

114TH CONGRESS
1ST SESSION

S. 939

To require the evaluation and consolidation of duplicative green building programs within the Department of Energy.

IN THE SENATE OF THE UNITED STATES

APRIL 14, 2015

Mr. FLAKE (for himself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the evaluation and consolidation of duplicative green building programs within the Department of Energy.

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. EVALUATION AND CONSOLIDATION OF DUPLI-**
4 **CATIVE GREEN BUILDING PROGRAMS WITH-**
5 **IN DEPARTMENT OF ENERGY.**

6 (a) DEFINITIONS.—In this section:

7 (1) ADMINISTRATIVE EXPENSES.—

8 (A) IN GENERAL.—The term “administra-
9 tive expenses” has the meaning given the term
10 by the Director of the Office of Management

and Budget under section 504(b)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (31 U.S.C. 1105 note; Public Law 111–85).

(B) INCLUSIONS.—The term “administrative expenses” includes, with respect to an agency—

(i) costs incurred by—

(I) the agency; or

(II) any grantee, subgrantee, or other recipient of funds from a grant program or other program administered by the agency; and

(ii) expenses relating to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication regarding, promotion of, and outreach for programs and program activities administered by the agency.

(2) APPLICABLE PROGRAM.—The term “applicable program” means any program that is—

(A) listed in Table 9 (pages 348–350) of the report of the Government Accountability Office entitled “2012 Annual Report: Opportu-

1 nities to Reduce Duplication, Overlap and
 2 Fragmentation, Achieve Savings, and Enhance
 3 Revenue”; and

4 (B) administered by the Secretary.

5 (3) SECRETARY.—The term “Secretary” means
 6 the Secretary of Energy.

7 (4) SERVICE.—

8 (A) IN GENERAL.—Subject to subpara-
 9 graph (B), the term “service” has the meaning
 10 given the term by the Director of the Office of
 11 Management and Budget.

12 (B) REQUIREMENTS.—For purposes of
 13 subparagraph (A), the term “service” shall be
 14 limited to activities, assistance, or other aid
 15 that provides a direct benefit to a recipient,
 16 such as—

17 (i) the provision of technical assist-
 18 ance;

19 (ii) assistance for housing or tuition;
 20 or

21 (iii) financial support (including
 22 grants, loans, tax credits, and tax deduc-
 23 tions).

24 (b) REPORT.—

1 (1) IN GENERAL.—Not later than October 1,
2 2015, the Secretary shall submit to Congress and
3 make available on the public Internet website of the
4 Department of Energy a report that describes the
5 outcomes of all applicable programs.

6 (2) REQUIREMENTS.—In preparing the report
7 under paragraph (1), the Secretary shall—

8 (A) determine the total administrative ex-
9 penses of each applicable program;

10 (B) determine the expenditures for services
11 for each applicable program;

12 (C) estimate the number of—

13 (i) clients served by each applicable
14 program; and

15 (ii) beneficiaries who received services
16 under the applicable program (if applica-
17 ble);

18 (D) estimate—

19 (i) the number of full-time employees
20 who administer each applicable program;
21 and

22 (ii) the number of full-time equiva-
23 lents (the salary of whom is paid in part
24 or full by the Federal Government through
25 a grant or contract, a subaward of a grant

1 or contract, a cooperative agreement, or
2 another form of financial award or assist-
3 ance) who assist in administering the ap-
4 plicable program;

5 (E) describe the type of services each ap-
6 plicable program provides, such as grants, tech-
7 nical assistance, loans, tax credits, or tax de-
8 ductions;

9 (F) describe the type of recipient who ben-
10 efits from the services provided under the appli-
11 cable program, such as individual property own-
12 ers or renters, local governments, businesses,
13 nonprofit organizations, or State governments;
14 and

15 (G) identify whether written program goals
16 are available for each applicable program.

17 (c) RECOMMENDATIONS.—Not later than January 1,
18 2016, the Secretary shall submit to Congress a report that
19 includes—

20 (1) an analysis of whether any applicable pro-
21 gram should be eliminated or consolidated, including
22 any legislative changes that would be necessary to
23 eliminate or consolidate applicable programs; and

24 (2) methods to improve the applicable programs
25 by establishing program goals or increasing collabo-

1 ration to reduce the overlap and duplication identi-
2 fied in—

3 (A) the 2011 report of the Government Ac-
4 countability Office entitled “Federal Initiatives
5 for the NonFederal Sector Could Benefit from
6 More Interagency Collaboration”; and

7 (B) the report of the Government Account-
8 ability Office entitled “2012 Annual Report:
9 Opportunities to Reduce Duplication, Overlap
10 and Fragmentation, Achieve Savings, and En-
11 hance Revenue”.

12 (d) ANALYSES.—Not later than January 1, 2016, the
13 Secretary shall identify—

14 (1) which applicable programs were specifically
15 authorized by Congress; and

16 (2) which applicable programs are carried out
17 solely under the discretionary authority of the Sec-
18 retary.

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