

# Calendar No. 131

110TH CONGRESS  
1ST SESSION

# S. 992

[Report No. 110-60]

To achieve emission reductions and cost savings through accelerated use of cost-effective lighting technologies in public buildings, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 27, 2007

Mrs. BOXER (for herself, Mr. INHOFE, Mr. LAUTENBERG, Mr. ALEXANDER, Mr. CARDIN, Mr. LIEBERMAN, Mrs. CLINTON, Ms. KLOBUCHAR, Mr. CRAIG, Mr. CARPER, Mr. DODD, and Mr. THOMAS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

MAY 3, 2007

Reported by Mrs. BOXER, with amendments

[Insert the part printed in italic]

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## A BILL

To achieve emission reductions and cost savings through accelerated use of cost-effective lighting technologies in public buildings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Public Buildings Cost  
3 Reduction Act of 2007”.

4 **SEC. 2. COST-EFFECTIVE TECHNOLOGY ACCELERATION**  
5 **PROGRAM.**

6 (a) ESTABLISHMENT.—

7 (1) *IN GENERAL.*—The Administrator of Gen-  
8 eral Services (referred to in this section as the “Ad-  
9 ministrator”) shall establish a program to accelerate  
10 the use of more cost-effective technologies and prac-  
11 tices at GSA facilities.

12 (2) *REQUIREMENTS.*—*The program established*  
13 *under this subsection shall—*

14 (A) *ensure centralized responsibility for the*  
15 *coordination of cost reduction recommendations,*  
16 *practices, and activities of all relevant Federal*  
17 *agencies;*

18 (B) *provide technical assistance and oper-*  
19 *ational guidance to applicable tenants in order*  
20 *to achieve the goals identified in subsection*  
21 *(c)(2)(A); and*

22 (C) *establish methods to track the success of*  
23 *departments and agencies with respect to the*  
24 *goals identified in subsection (c)(2)(A).*

25 (b) ACCELERATED USE OF COST-EFFECTIVE LIGHT-  
26 ING TECHNOLOGIES.—

## 1 (1) REVIEW.—

2 (A) IN GENERAL.—As part of the program  
3 under this subsection, not later than 90 days  
4 after the date of enactment of this Act, the Ad-  
5 ministrator shall conduct a review of—

6 (i) current use of cost-effective light-  
7 ing technologies in GSA facilities; and

8 (ii) the availability to managers of  
9 GSA facilities of cost-effective lighting  
10 technologies.

11 (B) REQUIREMENTS.—The review under  
12 subparagraph (A) shall—

13 (i) examine the use of cost-effective  
14 lighting technologies and other cost-effec-  
15 tive technologies and practices by Federal  
16 agencies in GSA facilities; and

17 (ii) identify, in consultation with the  
18 Environmental Protection Agency, cost-ef-  
19 fective lighting technology standards that  
20 could be used for all types of GSA facili-  
21 ties.

## 22 (2) REPLACEMENT.—

23 (A) IN GENERAL.—As part of the program  
24 under this subsection, not later than 180 days  
25 after the date of enactment of this Act, the Ad-

1 administrator shall establish a cost-effective light-  
2 ing technology acceleration program to achieve  
3 maximum feasible replacement of existing light-  
4 ing technologies with more cost-effective light-  
5 ing technologies in each GSA facility using  
6 available appropriations.

7 (B) ACCELERATION PLAN TIMETABLE.—

8 (i) IN GENERAL.—To implement the  
9 program established under subparagraph  
10 (A), not later than 1 year after the date of  
11 enactment of this Act, the Administrator  
12 shall establish a timetable including mile-  
13 stones for specific activities needed to re-  
14 place existing lighting technologies with  
15 more cost-effective lighting technologies, to  
16 the maximum extent feasible (including at  
17 the maximum rate feasible), at each GSA  
18 facility.

19 (ii) GOAL.—The goal of the timetable  
20 under clause (i) shall be to complete, using  
21 available appropriations, maximum feasible  
22 replacement of existing lighting tech-  
23 nologies with more cost-effective lighting  
24 technologies by not later than the date that

1                   is 5 years after the date of enactment of  
2                   this Act.

3           (c) GSA FACILITY COST-EFFECTIVE TECHNOLOGIES  
4 AND PRACTICES.—Not later than 180 days after the date  
5 of enactment of this Act, and annually thereafter, the Ad-  
6 ministrator shall—

7           (1) ensure that a manager responsible for accel-  
8 erating the use of cost-effective technologies and  
9 practices is designated for each GSA facility; and

10          (2) submit to Congress a plan, to be imple-  
11 mented to the maximum extent feasible (including at  
12 the maximum rate feasible) using available appro-  
13 priations, by not later than the date that is 5 years  
14 after the date of enactment of this Act, that—

15           (A) identifies the specific activities needed  
16 to achieve a 20-percent reduction in operational  
17 costs through the application of cost-effective  
18 technologies and practices from 2003 levels at  
19 GSA facilities by not later than 5 years after  
20 the date of enactment of this Act;

21           (B) describes activities required and car-  
22 ried out to estimate the funds necessary to  
23 achieve the reduction described in subparagraph  
24 (A);

1 (C) describes the status of the implementa-  
2 tion of cost-effective technologies and practices  
3 at GSA facilities, including—

4 (i) the extent to which programs, in-  
5 cluding the program established under sub-  
6 section (b), are being carried out in ac-  
7 cordance with this Act; and

8 (ii) the status of funding requests and  
9 appropriations for those programs;

10 (D) identifies within the planning, budg-  
11 eting, and construction process all types of GSA  
12 facility-related procedures that inhibit new and  
13 existing GSA facilities from implementing cost-  
14 effective technologies and practices;

15 (E) recommends language for uniform  
16 standards for use by Federal agencies in imple-  
17 menting cost-effective technologies and prac-  
18 tices;

19 (F) in coordination with the Office of Man-  
20 agement and Budget, reviews the budget proc-  
21 ess for capital programs with respect to alter-  
22 natives for—

23 (i) permitting Federal agencies to re-  
24 tain all identified savings accrued as a re-

1           sult of the use of cost-effective technologies  
2           and practices; and

3                   (ii) identifying short- and long-term  
4           cost savings that accrue from cost-effective  
5           technologies and practices;

6           (G) achieves cost savings through the ap-  
7           plication of cost-effective technologies and prac-  
8           tices sufficient to pay the incremental addi-  
9           tional costs of installing the cost-effective tech-  
10          nologies and practices by not later than the  
11          date that is 5 years after the date of installa-  
12          tion; and

13           (H) includes recommendations to address  
14          each of the matters, and a plan for implementa-  
15          tion of each recommendation, described in sub-  
16          paragraphs (A) through (G).

17          (d) **AUTHORIZATION OF APPROPRIATIONS.**—There  
18          are authorized to be appropriated such sums as are nec-  
19          essary to carry out this section, to remain available until  
20          expended.

21          **SEC. 3. ENVIRONMENTAL PROTECTION AGENCY DEM-**  
22                                   **ONSTRATION GRANT PROGRAM FOR LOCAL**  
23                                   **GOVERNMENTS.**

24          (a) **GRANT PROGRAM.**—

1           (1) IN GENERAL.—The Administrator of the  
 2           Environmental Protection Agency (referred to in  
 3           this section as the “Administrator”) shall establish  
 4           a demonstration program under which the Adminis-  
 5           trator shall provide competitive grants to assist local  
 6           governments (such as municipalities and counties),  
 7           with respect to local government buildings—

8                   (A) to deploy cost-effective technologies  
 9                   and practices; and

10                   (B) to achieve operational cost savings,  
 11                   through the application of cost-effective tech-  
 12                   nologies and practices, as verified by the Ad-  
 13                   ministrator.

14           (2) COST SHARING.—

15                   (A) *IN GENERAL.*—The Federal share of  
 16                   the cost of an activity carried out using a grant  
 17                   provided under this section shall be 40 percent.

18                   (B) *WAIVER OF NON-FEDERAL SHARE.*—*The*  
 19                   *Administrator may waive up to 100 percent of*  
 20                   *the local share of the cost of any grant under this*  
 21                   *section should the Administrator determine that*  
 22                   *the community is economically distressed, pursu-*  
 23                   *ant to objective economic criteria established by*  
 24                   *the Administrator in published guidelines.*

1           (3) MAXIMUM AMOUNT.—The amount of a  
2 grant provided under this subsection shall not exceed  
3 \$1,000,000.

4           (b) GUIDELINES.—

5           (1) IN GENERAL.—Not later than 1 year after  
6 the date of enactment of this Act, the Administrator  
7 shall issue guidelines to implement the grant pro-  
8 gram established under subsection (a).

9           (2) REQUIREMENTS.—The guidelines under  
10 paragraph (1) shall establish—

11           (A) standards for monitoring and  
12 verification of operational cost savings through  
13 the application of cost-effective technologies and  
14 practices reported by grantees under this sec-  
15 tion;

16           (B) standards for grantees to implement  
17 training programs, and to provide technical as-  
18 sistance and education, relating to the retrofit  
19 of buildings using cost-effective technologies  
20 and practices; and

21           (C) a requirement that each local govern-  
22 ment that receives a grant under this section  
23 shall achieve facility-wide cost savings, through  
24 renovation of existing local government build-  
25 ings using cost-effective technologies and prac-

1 tices, of at least 40 percent as compared to the  
2 baseline operational costs of the buildings be-  
3 fore the renovation (as calculated assuming a 3-  
4 year, weather-normalized average).

5 (c) COMPLIANCE WITH STATE AND LOCAL LAW.—  
6 Nothing in this section or any program carried out using  
7 a grant provided under this section supersedes or other-  
8 wise affects any State or local law, to the extent that the  
9 State or local law contains a requirement that is more  
10 stringent than the relevant requirement of this section.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
12 authorized to be appropriated to carry out this section  
13 \$20,000,000 for each of fiscal years 2007 through 2012.

14 (e) REPORTS.—

15 (1) IN GENERAL.—The Administrator shall pro-  
16 vide annual reports to Congress on cost savings  
17 achieved and actions taken and recommendations  
18 made under this section, and any recommendations  
19 for further action.

20 (2) FINAL REPORT.—The Administrator shall  
21 issue a final report at the conclusion of the program,  
22 including findings, a summary of total cost savings  
23 achieved, and recommendations for further action.

24 (f) TERMINATION.—The program under this section  
25 shall terminate on September 30, 2012.

1 **SEC. 4. DEFINITIONS.**

2 In this Act:

3 (1) COST-EFFECTIVE LIGHTING TECH-  
4 NOLOGY.—

5 (A) IN GENERAL.—The term “cost-effec-  
6 tive lighting technology” means a lighting tech-  
7 nology that—

8 (i) will result in substantial oper-  
9 ational cost savings by ensuring an in-  
10 stalled consumption of not more than 1  
11 watt per square foot; or

12 (ii) is contained in a list under—

13 (I) section 553 of Public Law  
14 95–619 (42 U.S.C. 8259b); and

15 (II) Federal acquisition regula-  
16 tion 23–203.

17 (B) INCLUSIONS.—The term “cost-effec-  
18 tive lighting technology” includes—

19 (i) lamps;

20 (ii) ballasts;

21 (iii) luminaires;

22 (iv) lighting controls;

23 (v) daylighting; and

24 (vi) early use of other highly cost-ef-  
25 fective lighting technologies.

1           (2) COST-EFFECTIVE TECHNOLOGIES AND  
2 PRACTICES.—The term “cost-effective technologies  
3 and practices” means a technology or practice  
4 that—

5                   (A) will result in substantial operational  
6 cost savings by reducing utility costs; and

7                   (B) complies with the provisions of section  
8 553 of Public Law 95–619 (42 U.S.C. 8259b)  
9 and Federal acquisition regulation 23–203.

10           (3) OPERATIONAL COST SAVINGS.—

11                   (A) IN GENERAL.—The term “operational  
12 cost savings” means a reduction in end-use  
13 operational costs through the application of  
14 cost-effective technologies and practices, includ-  
15 ing a reduction in electricity consumption rel-  
16 ative to consumption by the same customer or  
17 at the same facility in a given year, as defined  
18 in guidelines promulgated by the Administrator  
19 pursuant to section 3(b), that achieves cost sav-  
20 ings sufficient to pay the incremental additional  
21 costs of using cost-effective technologies and  
22 practices by not later than the date that is 5  
23 years after the date of installation.

1 (B) INCLUSIONS.—The term “operational  
2 cost savings” includes savings achieved at a fa-  
3 cility as a result of—

4 (i) the installation or use of cost-effec-  
5 tive technologies and practices; or

6 (ii) the planting of vegetation that  
7 shades the facility and reduces the heating,  
8 cooling, or lighting needs of the facility.

9 (C) EXCLUSION.—The term “operational  
10 cost savings” does not include savings from  
11 measures that would likely be adopted in the  
12 absence of cost-effective technology and prac-  
13 tices programs, as determined by the Adminis-  
14 trator.

15 (4) GSA FACILITY.—

16 (A) IN GENERAL.—The term “GSA facil-  
17 ity” means any building, structure, or facility,  
18 in whole or in part (including the associated  
19 support systems of the building, structure, or  
20 facility) that—

21 (i) is constructed (including facilities  
22 constructed for lease), renovated, or pur-  
23 chased, in whole or in part, by the Admin-  
24 istrator for use by the Federal Govern-  
25 ment; or

1                   (ii) is leased, in whole or in part, by  
2                   the Administrator for use by the Federal  
3                   Government—

4                   (I) except as provided in sub-  
5                   clause (II), for a term of not less than  
6                   5 years; or

7                   (II) for a term of less than 5  
8                   years, if the Administrator determines  
9                   that use of cost-effective technologies  
10                  and practices would result in the pay-  
11                  back of expenses.

12                  (B) INCLUSION.—The term “GSA facility”  
13                  includes any group of buildings, structures, or  
14                  facilities described in subparagraph (A) (includ-  
15                  ing the associated energy-consuming support  
16                  systems of the buildings, structures, and facili-  
17                  ties).

18                  (C) EXEMPTION.—The Administrator may  
19                  exempt from the definition of “GSA facility”  
20                  under this paragraph a building, structure, or  
21                  facility that meets the requirements of section  
22                  543(c) of Public Law 95–619 (42 U.S.C.  
23                  8253(c)).



**Calendar No. 131**

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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**A BILL**

To achieve emission reductions and cost savings through accelerated use of cost-effective lighting technologies in public buildings, and for other purposes.

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MAY 3, 2007

Reported with amendments