

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide greater energy efficiency in building codes.

IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.

S. 1000

To promote energy savings in residential and commercial buildings and industry, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by _____

Viz:

1 Beginning on page 196, strike line 3 and all that fol-
 2 lows through page 217, line 7, and insert the following:
 3 **SEC. 101. GREATER ENERGY EFFICIENCY IN BUILDING**
 4 **CODES.**

5 (a) DEFINITIONS.—Section 303 of the Energy Con-
 6 servation and Production Act (42 U.S.C. 6832) is amend-
 7 ed—

8 (1) by striking paragraph (14) and inserting
 9 the following:

10 “(14) MODEL BUILDING ENERGY CODE.—The
 11 term ‘model building energy code’ means a voluntary
 12 building energy code and standards developed and

1 updated through a consensus process among inter-
2 ested persons, such as the IECC or the code used
3 by—

4 “(A) the Council of American Building Of-
5 ficials;

6 “(B) the American Society of Heating, Re-
7 frigerating, and Air-Conditioning Engineers; or

8 “(C) other appropriate organizations.”;
9 and

10 (2) by adding at the end the following:

11 “(17) IECC.—The term ‘IECC’ means the
12 International Energy Conservation Code.

13 “(18) INDIAN TRIBE.—The term ‘Indian tribe’
14 has the meaning given the term in section 4 of the
15 Native American Housing Assistance and Self-De-
16 termination Act of 1996 (25 U.S.C. 4103).”.

17 (b) STATE BUILDING ENERGY EFFICIENCY
18 CODES.—Section 304 of the Energy Conservation and
19 Production Act (42 U.S.C. 6833) is amended to read as
20 follows:

21 **“SEC. 304. UPDATING STATE BUILDING ENERGY EFFI-
22 CIENCY CODES.**

23 “(a) IN GENERAL.—The Secretary shall—

24 “(1) encourage and support the adoption of
25 building energy codes by States, Indian tribes, and,

1 as appropriate, by local governments that meet or
2 exceed the model building energy codes, or achieve
3 equivalent or greater energy savings; and

4 “(2) support full compliance with the State and
5 local codes.

6 “(b) STATE AND INDIAN TRIBE CERTIFICATION OF
7 BUILDING ENERGY CODE UPDATES.—

8 “(1) REVIEW AND UPDATING OF CODES BY
9 EACH STATE AND INDIAN TRIBE.—

10 “(A) IN GENERAL.—Not later than 2 years
11 after the date on which a model building energy
12 code is updated, each State or Indian tribe shall
13 certify whether or not the State or Indian tribe,
14 respectively, has reviewed and updated the en-
15 ergy provisions of the building code of the State
16 or Indian tribe, respectively.

17 “(B) DEMONSTRATION.—The certification
18 shall include a demonstration of whether or not
19 the energy savings for the code provisions that
20 are in effect throughout the State or Indian
21 tribal territory meet or exceed—

22 “(i) the energy savings of the updated
23 model building energy code; or

24 “(ii) the targets established under sec-
25 tion 307(b)(2).

1 “(C) NO MODEL BUILDING ENERGY CODE
2 UPDATE.—If a model building energy code is
3 not updated by a target date established under
4 section 307(b)(2)(D), each State or Indian tribe
5 shall, not later than 2 years after the specified
6 date, certify whether or not the State or Indian
7 tribe, respectively, has reviewed and updated
8 the energy provisions of the building code of the
9 State or Indian tribe, respectively, to meet or
10 exceed the target in section 307(b)(2).

11 “(2) VALIDATION BY SECRETARY.—Not later
12 than 90 days after a State or Indian tribe certifi-
13 cation under paragraph (1), the Secretary shall—

14 “(A) determine whether the code provi-
15 sions of the State or Indian tribe, respectively,
16 meet the criteria specified in paragraph (1);
17 and

18 “(B) if the determination is positive, vali-
19 date the certification.

20 “(c) IMPROVEMENTS IN COMPLIANCE WITH BUILD-
21 ING ENERGY CODES.—

22 “(1) REQUIREMENT.—

23 “(A) IN GENERAL.—Not later than 3 years
24 after the date of a certification under sub-
25 section (b), each State and Indian tribe shall

1 certify whether or not the State and Indian
2 tribe, respectively, has—

3 “(i) achieved full compliance under
4 paragraph (3) with the applicable certified
5 State and Indian tribe building energy
6 code or with the associated model building
7 energy code; or

8 “(ii) made significant progress under
9 paragraph (4) toward achieving compliance
10 with the applicable certified State and In-
11 dian tribe building energy code or with the
12 associated model building energy code.

13 “(B) REPEAT CERTIFICATIONS.—If the
14 State or Indian tribe certifies progress toward
15 achieving compliance, the State or Indian tribe
16 shall repeat the certification until the State or
17 Indian tribe certifies that the State or Indian
18 tribe has achieved full compliance, respectively.

19 “(2) MEASUREMENT OF COMPLIANCE.—A cer-
20 tification under paragraph (1) shall include docu-
21 mentation of the rate of compliance based on—

22 “(A) independent inspections of a random
23 sample of the buildings covered by the code in
24 the preceding year; or

1 “(B) an alternative method that yields an
2 accurate measure of compliance.

3 “(3) ACHIEVEMENT OF COMPLIANCE.—A State
4 or Indian tribe shall be considered to achieve full
5 compliance under paragraph (1) if—

6 “(A) at least 90 percent of building space
7 covered by the code in the preceding year sub-
8 stantially meets all the requirements of the ap-
9 plicable code specified in paragraph (1), or
10 achieves equivalent or greater energy savings
11 level; or

12 “(B) the estimated excess energy use of
13 buildings that did not meet the applicable code
14 specified in paragraph (1) in the preceding
15 year, compared to a baseline of comparable
16 buildings that meet this code, is not more than
17 5 percent of the estimated energy use of all
18 buildings covered by this code during the pre-
19 ceding year.

20 “(4) SIGNIFICANT PROGRESS TOWARD
21 ACHIEVEMENT OF COMPLIANCE.—A State or Indian
22 tribe shall be considered to have made significant
23 progress toward achieving compliance for purposes
24 of paragraph (1) if the State or Indian tribe—

1 “(A) has developed and is implementing a
2 plan for achieving compliance during the 8-
3 year-period beginning on the date of enactment
4 of this paragraph, including annual targets for
5 compliance and active training and enforcement
6 programs; and

7 “(B) has met the most recent target under
8 subparagraph (A).

9 “(5) VALIDATION BY SECRETARY.—Not later
10 than 90 days after a State or Indian tribe certifi-
11 cation under paragraph (1), the Secretary shall—

12 “(A) determine whether the State or In-
13 dian tribe has demonstrated meeting the cri-
14 teria of this subsection, including accurate
15 measurement of compliance; and

16 “(B) if the determination is positive, vali-
17 date the certification.

18 “(d) STATES OR INDIAN TRIBES THAT DO NOT
19 ACHIEVE COMPLIANCE.—

20 “(1) REPORTING.—A State or Indian tribe that
21 has not made a certification required under sub-
22 section (b) or (c) by the applicable deadline shall
23 submit to the Secretary a report on—

1 “(A) the status of the State or Indian tribe
2 with respect to meeting the requirements and
3 submitting the certification; and

4 “(B) a plan for meeting the requirements
5 and submitting the certification.

6 “(2) FEDERAL SUPPORT.—For any State or In-
7 dian tribe for which the Secretary has not validated
8 a certification by a deadline under subsection (b) or
9 (c), the lack of the certification may be a consider-
10 ation for Federal support authorized under this sec-
11 tion for code adoption and compliance activities.

12 “(3) LOCAL GOVERNMENT.—In any State or
13 Indian tribe for which the Secretary has not vali-
14 dated a certification under subsection (b) or (c), a
15 local government may be eligible for Federal support
16 by meeting the certification requirements of sub-
17 sections (b) and (c).

18 “(4) ANNUAL REPORTS BY SECRETARY.—

19 “(A) IN GENERAL.—The Secretary shall
20 annually submit to Congress, and publish in the
21 Federal Register, a report on—

22 “(i) the status of model building en-
23 ergy codes;

24 “(ii) the status of code adoption and
25 compliance in the States and Indian tribes;

1 “(iii) implementation of this section;

2 and

3 “(iv) improvements in energy savings

4 over time as result of the targets estab-

5 lished under section 307(b)(2).

6 “(B) IMPACTS.—The report shall include

7 estimates of impacts of past action under this

8 section, and potential impacts of further action,

9 on—

10 “(i) upfront financial and construction

11 costs, cost benefits and returns (using in-

12 vestment analysis), and lifetime energy use

13 for buildings;

14 “(ii) resulting energy costs to individ-

15 uals and businesses; and

16 “(iii) resulting overall annual building

17 ownership and operating costs.

18 “(e) TECHNICAL ASSISTANCE TO STATES AND IN-

19 DIAN TRIBES.—The Secretary shall provide technical as-

20 sistance to States and Indian tribes to implement the goals

21 and requirements of this section, including procedures and

22 technical analysis for States and Indian tribes—

23 “(1) to improve and implement State residential

24 and commercial building energy codes;

1 “(2) to demonstrate that the code provisions of
2 the States and Indian tribes achieve equivalent or
3 greater energy savings than the model building en-
4 ergy codes and targets;

5 “(3) to document the rate of compliance with a
6 building energy code; and

7 “(4) to otherwise promote the design and con-
8 struction of energy efficient buildings.

9 “(f) AVAILABILITY OF INCENTIVE FUNDING.—

10 “(1) IN GENERAL.—The Secretary shall provide
11 incentive funding to States and Indian tribes—

12 “(A) to implement the requirements of this
13 section;

14 “(B) to improve and implement residential
15 and commercial building energy codes, including
16 increasing and verifying compliance with the
17 codes and training of State, tribal, and local
18 building code officials to implement and enforce
19 the codes; and

20 “(C) to promote building energy efficiency
21 through the use of the codes.

22 “(2) ADDITIONAL FUNDING.—Additional fund-
23 ing shall be provided under this subsection for im-
24 plementation of a plan to achieve and document full

1 compliance with residential and commercial building
2 energy codes under subsection (c)—

3 “(A) to a State or Indian tribe for which
4 the Secretary has validated a certification under
5 subsection (b) or (c); and

6 “(B) in a State or Indian tribe that is not
7 eligible under subparagraph (A), to a local gov-
8 ernment that is eligible under this section.

9 “(3) TRAINING.—Of the amounts made avail-
10 able under this subsection, the State may use
11 amounts required, but not to exceed \$750,000 for a
12 State, to train State and local building code officials
13 to implement and enforce codes described in para-
14 graph (2).

15 “(4) LOCAL GOVERNMENTS.—States may share
16 grants under this subsection with local governments
17 that implement and enforce the codes.

18 “(g) STRETCH CODES AND ADVANCED STAND-
19 ARDS.—

20 “(1) IN GENERAL.—The Secretary shall provide
21 technical and financial support for the development
22 of stretch codes and advanced standards for residen-
23 tial and commercial buildings for use as—

1 “(A) an option for adoption as a building
2 energy code by local, tribal, or State govern-
3 ments; and

4 “(B) guidelines for energy-efficient build-
5 ing design.

6 “(2) TARGETS.—The stretch codes and ad-
7 vanced standards shall be designed—

8 “(A) to achieve substantial energy savings
9 compared to the model building energy codes;
10 and

11 “(B) to meet targets under section 307(b),
12 if available, at least 3 to 6 years in advance of
13 the target years.

14 “(h) STUDIES.—The Secretary, in consultation with
15 building science experts from the National Laboratories
16 and institutions of higher education, designers and build-
17 ers of energy-efficient residential and commercial build-
18 ings, code officials, and other stakeholders, shall under-
19 take a study of the feasibility, impact, economics, and
20 merit of—

21 “(1) code improvements that would require that
22 buildings be designed, sited, and constructed in a
23 manner that makes the buildings more adaptable in
24 the future to become zero-net-energy after initial

1 construction, as advances are achieved in energy-sav-
2 ing technologies;

3 “(2) code procedures to incorporate measured
4 lifetimes, not just first-year energy use, in trade-offs
5 and performance calculations; and

6 “(3) legislative options for increasing energy
7 savings from building energy codes, including addi-
8 tional incentives for effective State and local action,
9 and verification of compliance with and enforcement
10 of a code other than by a State or local government.

11 “(i) EFFECT ON OTHER LAWS.—Nothing in this sec-
12 tion or section 307 supersedes or modifies the application
13 of sections 321 through 346 of the Energy Policy and
14 Conservation Act (42 U.S.C. 6291 et seq.).

15 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section
17 and section 307 \$200,000,000, to remain available until
18 expended.”.

19 (c) FEDERAL BUILDING ENERGY EFFICIENCY
20 STANDARDS.—Section 305 of the Energy Conservation
21 and Production Act (42 U.S.C. 6834) is amended by strik-
22 ing “voluntary building energy code” each place it appears
23 in subsections (a)(2)(B) and (b) and inserting “model
24 building energy code”.

1 (d) MODEL BUILDING ENERGY CODES.—Section 307
2 of the Energy Conservation and Production Act (42
3 U.S.C. 6836) is amended to read as follows:

4 **“SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY**
5 **CODES.**

6 “(a) IN GENERAL.—The Secretary shall support the
7 updating of model building energy codes.

8 “(b) TARGETS.—

9 “(1) IN GENERAL.—The Secretary shall sup-
10 port the updating of the model building energy codes
11 to enable the achievement of aggregate energy sav-
12 ings targets established under paragraph (2).

13 “(2) TARGETS.—

14 “(A) IN GENERAL.—The Secretary shall
15 work with State, Indian tribes, local govern-
16 ments, nationally recognized code and stand-
17 ards developers, and other interested parties to
18 support the updating of model building energy
19 codes by establishing 1 or more aggregate en-
20 ergy savings targets to achieve the purposes of
21 this section.

22 “(B) SEPARATE TARGETS.—The Secretary
23 may establish separate targets for commercial
24 and residential buildings.

1 “(C) BASELINES.—The baseline for updat-
2 ing model building energy codes shall be the
3 2009 IECC for residential buildings and
4 ASHRAE Standard 90.1–2010 for commercial
5 buildings.

6 “(D) SPECIFIC YEARS.—

7 “(i) IN GENERAL.—Targets for spe-
8 cific years shall be established and revised
9 by the Secretary through rulemaking and
10 coordinated with nationally recognized code
11 and standards developers at a level that—

12 “(I) is at the maximum level of
13 energy efficiency that is techno-
14 logically feasible and life-cycle cost ef-
15 fective, while accounting for the eco-
16 nomic considerations under paragraph
17 (4);

18 “(II) is higher than the preceding
19 target; and

20 “(III) promotes the achievement
21 of commercial and residential high-
22 performance buildings through high
23 performance energy efficiency (within
24 the meaning of section 401 of the En-

1 ergy Independence and Security Act
2 of 2007 (42 U.S.C. 17061)).

3 “(ii) INITIAL TARGETS.—Not later
4 than 1 year after the date of enactment of
5 this clause, the Secretary shall establish
6 initial targets under this subparagraph.

7 “(iii) DIFFERENT TARGET YEARS.—
8 Subject to clause (i), prior to the applica-
9 ble year, the Secretary may set a later tar-
10 get year for any of the model building en-
11 ergy codes described in subparagraph (A)
12 if the Secretary determines that a target
13 cannot be met.

14 “(iv) SMALL BUSINESS.—When estab-
15 lishing targets under this paragraph
16 through rulemaking, the Secretary shall
17 ensure compliance with the Small Business
18 Regulatory Enforcement Fairness Act of
19 1996 (5 U.S.C. 601 note; Public Law 104–
20 121).

21 “(3) APPLIANCE STANDARDS AND OTHER FAC-
22 TORS AFFECTING BUILDING ENERGY USE.—In es-
23 tablishing building code targets under paragraph
24 (2), the Secretary shall develop and adjust the tar-

1 gets in recognition of potential savings and costs re-
2 lating to—

3 “(A) efficiency gains made in appliances,
4 lighting, windows, insulation, and building enve-
5 lope sealing;

6 “(B) advancement of distributed genera-
7 tion and on-site renewable power generation
8 technologies;

9 “(C) equipment improvements for heating,
10 cooling, and ventilation systems;

11 “(D) building management systems and
12 SmartGrid technologies to reduce energy use;
13 and

14 “(E) other technologies, practices, and
15 building systems that the Secretary considers
16 appropriate regarding building plug load and
17 other energy uses.

18 “(4) ECONOMIC CONSIDERATIONS.—In estab-
19 lishing and revising building code targets under
20 paragraph (2), the Secretary shall consider the eco-
21 nomic feasibility of achieving the proposed targets
22 established under this section and the potential costs
23 and savings for consumers and building owners, in-
24 cluding a return on investment analysis.

1 “(c) TECHNICAL ASSISTANCE TO MODEL BUILDING
2 ENERGY CODE-SETTING AND STANDARD DEVELOPMENT
3 ORGANIZATIONS.—

4 “(1) IN GENERAL.—The Secretary shall, on a
5 timely basis, provide technical assistance to model
6 building energy code-setting and standard develop-
7 ment organizations consistent with the goals of this
8 section.

9 “(2) ASSISTANCE.—The assistance shall in-
10 clude, as requested by the organizations, technical
11 assistance in—

12 “(A) evaluating code or standards pro-
13 posals or revisions;

14 “(B) building energy analysis and design
15 tools;

16 “(C) building demonstrations;

17 “(D) developing definitions of energy use
18 intensity and building types for use in model
19 building energy codes to evaluate the efficiency
20 impacts of the model building energy codes;

21 “(E) performance-based standards;

22 “(F) evaluating economic considerations
23 under subsection (b)(4); and

1 “(G) developing model building energy
2 codes by Indian tribes in accordance with tribal
3 law.

4 “(3) AMENDMENT PROPOSALS.—The Secretary
5 may submit timely model building energy code
6 amendment proposals to the model building energy
7 code-setting and standard development organiza-
8 tions, with supporting evidence, sufficient to enable
9 the model building energy codes to meet the targets
10 established under subsection (b)(2).

11 “(4) ANALYSIS METHODOLOGY.—The Secretary
12 shall make publicly available the entire calculation
13 methodology (including input assumptions and data)
14 used by the Secretary to estimate the energy savings
15 of code or standard proposals and revisions.

16 “(d) DETERMINATION.—

17 “(1) REVISION OF MODEL BUILDING ENERGY
18 CODES.—If the provisions of the IECC or ASHRAE
19 Standard 90.1 regarding building energy use are re-
20 vised, the Secretary shall make a preliminary deter-
21 mination not later than 90 days after the date of the
22 revision, and a final determination not later than 15
23 months after the date of the revision, on whether or
24 not the revision will—

1 “(A) improve energy efficiency in buildings
2 compared to the existing model building energy
3 code; and

4 “(B) meet the applicable targets under
5 subsection (b)(2).

6 “(2) CODES OR STANDARDS NOT MEETING TAR-
7 GETS.—

8 “(A) IN GENERAL.—If the Secretary
9 makes a preliminary determination under para-
10 graph (1)(B) that a code or standard does not
11 meet the targets established under subsection
12 (b)(2), the Secretary may at the same time pro-
13 vide the model building energy code or standard
14 developer with proposed changes that would re-
15 sult in a model building energy code that meets
16 the targets and with supporting evidence, tak-
17 ing into consideration—

18 “(i) whether the modified code is tech-
19 nically feasible and life-cycle cost effective;

20 “(ii) available appliances, technologies,
21 materials, and construction practices; and

22 “(iii) the economic considerations
23 under subsection (b)(4).

24 “(B) INCORPORATION OF CHANGES.—

1 “(i) IN GENERAL.—On receipt of the
2 proposed changes, the model building en-
3 ergy code or standard developer shall have
4 an additional 270 days to accept or reject
5 the proposed changes of the Secretary to
6 the model building energy code or standard
7 for the Secretary to make a final deter-
8 mination.

9 “(ii) FINAL DETERMINATION.—A
10 final determination under paragraph (1)
11 shall be on the modified model building en-
12 ergy code or standard.

13 “(e) ADMINISTRATION.—In carrying out this section,
14 the Secretary shall—

15 “(1) publish notice of targets and supporting
16 analysis and determinations under this section in the
17 Federal Register to provide an explanation of and
18 the basis for such actions, including any supporting
19 modeling, data, assumptions, protocols, and cost-
20 benefit analysis, including return on investment; and

21 “(2) provide an opportunity for public comment
22 on targets and supporting analysis and determina-
23 tions under this section.

24 “(f) VOLUNTARY CODES AND STANDARDS.—
25 Notwithstanding any other provision of this section, any

1 model building code or standard established under this
2 section shall not be binding on a State, local government,
3 or Indian tribe as a matter of Federal law.”.

4 On page 221, strike lines 20 through 23 and insert
5 the following:

6 “(i) requirements to preserve priority
7 lien status of secured lenders and creditors
8 in buildings eligible for credit support;

9 Beginning on page 234, strike line 11 and all that
10 follows through page 236, line 17, and insert the following:

11 **SEC. 303. REDUCING BARRIERS TO THE DEPLOYMENT OF**
12 **INDUSTRIAL ENERGY EFFICIENCY.**

13 (a) DEFINITIONS.—In this section:

14 (1) INDUSTRIAL ENERGY EFFICIENCY.—The
15 term “industrial energy efficiency” means the energy
16 efficiency derived from commercial technologies and
17 measures to improve energy efficiency or to generate
18 or transmit electric power and heat, including elec-
19 tric motor efficiency improvements, demand re-
20 sponse, direct or indirect combined heat and power,
21 and waste heat recovery.

22 (2) INDUSTRIAL SECTOR.—The term “indus-
23 trial sector” means any subsector of the manufac-

1 turing sector (as defined in North American Indus-
2 try Classification System codes 31-33 (as in effect
3 on the date of enactment of this Act)) establish-
4 ments of which have, or could have, thermal host fa-
5 cilities with electricity requirements met in whole, or
6 in part, by onsite electricity generation, including di-
7 rect and indirect combined heat and power or waste
8 recovery.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of Energy.

11 (b) REPORT ON THE DEPLOYMENT OF INDUSTRIAL
12 ENERGY EFFICIENCY.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, the Secretary
15 shall submit to the Committee on Energy and Com-
16 merce of the House of Representatives and the Com-
17 mittee on Energy and Natural Resources of the Sen-
18 ate a report describing—

19 (A) the results of the study conducted
20 under paragraph (2); and

21 (B) recommendations and guidance devel-
22 oped under paragraph (3).

23 (2) STUDY.—The Secretary, in coordination
24 with the industrial sector, shall conduct a study of
25 the following:

1 (A) The legal, regulatory, and economic
2 barriers to the deployment of industrial energy
3 efficiency in all electricity markets (including
4 organized wholesale electricity markets, and
5 regulated electricity markets), including, as ap-
6 plicable, the following:

7 (i) Transmission and distribution
8 interconnection requirements.

9 (ii) Standby, back-up, and mainte-
10 nance fees (including demand ratchets).

11 (iii) Exit fees.

12 (iv) Life of contract demand ratchets.

13 (v) Net metering.

14 (vi) Calculation of avoided cost rates.

15 (vii) Power purchase agreements.

16 (viii) Energy market structures.

17 (ix) Capacity market structures.

18 (x) Other barriers as may be identi-
19 fied by the Secretary, in coordination with
20 the industrial sector.

21 (B) Examples of —

22 (i) successful State and Federal poli-
23 cies that resulted in greater use of indus-
24 trial energy efficiency;

1 (ii) successful private initiatives that
2 resulted in greater use of industrial energy
3 efficiency; and

4 (iii) cost-effective policies used by for-
5 eign countries to foster industrial energy
6 efficiency.

7 (C) The estimated economic benefits to the
8 national economy of providing the industrial
9 sector with Federal energy efficiency matching
10 grants of \$5,000,000,000 for 5- and 10-year
11 periods, including benefits relating to—

12 (i) estimated energy and emission re-
13 ductions;

14 (ii) direct and indirect jobs saved or
15 created;

16 (iii) direct and indirect capital invest-
17 ment;

18 (iv) the gross domestic product; and

19 (v) trade balance impacts.

20 (D) The estimated energy savings available
21 from increased use of recycled material in en-
22 ergy-intensive manufacturing processes.

23 (3) RECOMMENDATIONS AND GUIDANCE.—The
24 Secretary, in coordination with the industrial sector,
25 shall develop policy recommendations regarding the

1 deployment of industrial energy efficiency, including
2 proposed regulatory guidance to States and relevant
3 Federal agencies to address barriers to deployment.

4 On page 233, line 5, strike “each” and insert “the
5 period”.

6 Beginning on page 237, strike line 9 and all that fol-
7 lows through page 238, line 8.

8 On page 238, line 9, strike “(d)” and insert “(e)”.

9 On page 259, line 22, insert “, direct,” after “elec-
10 tric”.

11 On page 259, between lines 22 and 23, insert the fol-
12 lowing:

13 (2) in subsection (b)(2)—

14 (A) by inserting “, or avoided by,” after
15 “generated from”; and

16 (B) by inserting “(including ground-source,
17 reclaimed, and ground water)” after “geo-
18 thermal”;

19 On page 259, line 23, strike “(2)” and insert “(3)”.

- 1 On page 260, line 1, strike “(3)” and insert “(4)”.

- 2 On page 260, line 7, insert “(on a BTU-equivalent
3 basis)” after “calculated”.