

sector, shall develop policy recommendations regarding the deployment of industrial energy efficiency, including proposed regulatory guidance to States and relevant Federal agencies to address barriers to deployment.

**SEC. 203. STUDY OF ADVANCED ENERGY TECHNOLOGY MANUFACTURING CAPABILITIES IN THE UNITED STATES.**

(a) *IN GENERAL.*—Not later than 60 days after the date of enactment of this Act, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study of the development of advanced manufacturing capabilities for various energy technologies, including—

(1) an assessment of the manufacturing supply chains of established and emerging industries;

(2) an analysis of—

(A) the manner in which supply chains have changed over the 25-year period ending on the date of enactment of this Act;

(B) current trends in supply chains; and

(C) the energy intensity of each part of the supply chain and opportunities for improvement;

(3) for each technology or manufacturing sector, an analysis of which sections of the supply chain are critical for the United States to retain or develop to be competitive in the manufacturing of the technology;

(4) an assessment of which emerging energy technologies the United States should focus on to create or enhance manufacturing capabilities; and

(5) recommendations on leveraging the expertise of energy efficiency and renewable energy user facilities so that best materials and manufacturing practices are designed and implemented.

(b) *REPORT.*—Not later than 2 years after the date on which the Secretary enters into the agreement with the Academy described in subsection (a), the Academy shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Secretary a report describing the results of the study required under this section, including any findings and recommendations.

**SEC. 204. INDUSTRIAL TECHNOLOGIES STEERING COMMITTEE.**

The Secretary shall establish an advisory steering committee that includes national trade associations representing energy-intensive industries or energy service providers to provide recommendations to the Secretary on planning and implementation of the Industrial Technologies Program of the Department of Energy.

**TITLE III—FEDERAL AGENCY ENERGY EFFICIENCY**

**SEC. 301. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.**

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(2) by inserting after subsection (c) the following:

“(d) *AVAILABILITY OF FUNDS FOR DESIGN UPDATES.*—

“(1) *IN GENERAL.*—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

“(2) *LIMITATION.*—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associ-

ated with the updates as determined by a life-cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).”.

**SEC. 302. BEST PRACTICES FOR ADVANCED METERING.**

Section 543(e) of the National Energy Conservation Policy Act (42 U.S.C. 8253(e)) is amended by striking paragraph (3) and inserting the following:

“(3) *PLAN.*—

“(A) *IN GENERAL.*—Not later than 180 days after the date on which guidelines are established under paragraph (2), in a report submitted by the agency under section 548(a), each agency shall submit to the Secretary a plan describing the manner in which the agency will implement the requirements of paragraph (1), including—

“(i) how the agency will designate personnel primarily responsible for achieving the requirements; and

“(ii) a demonstration by the agency, complete with documentation, of any finding that advanced meters or advanced metering devices (as those terms are used in paragraph (1)), are not practicable.

“(B) *UPDATES.*—Reports submitted under subparagraph (A) shall be updated annually.

“(4) *BEST PRACTICES REPORT.*—

“(A) *IN GENERAL.*—Not later than 180 days after the date of enactment of this paragraph, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall develop, and issue a report on, best practices for the use of advanced metering of energy use in Federal facilities, buildings, and equipment by Federal agencies.

“(B) *UPDATING.*—The report described under subparagraph (A) shall be updated annually.

“(C) *COMPONENTS.*—The report shall include, at a minimum—

“(i) summaries and analysis of the reports by agencies under paragraph (3);

“(ii) recommendations on standard requirements or guidelines for automated energy management systems, including—

“(I) potential common communications standards to allow data sharing and reporting;

“(II) means of facilitating continuous commissioning of buildings and evidence-based maintenance of buildings and building systems; and

“(III) standards for sufficient levels of security and protection against cyber threats to ensure systems cannot be controlled by unauthorized persons; and

“(iii) an analysis of—

“(I) the types of advanced metering and monitoring systems being piloted, tested, or installed in Federal buildings; and

“(II) existing techniques used within the private sector or other non-Federal government buildings.”.

**SEC. 303. FEDERAL ENERGY MANAGEMENT AND DATA COLLECTION STANDARD.**

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

(1) by redesignating the second subsection (f) (as added by section 434(a) of Public Law 110-140 (121 Stat. 1614)) as subsection (g); and

(2) in subsection (f)(7), by striking subparagraph (A) and inserting the following:

“(A) *IN GENERAL.*—For each facility that meets the criteria established by the Secretary under paragraph (2)(B), the energy manager shall use the web-based tracking system under subparagraph (B)—

“(i) to certify compliance with the requirements for—

“(I) energy and water evaluations under paragraph (3);

“(II) implementation of identified energy and water measures under paragraph (4); and

“(III) follow-up on implemented measures under paragraph (5); and

“(ii) to publish energy and water consumption data on an individual facility basis.”.

**SEC. 304. FEDERAL PURCHASE REQUIREMENT.**

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsections (a) and (b)(2), by striking “electric energy” each place it appears and inserting “electric, direct, and thermal energy”;

(2) in subsection (b)(2)—

(A) by inserting “, or avoided by,” after “generated from”; and

(B) by inserting “(including ground-source, reclaimed, and ground water)” after “geothermal”;

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

“(d) *SEPARATE CALCULATION.*—Renewable energy produced at a Federal facility, on Federal land, or on Indian land (as defined in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501))—

“(1) shall be calculated (on a BTU-equivalent basis) separately from renewable energy used; and

“(2) may be used individually or in combination to comply with subsection (a).”.

**SEC. 305. STUDY ON FEDERAL DATA CENTER CONSOLIDATION.**

(a) *IN GENERAL.*—The Secretary of Energy shall conduct a study on the feasibility of a government-wide data center consolidation, with an overall Federal target of a minimum of 800 Federal data center closures by October 1, 2015.

(b) *COORDINATION.*—In conducting the study, the Secretary shall coordinate with Federal data center program managers, facilities managers, and sustainability officers.

(c) *REPORT.*—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study, including a description of agency best practices in data center consolidation.

**JAIME ZAPATA BORDER ENFORCEMENT SECURITY TASK FORCE ACT**

Mr. PRYOR. Mr. President, I ask unanimous consent the Senate proceed to consideration of Calendar No. 497, H.R. 915.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 915) to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which has been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Jaime Zapata Border Enforcement Security Task Force Act”.

**SEC. 2. FINDINGS AND DECLARATION OF PURPOSES.**

Congress finds the following:

(1) The Department of Homeland Security’s (DHS) overriding mission is to lead a unified national effort to protect the United States. United

States Immigration and Customs Enforcement (ICE) is the largest investigative agency within DHS and is charged with enforcing a wide array of laws, including laws related to securing the border and combating criminal smuggling.

(2) Mexico's northern border with the United States has experienced a dramatic surge in border crime and violence in recent years due to intense competition between Mexican drug cartels and criminal smuggling organizations that employ predatory tactics to realize their profits.

(3) Law enforcement agencies at the United States northern border also face challenges from transnational smuggling organizations.

(4) In response, DHS has partnered with Federal, State, local, tribal, and foreign law enforcement counterparts to create the Border Enforcement Security Task Force (BEST) initiative as a comprehensive approach to addressing border security threats. These multi-agency teams are designed to increase information-sharing and collaboration among the participating law enforcement agencies.

(5) BEST teams incorporate personnel from ICE, United States Customs and Border Protection (CBP), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE), the Federal Bureau of Investigation (FBI), the United States Coast Guard (USCG), and the U.S. Attorney's Office (USAO), along with other key Federal, State and local law enforcement agencies.

(6) Foreign law enforcement agencies participating in BEST include Mexico's Secretaria de Seguridad Publica (SSP), the Canada Border Services Agency (CBSA), the Ontario Provincial Police (OPP), and the Royal Canadian Mounted Police (RCMP).

### SEC. 3. BORDER ENFORCEMENT SECURITY TASK FORCE.

(a) *IN GENERAL.*—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

#### “SEC. 432. BORDER ENFORCEMENT SECURITY TASK FORCE.

“(a) *ESTABLISHMENT.*—There is established within the Department a program to be known as the Border Enforcement Security Task Force (referred to in this section as ‘BEST’).

“(b) *PURPOSE.*—The purpose of BEST is to establish units to enhance border security by addressing and reducing border security threats and violence by—

“(1) facilitating collaboration among Federal, State, local, tribal, and foreign law enforcement agencies to execute coordinated activities in furtherance of border security, and homeland security; and

“(2) enhancing information-sharing, including the dissemination of homeland security information among such agencies.

“(c) *COMPOSITION AND ESTABLISHMENT OF UNITS.*—

“(1) *COMPOSITION.*—BEST units may be comprised of personnel from—

“(A) U.S. Immigration and Customs Enforcement;

“(B) U.S. Customs and Border Protection;

“(C) the United States Coast Guard;

“(D) other Department personnel, as appropriate

“(E) other Federal agencies, as appropriate;

“(F) appropriate State law enforcement agencies;

“(G) foreign law enforcement agencies, as appropriate;

“(H) local law enforcement agencies from affected border cities and communities; and

“(I) appropriate tribal law enforcement agencies.

“(2) *ESTABLISHMENT OF UNITS.*—The Secretary is authorized to establish BEST units in jurisdictions in which such units can contribute to BEST missions, as appropriate. Before establishing a BEST unit, the Secretary shall consider—

“(A) whether the area in which the BEST unit would be established is significantly impacted by cross-border threats;

“(B) the availability of Federal, State, local, tribal, and foreign law enforcement resources to participate in the BEST unit;

“(C) the extent to which border security threats are having a significant harmful impact in the jurisdiction in which the BEST unit is to be established, and other jurisdictions in the country; and

“(D) whether or not an Integrated Border Enforcement Team already exists in the area in which the BEST unit would be established.

“(3) *DUPLICATION OF EFFORTS.*—In determining whether to establish a new BEST unit or to expand an existing BEST unit in a given jurisdiction, the Secretary shall ensure that the BEST unit under consideration does not duplicate the efforts of other existing interagency task forces or centers within that jurisdiction.

“(d) *OPERATION.*—After determining the jurisdictions in which to establish BEST units under subsection (c)(2), and in order to provide Federal assistance to such jurisdictions, the Secretary may—

“(1) direct the assignment of Federal personnel to BEST, subject to the approval of the head of the department or agency that employs such personnel; and

“(2) take other actions to assist Federal, State, local, and tribal entities to participate in BEST, including providing financial assistance, as appropriate, for operational, administrative, and technological costs associated with the participation of Federal, State, local, and tribal law enforcement agencies in BEST.

“(e) *REPORT.*—Not later than 180 days after the date on which BEST is established under this section, and annually thereafter for the following 5 years, the Secretary shall submit a report to Congress that describes the effectiveness of BEST in enhancing border security and reducing the drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, as measured by crime statistics, including violent deaths, incidents of violence, and drug-related arrests.”.

(b) *CLERICAL AMENDMENT.*—The table of contents under section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101(b)) is amended by inserting after the item relating to section 431 the following:

“Sec. 432. Border Enforcement Security Task Force.”.

Mr. PRYOR. I ask unanimous consent the committee-reported substitute amendment be agreed to and the bill as amended be read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was ordered to be engrossed and the bill read a third time.

Mr. PRYOR. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the question is on passage of the measure.

The bill (H.R. 915), as amended, was read the third time and passed.

Mr. PRYOR. I ask unanimous consent the motion to reconsider be laid upon the table with no intervening action or debate and any related statements be printed in the RECORD as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

### AMENDING THE TRADEMARK ACT OF 1946

Mr. PRYOR. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of H.R. 6215, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6215) to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. I know of no further debate on this measure.

The PRESIDING OFFICER. If there is no further debate, the question is on passage of the bill.

The bill (H.R. 6215) was ordered to a third reading, was read the third time and passed.

Mr. PRYOR. I ask unanimous consent the motion to reconsider be laid upon the table with no intervening action or debate and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

### BILLFISH CONSERVATION ACT OF 2011

Mr. PRYOR. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2706, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2706) to prohibit the sale of billfish.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. I know of no further debate on this measure and urge its passage.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the measure.

The bill (H.R. 2706) was ordered to a third reading, was read the third time, and passed.

### CALLING FOR THE RELEASE FROM PRISON OF FORMER PRIME MINISTER OF UKRAINE YULIA TYMOSHENKO

Mr. PRYOR. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 526, S. Res. 466.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 466) calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko.

There being no objection, the Senate proceeded to consider the resolution which had been reported from the Committee on Foreign Relations with an