, best
16 practices, and benchmarks described in subsection (b) for
17 use by the Federal Energy Management Program, the En-
18 ergy Star Program, and other efficiency programs of the
19 Department of Energy or the Environmental Protection
20 Agency.

21 “(e) STUDY.—The Secretary, in collaboration with
22 the Administrator, shall, not later than 18 months after
23 the date of enactment of the Energy Efficient Government
24 Technology Act, make available to the public an update
25 to the Report to Congress on Server and Data Center En-

1 ergy Efficiency published on August 2, 2007, under sec-
2 tion 1 of Public Law 109–431 (120 Stat. 2920), that pro-
3 vides—

4 “(1) a comparison and gap analysis of the esti-
5 mates and projections contained in the original re-
6 port with new data regarding the period from 2008
7 through 2015;

8 “(2) an analysis considering the impact of in-
9 formation technologies, including virtualization and
10 cloud computing, in the public and private sectors;

11 “(3) an evaluation of the impact of the com-
12 bination of cloud platforms, mobile devices, social
13 media, and big data on data center energy usage;

14 “(4) an evaluation of water usage in data cen-
15 ters and recommendations for reductions in such
16 water usage; and

17 “(5) updated projections and recommendations
18 for best practices through fiscal year 2020.

19 “(f) DATA CENTER ENERGY PRACTITIONER PRO-
20 GRAM.—The Secretary, in collaboration with key stake-
21 holders and the Director of the Office of Management and
22 Budget, shall maintain a data center energy practitioner
23 program that leads to the certification of energy practi-
24 tioners qualified to evaluate the energy usage and effi-
25 ciency opportunities in Federal data centers. Each Federal

1 agency shall consider having the data centers of the agen-
2 cy evaluated every 4 years, in accordance with section
3 543(f) of the National Energy Conservation Policy Act (42
4 U.S.C. 8253), by energy practitioners certified pursuant
5 to such program.

6 “(g) OPEN DATA INITIATIVE.—The Secretary, in col-
7 laboration with key stakeholders and the Director of the
8 Office of Management and Budget, shall establish an open
9 data initiative for Federal data center energy usage data,
10 with the purpose of making such data available and acces-
11 sible in a manner that encourages further data center in-
12 novation, optimization, and consolidation. In establishing
13 the initiative, the Secretary shall consider the use of the
14 online Data Center Maturity Model.

15 “(h) INTERNATIONAL SPECIFICATIONS AND
16 METRICS.—The Secretary, in collaboration with key
17 stakeholders, shall actively participate in efforts to har-
18 monize global specifications and metrics for data center
19 energy and water efficiency.

20 “(i) DATA CENTER UTILIZATION METRIC.—The Sec-
21 retary, in collaboration with key stakeholders, shall facili-
22 tate the development of an efficiency metric that measures
23 the energy efficiency of a data center (including equipment
24 and facilities).

1 “(j) PROTECTION OF PROPRIETARY INFORMATION.—
2 The Secretary and the Administrator shall not disclose
3 any proprietary information or trade secrets provided by
4 any individual or company for the purposes of carrying
5 out this section or the programs and initiatives established
6 under this section.”.

Passed the House of Representatives March 14,
2016.

Attest:

KAREN L. HAAS,
Clerk.