

- (H) experts in intelligent buildings and integrated building information systems;
- (I) utility energy efficiency programs;
- (J) manufacturers and providers of equipment and techniques used in high-performance green buildings;
- (K) public transportation industry experts; and
- (L) nongovernmental energy efficiency organizations.

(3) Funding

The Secretary may make payments to the Consortium pursuant to the terms of a public-private partnership for such activities of the Consortium undertaken under such a partnership as described in this part directly to the Consortium or through one or more of its members.

(g) Report

Not later than 2 years after December 19, 2007, and biennially thereafter, the Commercial Director, in consultation with the Consortium, shall submit to Congress a report that—

- (1) describes the status of the high-performance green building initiatives under this part and other Federal programs affecting commercial high-performance green buildings in effect as of the date of the report, including—

- (A) the extent to which the programs are being carried out in accordance with this part; and
- (B) the status of funding requests and appropriations for those programs; and

- (2) summarizes and highlights development, at the State and local level, of high-performance green building initiatives, including executive orders, policies, or laws adopted promoting high-performance green building (including the status of implementation of those initiatives).

(Pub. L. 110-140, title IV, § 421, Dec. 19, 2007, 121 Stat. 1602.)

§ 17082. Zero Net Energy Commercial Buildings Initiative

(a) Definitions

In this section:

(1) Consortium

The term “consortium” means a High-Performance Green Building Consortium selected by the Commercial Director.

(2) Initiative

The term “initiative” means the Zero-Net-Energy Commercial Buildings Initiative established under subsection (b)(1).

(3) Zero-net-energy commercial building

The term “zero-net-energy commercial building” means a high-performance commercial building that is designed, constructed, and operated—

- (A) to require a greatly reduced quantity of energy to operate;
- (B) to meet the balance of energy needs from sources of energy that do not produce greenhouse gases;
- (C) in a manner that will result in no net emissions of greenhouse gases; and

- (D) to be economically viable.

(b) Establishment

(1) In general

The Commercial Director shall establish an initiative, to be known as the “Zero-Net-Energy Commercial Buildings Initiative”—

- (A) to reduce the quantity of energy consumed by commercial buildings located in the United States; and

- (B) to achieve the development of zero net energy commercial buildings in the United States.

(2) Consortium

(A) In general

Not later than 180 days after December 19, 2007, the Commercial Director shall competitively select, and enter into an agreement with, a consortium to develop and carry out the initiative.

(B) Agreements

In entering into an agreement with a consortium under subparagraph (A), the Commercial Director shall use the authority described in section 7256(g) of this title, to the maximum extent practicable.

(c) Goal of initiative

The goal of the initiative shall be to develop and disseminate technologies, practices, and policies for the development and establishment of zero net energy commercial buildings for—

- (1) any commercial building newly constructed in the United States by 2030;
- (2) 50 percent of the commercial building stock of the United States by 2040; and
- (3) all commercial buildings in the United States by 2050.

(d) Components

In carrying out the initiative, the Commercial Director, in consultation with the consortium, may—

- (1) conduct research and development on building science, design, materials, components, equipment and controls, operation and other practices, integration, energy use measurement, and benchmarking;
- (2) conduct pilot programs and demonstration projects to evaluate replicable approaches to achieving energy efficient commercial buildings for a variety of building types in a variety of climate zones;
- (3) conduct deployment, dissemination, and technical assistance activities to encourage widespread adoption of technologies, practices, and policies to achieve energy efficient commercial buildings;
- (4) conduct other research, development, demonstration, and deployment activities necessary to achieve each goal of the initiative, as determined by the Commercial Director, in consultation with the consortium;
- (5) develop training materials and courses for building professionals and trades on achieving cost-effective high-performance energy efficient buildings;
- (6) develop and disseminate public education materials to share information on the benefits and cost-effectiveness of high-performance energy efficient buildings;

(7) support code-setting organizations and State and local governments in developing minimum performance standards in building codes that recognize the ready availability of many technologies utilized in high-performance energy efficient buildings;

(8) develop strategies for overcoming the split incentives between builders and purchasers, and landlords and tenants, to ensure that energy efficiency and high-performance investments are made that are cost-effective on a lifecycle basis; and

(9) develop improved means of measurement and verification of energy savings and performance for public dissemination.

(e) Cost sharing

In carrying out this section, the Commercial Director shall require cost sharing in accordance with section 16352 of this title.

(f) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

(1) \$20,000,000 for fiscal year 2008;

(2) \$50,000,000 for each of fiscal years 2009 and 2010;

(3) \$100,000,000 for each of fiscal years 2011 and 2012; and

(4) \$200,000,000 for each of fiscal years 2013 through 2018.

(Pub. L. 110-140, title IV, § 422, Dec. 19, 2007, 121 Stat. 1604.)

§ 17083. Public outreach

The Commercial Director and Federal Director, in coordination with the Consortium, shall carry out public outreach to inform individuals and entities of the information and services available governmentwide by—

(1) establishing and maintaining a national high-performance green building clearinghouse, including on the Internet, that—

(A) identifies existing similar efforts and coordinates activities of common interest; and

(B) provides information relating to high-performance green buildings, including hyperlinks to Internet sites that describe the activities, information, and resources of—

(i) the Federal Government;

(ii) State and local governments;

(iii) the private sector (including non-governmental and nonprofit entities and organizations); and

(iv) international organizations;

(2) identifying and recommending educational resources for implementing high-performance green building practices, including security and emergency benefits and practices;

(3) providing access to technical assistance, tools, and resources for constructing high-performance green buildings, particularly tools to conduct life-cycle costing and life-cycle assessment;

(4) providing information on application processes for certifying a high-performance green building, including certification and commissioning;

(5) providing to the public, through the Commercial Director, technical and research information or other forms of assistance or advice that would be useful in planning and constructing high-performance green buildings;

(6) using such additional methods as are determined by the Commercial Director to be appropriate to conduct public outreach;

(7) surveying existing research and studies relating to high-performance green buildings; and

(8) coordinating activities of common interest.

(Pub. L. 110-140, title IV, § 423, Dec. 19, 2007, 121 Stat. 1606.)

PART C—HIGH-PERFORMANCE FEDERAL BUILDINGS

§ 17091. Leasing

(a) In general

Except as provided in subsection (b), effective beginning on the date that is 3 years after December 19, 2007, no Federal agency shall enter into a contract to lease space in a building that has not earned the Energy Star label in the most recent year.

(b) Exception

(1) Application

This subsection applies if—

(A) no space is available in a building described in subsection (a) that meets the functional requirements of an agency, including locational needs;

(B) the agency proposes to remain in a building that the agency has occupied previously;

(C) the agency proposes to lease a building of historical, architectural, or cultural significance (as defined in section 3306(a)(4) of title 40) or space in such a building; or

(D) the lease is for not more than 10,000 gross square feet of space.

(2) Buildings without Energy Star label

If one of the conditions described in paragraph (2)¹ is met, the agency may enter into a contract to lease space in a building that has not earned the Energy Star label in the most recent year if the lease contract includes provisions requiring that, prior to occupancy or, in the case of a contract described in paragraph (1)(B), not later than 1 year after signing the contract, the space will be renovated for all energy efficiency and conservation improvements that would be cost effective over the life of the lease, including improvements in lighting, windows, and heating, ventilation, and air conditioning systems.

(c) Revision of Federal Acquisition Regulation

(1) In general

Not later than 3 years after December 19, 2007, the Federal Acquisition Regulation described in section 1121(b) and (c)(1) of title 41 shall be revised to require Federal officers and employees to comply with this section in leasing buildings.

¹ So in original. Probably should be "(1)".