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113TH CONGRESS
1ST SESSION

H. R. 540

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.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2013

Ms. ESHOO (for herself, Mr. ROGERS of Michigan, Mr. WELCH, Mr. MCKINLEY, Mr. TONKO, and Mr. GARDNER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Energy Efficient Government Technology Act''.

SEC. 2. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION AND COMMUNICATIONS TECHNOLOGIES.

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

(1) by redesignating the second subsection (f) (relating to large capital energy investments) as subsection (g); and

(2) by adding at the end the following:

''(h) FEDERAL IMPLEMENTATION STRATEGY FOR ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION AND COMMUNICATIONS TECHNOLOGIES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, each Federal agency shall collaborate with the Director of the Office of Management and Budget (referred to in this subsection as the 'Director') to develop an implementation strategy (including best-practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information and communications technologies and practices. Each implementation strategy shall be flexible, cost-effective, and based on the specific operating requirements and statutory mission of the agency.

''(2) ADMINISTRATION.—In developing an implementation strategy, each Federal agency shall—

''(A) consider information and communications technologies (ICT) and related infrastructure and practices, such as—

''(i) advanced metering infrastructure;

''(ii) ICT services and products;

''(iii) efficient data center strategies and methods of increasing ICT asset and related infrastructure utilization;

''(iv) ICT and related infrastructure power management;

''(v) building information modeling, including building energy management; and

''(vi) secure telework and travel substitution tools; and

''(B) ensure that the agency realizes the savings and rewards brought about through increased efficiency and utilization.

''(3) PERFORMANCE GOALS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Director, in consultation with the Secretary, shall establish performance goals for

evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information and communications technology systems and practices.

"(B) ENERGY EFFICIENT DATA CENTERS.—The Director shall include within the performance goals established under this paragraph—

"(i) specifications and benchmarks that will enable Federal data center operators to make more informed decisions about the energy efficiency and cost savings of data centers, including an overall Federal target for increased energy efficiency, with initial reliance on the Power Usage Effectiveness metric;

"(ii) overall ICT asset utilization and related infrastructure utilization; and

"(iii) recommendations and best practices for how the benchmarks will be attained, with such recommendations to include a requirement for agencies to evaluate the use of energy savings performance

contracting as a preferred acquisition method for data center efficiency.

''(C) ADMINISTRATION.—The performance goals established under this paragraph shall—

''(i) measure information technology costs over a specific time period of 3 to 5 years;

''(ii) measure cost savings attained via the use of energy-efficient and energy-saving information and communications solutions during the same time period; and

''(iii) provide, to the maximum extent practicable, a complete picture of all costs and savings, including energy costs and savings.

''(4) FEDERAL DATA CENTERS TASK FORCE.—The Director shall maintain a Government-wide Data Center Task Force comprised of Federal data center program managers, facilities managers, and sustainability officers. The members of such task force shall be responsible for working together to share progress toward individual agency goals and the overall Federal target for increased energy efficiency, and shall regularly exchange best practices

and other strategic information related to energy efficiency with the private sector.

''(5) REPORTS.—

''(A) AGENCY REPORTS.—Each Federal agency subject to the requirements of this subsection shall include in the report of the agency under section 527 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17143) a description of the efforts and results of the agency under this subsection.

''(B) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2013, the Director shall include in the annual report and scorecard of the Director required under section 528 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17144) a description of the efforts and results of Federal agencies under this subsection.''.

SEC. 3. ENERGY EFFICIENT DATA CENTERS.

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

(1) by amending subsection (c)(1) to read as follows:

''(1) IN GENERAL.—Not later than 30 days after the date of enactment of the Energy Efficient Government Technology Act, the Secretary and the Administrator shall designate an established information technology industry organization to coordinate the program described in subsection (b), and shall make such designation public, including on an appropriate website.'';

(2) by amending subsections (e) and (f) to read as follows:

''(e) STUDY.—The Secretary, with assistance from the Administrator, shall—

''(1) not later than December 31, 2013, make available to the public an update to the Report to Congress on Server and Data Center Energy Efficiency published on August 2, 2007, under Public Law 109–431, providing—

''(A) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2007 though 2012;

''(B) an analysis considering the impact of ICT asset and related infrastructure utilization solutions, to include virtualization and cloud

computing-based solutions, in the public and private sectors; and

''(C) updated projections and recommendations for best practices; and

''(2) collaborate with the organization designated under subsection (c) in preparing such report.

''(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—The Secretary, in collaboration with the organization designated under subsection (c) and the United States Chief Information Officer in the Office of Management and Budget, shall maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in data centers. Each Federal agency shall have its data centers evaluated annually by energy practitioners certified pursuant to such program, whenever practicable using certified practitioners employed by that agency.'';

(3) by redesignating subsection (g) as subsection (j); and

(4) by inserting after subsection (f) the following new subsections:

''(g) OPEN DATA INITIATIVE.—The Secretary, in collaboration with the organization designated under sub-

section (c) and the United States Chief Information Officer in the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making such data available and accessible in a manner that empowers further data center innovation while protecting United States national security interests. In establishing this initiative, the Secretary shall consider use of the online Data Center Maturity Model.

''(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with the organization designated under subsection (c), shall actively participate in efforts to harmonize global specifications and metrics for data center energy efficiency.

''(i) ICT ASSET UTILIZATION METRIC.—The Secretary, in collaboration with the organization designated under subsection (c), shall assist in the development of an efficiency metric that measures the energy efficiency of the overall data center, including information technology systems and related infrastructure.''.

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