



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, MONDAY, SEPTEMBER 9, 2019

No. 143

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. CLAY).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
September 9, 2019.

I hereby appoint the Honorable WM. LACY CLAY to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:  
Dear Lord, we give You thanks for giving us another day.

As the Members of this people's House return from a lengthy time in their home districts, bless them with renewed energy to address the issues remaining in this first session of the 116th Congress.

Give them wisdom in their work, that our economy might benefit all Americans, so that our countrymen and women throughout these United States might be able to provide for their families and to build lives we have all come to expect for our citizens.

May all that is done this day be for Your greater honor and glory.  
Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Pennsylvania (Ms. SCANLON) come forward and lead the House in the Pledge of Allegiance.

Ms. SCANLON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### WE DON'T HAVE TIME FOR EXCUSES

(Ms. SCANLON asked and was given permission to address the House for 1 minute.)

Ms. SCANLON. Mr. Speaker, last week, students across my district, PA-5, and across the country celebrated the start of the 2019-2020 school year. Students returned mostly eager to learn and teachers ready to teach; but in my district and others, too many desks had empty chairs.

As we were high-fiving students at a Chester elementary school, a school administrator turned to me and mentioned that one of the second graders wasn't there. She was lying in a bed at Philadelphia's Children's Hospital recovering from a gunshot wound that she suffered while sitting in her grandfather's car outside a grocery store the week before.

"I don't know how much more of this I can take," he said to me.

Like many of us, this dedicated educator was visibly worn down by the daily scourge of gun violence, the funerals he has attended for children, for children whose lives have been cut short before they could even begin or who have been forever scarred and limited by the trauma they have experienced or witnessed.

We do not have time for excuses. We need our colleagues in the Senate to act.

There is no one solution to ending gun violence in our country. We need

to implement an array of common-sense, research-based solutions, but the first step must be a will to act.

### CELEBRATING THE SERVICE OF GEORGE FRAHM

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, today I rise to recognize the president of Stater Bros. Markets, Mr. George Frahm, who will retire at the end of October, after more than 47 years of service.

Under George's leadership, Stater Bros. has become the largest privately-owned supermarket chain in my district and a staple in our community for thousands of employees.

George began his career as a clerk's helper and janitor before rising to management and eventually being named the company's president.

In addition to his work in the community, he went on to lead the California Grocers Educational Foundation, helping to secure college scholarships for students throughout our State.

George will leave a legacy of hard work, vision, and service, and he will be missed by his Stater Bros. family. I would like to thank him for his tireless service to the Inland Empire community and our families, and I wish him all the best as he begins his retirement.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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□ 1630

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUELLAR) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

ENERGY EFFICIENT GOVERNMENT  
TECHNOLOGY ACT

Mr. RUSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1420) to amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1420

*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 TECHNOLOGIES.

(a) IN GENERAL.—Subtitle C of title V of the Energy Independence and Security Act of 2007 (Public Law 110-140; 121 Stat. 1661) is amended by adding at the end the following:

“SEC. 530. ENERGY-EFFICIENT AND ENERGY-SAVING  
INFORMATION TECHNOLOGIES.

“(a) DEFINITIONS.—In this section:

“(1) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.

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

“(b) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this section, each Federal agency shall coordinate with the Director, the Secretary, and the Administrator of the Environmental Protection Agency to develop an implementation strategy (that includes best practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies at or for federally owned and operated facilities, taking into consideration the performance goals established under subsection (d).

“(c) ADMINISTRATION.—In developing an implementation strategy under subsection (b), each Federal agency shall consider—

“(1) advanced metering infrastructure;

“(2) energy-efficient data center strategies and methods of increasing asset and infrastructure utilization;

“(3) advanced power management tools;

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

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

“(6) mechanisms to ensure that the agency realizes the energy cost savings brought about through increased efficiency and utilization.

“(d) PERFORMANCE GOALS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, 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 technology at or for federally owned and operated facilities.

“(2) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall recommend best practices for the attainment of the performance goals, which shall include Federal agency consideration of, to the extent applicable by law, the use of—

“(A) energy savings performance contracting; and

“(B) utility energy services contracting.

“(e) REPORTS.—

“(1) AGENCY REPORTS.—Each Federal agency shall include in the report of the agency under section 527 a description of the efforts and results of the agency under this section.

“(2) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2019, the Director shall include in the annual report and scorecard of the Director required under section 528 a description of the efforts and results of Federal agencies under this section.”.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 is amended by adding after the item relating to section 529 the following:

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

## 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) in subsection (b)—

(A) in paragraph (2)(D)(iv), by striking “determined by the organization” and inserting “proposed by the stakeholders”; and

(B) by striking paragraph (3); and

(2) by striking subsections (c) through (g) and inserting the following:

“(c) STAKEHOLDER INVOLVEMENT.—The Secretary and the Administrator shall carry out subsection (b) in collaboration with information technology industry and other key stakeholders, with the goal of producing results that accurately reflect the most relevant and useful information. In such collaboration, the Secretary and the Administrator shall pay particular attention to organizations that—

“(1) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, such as representatives of hardware manufacturers, data center operators, and facility managers;

“(2) obtain and address input from Department of Energy National Laboratories or any college, university, research institution, industry association, company, or public interest group with applicable expertise;

“(3) follow—

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

“(B) accredited standards development processes; and

“(4) have a mission to promote energy efficiency for data centers and information technology.

“(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the spec-

ifications, measurements, best practices, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

“(e) STUDY.—The Secretary, in collaboration with the Administrator, shall, not later than 4 years after the date of enactment of the Energy Efficient Government Technology Act, make available to the public an update to the report of the Lawrence Berkeley National Laboratory entitled ‘United States Data Center Energy Usage Report’ and dated June, 2016 (prepared as an update to the Report to Congress on Server and Data Center Energy Efficiency, published on August 2, 2007, under section 1 of Public Law 109-431 (120 Stat. 2920)), that includes—

“(1) a comparison and gap analysis of the estimates and projections contained in the report with new data regarding the period from 2015 through 2019;

“(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

“(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

“(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

“(5) updated projections and recommendations for best practices through fiscal year 2025.

“(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—The Secretary, in collaboration with key stakeholders and the Director of 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 federally owned and operated data centers. Each Federal agency shall consider having the data centers of the agency evaluated every 4 years, in accordance with section 543(f) of the National Energy Conservation Policy Act, by energy practitioners certified pursuant to such program.

“(g) OPEN DATA INITIATIVE.—The Secretary, in collaboration with key stakeholders and the Office of Management and Budget, shall establish an open data initiative relating to energy usage at federally owned and operated data centers, with the purpose of making such data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation. In establishing the initiative, the Secretary shall consider the use of the online Data Center Maturity Model.

“(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

“(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate in the development of an efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

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

## SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory