

“(iii) establish priorities for types and locations of buildings to be metered based on cost-effectiveness and a schedule of 1 or more dates, not later than 1 year after the date of issuance of the guidelines, on which the requirements specified in paragraph (1) shall take effect; and

“(iv) establish exclusions from the requirements specified in paragraph (1) based on the de minimis quantity of energy use of a Federal building, industrial process, or structure.

“(3) **PLAN.**--Not later than 6 months after the date 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 how the agency will implement the requirements of paragraph (1), including (A) how the agency will designate personnel primarily responsible for achieving the requirements and (B) demonstration by the agency, complete with documentation, of any finding that advanced meters or advanced metering devices, as defined in paragraph (1), are not practicable.”.

SEC. 104. PROCUREMENT OF ENERGY EFFICIENT PRODUCTS.

(a) *Requirements.*--Part 3 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8251 et seq.), as amended by section 101, is amended by adding at the end the following:

SEC. 553. FEDERAL PROCUREMENT OF ENERGY EFFICIENT PRODUCTS.

“(a) *Definitions.*--In this section:

“(1) **AGENCY.**--The term ‘agency’ has the meaning given that term in section 7902(a) of title 5, United States Code.

“(2) **ENERGY STAR PRODUCT.**--The term ‘Energy Star product’ means a product that is rated for energy efficiency under an Energy Star program.

“(3) **ENERGY STAR PROGRAM.**--The term ‘Energy Star program’ means the program established by section 324A of the Energy Policy and Conservation Act.

“(4) **FEMP DESIGNATED PRODUCT.**--The term ‘FEMP designated product’ means a product that is designated under the Federal Energy Management Program of the Department of Energy as being among the highest 25 percent of equivalent products for energy efficiency.

“(5) **PRODUCT.**--The term ‘product’ does not include any energy consuming product or system designed or procured for combat or combat-related missions.

“(b) *Procurement of Energy Efficient Products.*--

“(1) **REQUIREMENT.**--To meet the requirements of an agency for an energy consuming product, the head of the agency shall, except as provided in paragraph (2), procure--

“(A) an Energy Star product; or

“(B) a FEMP designated product.

“(2) **EXCEPTIONS.**--The head of an agency is not required to procure an Energy Star product or FEMP designated product under paragraph (1) if the head of the agency finds in writing that--

“(A) an Energy Star product or FEMP designated product is not cost-effective over the life of the product taking energy cost savings into account; or

“(B) no Energy Star product or FEMP designated product is reasonably available that meets the functional requirements of the agency.

“(3) **PROCUREMENT PLANNING.**--The head of an agency shall incorporate into the specifications for all procurements involving energy consuming products and systems, including guide specifications, project specifications, and construction, renovation, and services contracts that include provision of energy consuming products and systems, and into the factors for the evaluation of offers received for the procurement, criteria for energy efficiency that are consistent with the criteria used for rating Energy Star products and for rating FEMP designated products.

“(c) *Listing of Energy Efficient Products in Federal Catalogs.*--Energy Star products and FEMP designated products shall be clearly identified and prominently displayed in any inventory or listing of products by the General Services Administration or the Defense Logistics Agency. The General Services Administration or the Defense Logistics Agency shall supply only Energy Star products or FEMP designated products for all product categories covered by the Energy Star program or the Federal Energy Management Program, except in cases where the agency ordering a product specifies in writing that no Energy Star product or FEMP designated

product is available to meet the buyer's functional requirements, or that no Energy Star product or FEMP designated product is cost-effective for the intended application over the life of the product, taking energy cost savings into account.

“(d) *Specific Products.*--(1) In the case of electric motors of 1 to 500 horsepower, agencies shall select only premium efficient motors that meet a standard designated by the Secretary. The Secretary shall designate such a standard not later than 120 days after the date of the enactment of this section, after considering the recommendations of associated electric motor manufacturers and energy efficiency groups.

“(2) All Federal agencies are encouraged to take actions to maximize the efficiency of air conditioning and refrigeration equipment, including appropriate cleaning and maintenance, including the use of any system treatment or additive that will reduce the electricity consumed by air conditioning and refrigeration equipment. Any such treatment or additive must be--

“(A) determined by the Secretary to be effective in increasing the efficiency of air conditioning and refrigeration equipment without having an adverse impact on air conditioning performance (including cooling capacity) or equipment useful life;

“(B) determined by the Administrator of the Environmental Protection Agency to be environmentally safe; and

“(C) shown to increase seasonal energy efficiency ratio (SEER) or energy efficiency ratio (EER) when tested by the National Institute of Standards and Technology according to Department of Energy test procedures without causing any adverse impact on the system, system components, the refrigerant or lubricant, or other materials in the system.

Results of testing described in subparagraph (C) shall be published in the Federal Register for public review and comment. For purposes of this section, a hardware device or primary refrigerant shall not be considered an additive.

“(e) *Regulations.*--Not later than 180 days after the date of the enactment of this section, the Secretary shall issue guidelines to carry out this section.”.

(b) *Conforming Amendment.*--The table of contents of the National Energy Conservation Policy Act is further amended by inserting after the item relating to section 552 the following new item:

“Sec. 553. Federal procurement of energy efficient products.”.

SEC. 105. ENERGY SAVINGS PERFORMANCE CONTRACTS.

(a) *Extension.*--Section 801(c) of the National Energy Conservation Policy Act (42 U.S.C. 8287(c)) is amended by striking “2006” and inserting “2016”.

(b) *Extension of Authority.*--Any energy savings performance contract entered into under section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287) after October 1, 2003, and before the date of enactment of this Act, shall be considered to have been entered into under that section.

SEC. 109. FEDERAL BUILDING PERFORMANCE STANDARDS.

Section 305(a) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)) is amended--

(1) in paragraph (2)(A), by striking “CABO Model Energy Code, 1992 (in the case of residential buildings) or ASHRAE Standard 90.1-1989” and inserting “the 2004 International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1-2004”; and

(2) by adding at the end the following:

“(3)(A) Not later than 1 year after the date of enactment of this paragraph, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that--

“(i) if life-cycle cost-effective for new Federal buildings--

“(I) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, that is in effect as of the date of enactment of this paragraph; and

“(II) sustainable design principles are applied to the siting, design, and construction of all new and replacement buildings; and

“(ii) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost-effective.

“(iii) Not later than 1 year after the date of approval of each subsequent revision of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, the Secretary shall