

construction of separate spaces with high-performance energy efficiency measures.

(3) Public participation

Not later than 90 days after April 30, 2015, the Secretary shall publish a notice in the Federal Register requesting public comments regarding effective methods, measures, and practices for the design and construction of separate spaces with high-performance energy efficiency measures.

(4) Publication

The Secretary shall publish the study on the website of the Department of Energy.

(Pub. L. 110-140, title IV, §424, as added Pub. L. 114-11, title I, §103(a), Apr. 30, 2015, 129 Stat. 183.)

§ 17085. Tenant Star program

(a) Definitions

In this section:

(1) High-performance energy efficiency measure

The term “high-performance energy efficiency measure” has the meaning given the term in section 17084 of this title.

(2) Separate spaces

The term “separate spaces” has the meaning given the term in section 17084 of this title.

(b) Tenant Star

The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy, shall develop a voluntary program within the Energy Star program established by section 6294a of this title, which may be known as “Tenant Star”, to promote energy efficiency in separate spaces leased by tenants or otherwise occupied within commercial buildings.

(c) Expanding survey data

The Secretary of Energy, acting through the Administrator of the Energy Information Administration, shall—

(1) collect, through each Commercial Buildings Energy Consumption Survey of the Energy Information Administration that is conducted after April 30, 2015, data on—

(A) categories of building occupancy that are known to consume significant quantities of energy, such as occupancy by data centers, trading floors, and restaurants; and

(B) other aspects of the property, building operation, or building occupancy determined by the Administrator of the Energy Information Administration, in consultation with the Administrator of the Environmental Protection Agency, to be relevant in lowering energy consumption;

(2) with respect to the first Commercial Buildings Energy Consumption Survey conducted after April 30, 2015, to the extent full compliance with the requirements of paragraph (1) is not feasible, conduct activities to develop the capability to collect such data and begin to collect such data; and

(3) make data collected under paragraphs (1) and (2) available to the public in aggregated

form and provide such data, and any associated results, to the Administrator of the Environmental Protection Agency for use in accordance with subsection (d).

(d) Recognition of owners and tenants

(1) Occupancy-based recognition

Not later than 1 year after the date on which sufficient data is received pursuant to subsection (c), the Administrator of the Environmental Protection Agency shall, following an opportunity for public notice and comment—

(A) in a manner similar to the Energy Star rating system for commercial buildings, develop policies and procedures to recognize tenants in commercial buildings that voluntarily achieve high levels of energy efficiency in separate spaces;

(B) establish building occupancy categories eligible for Tenant Star recognition based on the data collected under subsection (c) and any other appropriate data sources; and

(C) consider other forms of recognition for commercial building tenants or other occupants that lower energy consumption in separate spaces.

(2) Design- and construction-based recognition

After the study required by section 17084(b) of this title is completed, the Administrator of the Environmental Protection Agency, in consultation with the Secretary and following an opportunity for public notice and comment, may develop a voluntary program to recognize commercial building owners and tenants that use high-performance energy efficiency measures in the design and construction of separate spaces.

(Pub. L. 110-140, title IV, §425, as added Pub. L. 114-11, title I, §104(a), Apr. 30, 2015, 129 Stat. 185.)

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.