

114TH CONGRESS  
1ST SESSION

# S. 535

---

## AN ACT

To promote energy efficiency.

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; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Energy Efficiency Improvement Act of 2015”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—BETTER BUILDINGS

Sec. 101. Short title.

Sec. 102. Energy efficiency in Federal and other buildings.

Sec. 103. Separate spaces with high-performance energy efficiency measures.

Sec. 104. Tenant Star program.

TITLE II—GRID-ENABLED WATER HEATERS

Sec. 201. Grid-enabled water heaters.

TITLE III—ENERGY INFORMATION FOR COMMERCIAL BUILDINGS

Sec. 301. Energy information for commercial buildings.

6 **TITLE I—BETTER BUILDINGS**

7 **SEC. 101. SHORT TITLE.**

8 This title may be cited as the “Better Buildings Act  
9 of 2015”.

10 **SEC. 102. ENERGY EFFICIENCY IN FEDERAL AND OTHER**  
11 **BUILDINGS.**

12 (a) DEFINITIONS.—In this section:

13 (1) ADMINISTRATOR.—The term “Adminis-  
14 trator” means the Administrator of General Serv-  
15 ices.

16 (2) COST-EFFECTIVE ENERGY EFFICIENCY  
17 MEASURE.—The term “cost-effective energy effi-  
18 ciency measure” means any building product, mate-  
19 rial, equipment, or service, and the installing, imple-

1       menting, or operating thereof, that provides energy  
2       savings in an amount that is not less than the cost  
3       of such installing, implementing, or operating.

4           (3) COST-EFFECTIVE WATER EFFICIENCY  
5       MEASURE.—The term “cost-effective water efficiency  
6       measure” means any building product, material,  
7       equipment, or service, and the installing, imple-  
8       menting, or operating thereof, that provides water  
9       savings in an amount that is not less than the cost  
10      of such installing, implementing, or operating.

11      (b) MODEL PROVISIONS, POLICIES, AND BEST PRAC-  
12      TICES.—

13           (1) IN GENERAL.—Not later than 180 days  
14      after the date of enactment of this Act, the Adminis-  
15      trator, in consultation with the Secretary of Energy  
16      and after providing the public with an opportunity  
17      for notice and comment, shall develop model com-  
18      mercial leasing provisions and best practices in ac-  
19      cordance with this subsection.

20           (2) COMMERCIAL LEASING.—

21           (A) IN GENERAL.—The model commercial  
22      leasing provisions developed under this sub-  
23      section shall, at a minimum, align the interests  
24      of building owners and tenants with regard to  
25      investments in cost-effective energy efficiency

1 measures and cost-effective water efficiency  
2 measures to encourage building owners and ten-  
3 ants to collaborate to invest in such measures.

4 (B) USE OF MODEL PROVISIONS.—The  
5 Administrator may use the model commercial  
6 leasing provisions developed under this sub-  
7 section in any standard leasing document that  
8 designates a Federal agency (or other client of  
9 the Administrator) as a landlord or tenant.

10 (C) PUBLICATION.—The Administrator  
11 shall periodically publish the model commercial  
12 leasing provisions developed under this sub-  
13 section, along with explanatory materials, to en-  
14 courage building owners and tenants in the pri-  
15 vate sector to use such provisions and mate-  
16 rials.

17 (3) REALTY SERVICES.—The Administrator  
18 shall develop policies and practices to implement  
19 cost-effective energy efficiency measures and cost-ef-  
20 fective water efficiency measures for the realty serv-  
21 ices provided by the Administrator to Federal agen-  
22 cies (or other clients of the Administrator), including  
23 periodic training of appropriate Federal employees  
24 and contractors on how to identify and evaluate  
25 those measures.

1           (4) STATE AND LOCAL ASSISTANCE.—The Ad-  
2           ministrators, in consultation with the Secretary of  
3           Energy, shall make available model commercial leas-  
4           ing provisions and best practices developed under  
5           this subsection to State, county, and municipal gov-  
6           ernments for use in managing owned and leased  
7           building space in accordance with the goal of encour-  
8           aging investment in all cost-effective energy effi-  
9           ciency measures and cost-effective water efficiency  
10          measures.

11 **SEC. 103. SEPARATE SPACES WITH HIGH-PERFORMANCE**  
12 **ENERGY EFFICIENCY MEASURES.**

13          (a) IN GENERAL.—Subtitle B of title IV of the En-  
14          ergy Independence and Security Act of 2007 (42 U.S.C.  
15          17081 et seq.) is amended by adding at the end the fol-  
16          lowing:

17 **“SEC. 424. SEPARATE SPACES WITH HIGH-PERFORMANCE**  
18 **ENERGY EFFICIENCY MEASURES.**

19          “(a) DEFINITIONS.—In this section:

20                 “(1) HIGH-PERFORMANCE ENERGY EFFICIENCY  
21          MEASURE.—The term ‘high-performance energy effi-  
22          ciency measure’ means a technology, product, or  
23          practice that will result in substantial operational  
24          cost savings by reducing energy consumption and  
25          utility costs.

1           “(2) SEPARATE SPACES.—The term ‘separate  
2 spaces’ means areas within a commercial building  
3 that are leased or otherwise occupied by a tenant or  
4 other occupant for a period of time pursuant to the  
5 terms of a written agreement.

6           “(b) STUDY.—

7           “(1) IN GENERAL.—Not later than 1 year after  
8 the date of enactment of this section, the Secretary,  
9 acting through the Assistant Secretary of Energy  
10 Efficiency and Renewable Energy, shall complete a  
11 study on the feasibility of—

12           “(A) significantly improving energy effi-  
13 ciency in commercial buildings through the de-  
14 sign and construction, by owners and tenants,  
15 of separate spaces with high-performance en-  
16 ergy efficiency measures; and

17           “(B) encouraging owners and tenants to  
18 implement high-performance energy efficiency  
19 measures in separate spaces.

20           “(2) SCOPE.—The study shall, at a minimum,  
21 include—

22           “(A) descriptions of—

23           “(i) high-performance energy effi-  
24 ciency measures that should be considered

1 as part of the initial design and construc-  
2 tion of separate spaces;

3 “(ii) processes that owners, tenants,  
4 architects, and engineers may replicate  
5 when designing and constructing separate  
6 spaces with high-performance energy effi-  
7 ciency measures;

8 “(iii) policies and best practices to  
9 achieve reductions in energy intensities for  
10 lighting, plug loads, heating, cooling, cook-  
11 ing, laundry, and other systems to satisfy  
12 the needs of the commercial building ten-  
13 ant;

14 “(iv) return on investment and pay-  
15 back analyses of the incremental cost and  
16 projected energy savings of the proposed  
17 set of high-performance energy efficiency  
18 measures, including consideration of avail-  
19 able incentives;

20 “(v) models and simulation methods  
21 that predict the quantity of energy used by  
22 separate spaces with high-performance en-  
23 ergy efficiency measures and that compare  
24 that predicted quantity to the quantity of  
25 energy used by separate spaces without

1 high-performance energy efficiency meas-  
2 ures but that otherwise comply with appli-  
3 cable building code requirements;

4 “(vi) measurement and verification  
5 platforms demonstrating actual energy use  
6 of high-performance energy efficiency  
7 measures installed in separate spaces, and  
8 whether such measures generate the sav-  
9 ings intended in the initial design and con-  
10 struction of the separate spaces;

11 “(vii) best practices that encourage an  
12 integrated approach to designing and con-  
13 structing separate spaces to perform at op-  
14 timum energy efficiency in conjunction  
15 with the central systems of a commercial  
16 building; and

17 “(viii) any impact on employment re-  
18 sulting from the design and construction of  
19 separate spaces with high-performance en-  
20 ergy efficiency measures; and

21 “(B) case studies reporting economic and  
22 energy savings returns in the design and con-  
23 struction of separate spaces with high-perform-  
24 ance energy efficiency measures.



1           “(3) PUBLIC PARTICIPATION.—Not later than  
2           90 days after the date of the enactment of this sec-  
3           tion, the Secretary shall publish a notice in the Fed-  
4           eral Register requesting public comments regarding  
5           effective methods, measures, and practices for the  
6           design and construction of separate spaces with  
7           high-performance energy efficiency measures.

8           “(4) PUBLICATION.—The Secretary shall pub-  
9           lish the study on the website of the Department of  
10          Energy.”.

11          (b) CLERICAL AMENDMENT.—The table of contents  
12          in section 1(b) of the Energy Independence and Security  
13          Act of 2007 is amended by inserting after the item relat-  
14          ing to section 423 the following new item:

          “Sec. 424. Separate spaces with high-performance energy efficiency measures.”.

15          **SEC. 104. TENANT STAR PROGRAM.**

16          (a) IN GENERAL.—Subtitle B of title IV of the En-  
17          ergy Independence and Security Act of 2007 (42 U.S.C.  
18          17081 et seq.) (as amended by section 103) is amended  
19          by adding at the end the following:

20          **“SEC. 425. TENANT STAR PROGRAM.**

21           “(a) DEFINITIONS.—In this section:

22           “(1) HIGH-PERFORMANCE ENERGY EFFICIENCY  
23           MEASURE.—The term ‘high-performance energy effi-  
24           ciency measure’ has the meaning given the term in  
25           section 424.

1           “(2) SEPARATE SPACES.—The term ‘separate  
2       spaces’ has the meaning given the term in section  
3       424.

4           “(b) TENANT STAR.—The Administrator of the Envi-  
5       ronmental Protection Agency, in consultation with the  
6       Secretary of Energy, shall develop a voluntary program  
7       within the Energy Star program established by section  
8       324A of the Energy Policy and Conservation Act (42  
9       U.S.C. 6294a), which may be known as ‘Tenant Star’, to  
10      promote energy efficiency in separate spaces leased by ten-  
11      ants or otherwise occupied within commercial buildings.

12          “(c) EXPANDING SURVEY DATA.—The Secretary of  
13      Energy, acting through the Administrator of the Energy  
14      Information Administration, shall—

15           “(1) collect, through each Commercial Build-  
16      ings Energy Consumption Survey of the Energy In-  
17      formation Administration that is conducted after the  
18      date of enactment of this section, data on—

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

23           “(B) other aspects of the property, build-  
24      ing operation, or building occupancy determined  
25      by the Administrator of the Energy Information

1 Administration, in consultation with the Admin-  
2 istrator of the Environmental Protection Agen-  
3 cy, to be relevant in lowering energy consump-  
4 tion;

5 “(2) with respect to the first Commercial Build-  
6 ings Energy Consumption Survey conducted after  
7 the date of enactment of this section, to the extent  
8 full compliance with the requirements of paragraph  
9 (1) is not feasible, conduct activities to develop the  
10 capability to collect such data and begin to collect  
11 such data; and

12 “(3) make data collected under paragraphs (1)  
13 and (2) available to the public in aggregated form  
14 and provide such data, and any associated results, to  
15 the Administrator of the Environmental Protection  
16 Agency for use in accordance with subsection (d).

17 “(d) RECOGNITION OF OWNERS AND TENANTS.—

18 “(1) OCCUPANCY-BASED RECOGNITION.—Not  
19 later than 1 year after the date on which sufficient  
20 data is received pursuant to subsection (c), the Ad-  
21 ministrator of the Environmental Protection Agency  
22 shall, following an opportunity for public notice and  
23 comment—

24 “(A) in a manner similar to the Energy  
25 Star rating system for commercial buildings,

1 develop policies and procedures to recognize  
2 tenants in commercial buildings that voluntarily  
3 achieve high levels of energy efficiency in sepa-  
4 rate spaces;

5 “(B) establish building occupancy cat-  
6 egories eligible for Tenant Star recognition  
7 based on the data collected under subsection (c)  
8 and any other appropriate data sources; and

9 “(C) consider other forms of recognition  
10 for commercial building tenants or other occu-  
11 pants that lower energy consumption in sepa-  
12 rate spaces.

13 “(2) DESIGN- AND CONSTRUCTION-BASED REC-  
14 OGNITION.—After the study required by section  
15 424(b) is completed, the Administrator of the Envi-  
16 ronmental Protection Agency, in consultation with  
17 the Secretary and following an opportunity for pub-  
18 lic notice and comment, may develop a voluntary  
19 program to recognize commercial building owners  
20 and tenants that use high-performance energy effi-  
21 ciency measures in the design and construction of  
22 separate spaces.”.

23 (b) CLERICAL AMENDMENT.—The table of contents  
24 in section 1(b) of the Energy Independence and Security  
25 Act of 2007 is amended by inserting after the item relat-

1 ing to section 424 (as added by section 103(b)) the fol-  
 2 lowing new item:

“Sec. 425. Tenant Star program.”.

3 **TITLE II—GRID-ENABLED WATER**  
 4 **HEATERS**

5 **SEC. 201. GRID-ENABLED WATER HEATERS.**

6 Part B of title III of the Energy Policy and Conserva-  
 7 tion Act is amended—

8 (1) in section 325(e) (42 U.S.C. 6295(e)), by  
 9 adding at the end the following:

10 “(6) **ADDITIONAL STANDARDS FOR GRID-EN-**  
 11 **ABLED WATER HEATERS.—**

12 “(A) **DEFINITIONS.—**In this paragraph:

13 “(i) **ACTIVATION LOCK.—**The term  
 14 ‘activation lock’ means a control mecha-  
 15 nism (either a physical device directly on  
 16 the water heater or a control system inte-  
 17 grated into the water heater) that is locked  
 18 by default and contains a physical, soft-  
 19 ware, or digital communication that must  
 20 be activated with an activation key to en-  
 21 able the product to operate at its designed  
 22 specifications and capabilities and without  
 23 which activation the product will provide  
 24 not greater than 50 percent of the rated

1 first hour delivery of hot water certified by  
2 the manufacturer.

3 “(ii) GRID-ENABLED WATER HEAT-  
4 ER.—The term ‘grid-enabled water heater’  
5 means an electric resistance water heater  
6 that—

7 “(I) has a rated storage tank vol-  
8 ume of more than 75 gallons;

9 “(II) is manufactured on or after  
10 April 16, 2015;

11 “(III) has—

12 “(aa) an energy factor of  
13 not less than 1.061 minus the  
14 product obtained by multi-  
15 plying—

16 “(AA) the rated storage  
17 volume of the tank, ex-  
18 pressed in gallons; and

19 “(BB) 0.00168; or

20 “(bb) an equivalent alter-  
21 native standard prescribed by the  
22 Secretary and developed pursu-  
23 ant to paragraph (5)(E);

1                   “(IV) is equipped at the point of  
2                   manufacture with an activation lock;  
3                   and

4                   “(V) bears a permanent label ap-  
5                   plied by the manufacturer that—

6                   “(aa) is made of material  
7                   not adversely affected by water;

8                   “(bb) is attached by means  
9                   of non-water-soluble adhesive;  
10                  and

11                  “(cc) advises purchasers and  
12                  end-users of the intended and ap-  
13                  propriate use of the product with  
14                  the following notice printed in  
15                  16.5 point Arial Narrow Bold  
16                  font:

17    “‘IMPORTANT INFORMATION: This water heater is  
18    intended only for use as part of an electric thermal storage  
19    or demand response program. It will not provide adequate  
20    hot water unless enrolled in such a program and activated  
21    by your utility company or another program operator.  
22    Confirm the availability of a program in your local area  
23    before purchasing or installing this product.’.

24                  “(B) REQUIREMENT.—The manufacturer  
25                  or private labeler shall provide the activation

1 key for a grid-enabled water heater only to a  
2 utility or other company that operates an elec-  
3 tric thermal storage or demand response pro-  
4 gram that uses such a grid-enabled water heat-  
5 er.

6 “(C) REPORTS.—

7 “(i) MANUFACTURERS.—The Sec-  
8 retary shall require each manufacturer of  
9 grid-enabled water heaters to report to the  
10 Secretary annually the quantity of grid-en-  
11 abled water heaters that the manufacturer  
12 ships each year.

13 “(ii) OPERATORS.—The Secretary  
14 shall require utilities and other demand re-  
15 sponse and thermal storage program oper-  
16 ators to report annually the quantity of  
17 grid-enabled water heaters activated for  
18 their programs using forms of the Energy  
19 Information Agency or using such other  
20 mechanism that the Secretary determines  
21 appropriate after an opportunity for notice  
22 and comment.

23 “(iii) CONFIDENTIALITY REQUIRE-  
24 MENTS.—The Secretary shall treat ship-



1           ment data reported by manufacturers as  
2           confidential business information.

3           “(D) PUBLICATION OF INFORMATION.—

4                 “(i) IN GENERAL.—In 2017 and  
5           2019, the Secretary shall publish an anal-  
6           ysis of the data collected under subpara-  
7           graph (C) to assess the extent to which  
8           shipped products are put into use in de-  
9           mand response and thermal storage pro-  
10          grams.

11                “(ii) PREVENTION OF PRODUCT DI-  
12          VERSION.—If the Secretary determines  
13          that sales of grid-enabled water heaters ex-  
14          ceed by 15 percent or greater the quantity  
15          of such products activated for use in de-  
16          mand response and thermal storage pro-  
17          grams annually, the Secretary shall, after  
18          opportunity for notice and comment, estab-  
19          lish procedures to prevent product diver-  
20          sion for non-program purposes.

21          “(E) COMPLIANCE.—

22                 “(i) IN GENERAL.—Subparagraphs  
23          (A) through (D) shall remain in effect  
24          until the Secretary determines under this  
25          section that—

1           “(I) grid-enabled water heaters  
2 do not require a separate efficiency  
3 requirement; or

4           “(II) sales of grid-enabled water  
5 heaters exceed by 15 percent or great-  
6 er the quantity of such products acti-  
7 vated for use in demand response and  
8 thermal storage programs annually  
9 and procedures to prevent product di-  
10 version for non-program purposes  
11 would not be adequate to prevent such  
12 product diversion.

13           “(ii) EFFECTIVE DATE.—If the Sec-  
14 retary exercises the authority described in  
15 clause (i) or amends the efficiency require-  
16 ment for grid-enabled water heaters, that  
17 action will take effect on the date de-  
18 scribed in subsection (m)(4)(A)(ii).

19           “(iii) CONSIDERATION.—In carrying  
20 out this section with respect to electric  
21 water heaters, the Secretary shall consider  
22 the impact on thermal storage and demand  
23 response programs, including any impact  
24 on energy savings, electric bills, peak load

1 reduction, electric reliability, integration of  
2 renewable resources, and the environment.

3 “(iv) REQUIREMENTS.—In carrying  
4 out this paragraph, the Secretary shall re-  
5 quire that grid-enabled water heaters be  
6 equipped with communication capability to  
7 enable the grid-enabled water heaters to  
8 participate in ancillary services programs if  
9 the Secretary determines that the tech-  
10 nology is available, practical, and cost-ef-  
11 fective.”;

12 (2) in section 332(a) (42 U.S.C. 6302(a))—

13 (A) in paragraph (5), by striking “or” at  
14 the end;

15 (B) in the first paragraph (6), by striking  
16 the period at the end and inserting a semicolon;

17 (C) by redesignating the second paragraph  
18 (6) as paragraph (7);

19 (D) in subparagraph (B) of paragraph (7)  
20 (as so redesignated), by striking the period at  
21 the end and inserting “; or”; and

22 (E) by adding at the end the following:

23 “(8) for any person—

24 “(A) to activate an activation lock for a  
25 grid-enabled water heater with knowledge that

1 such water heater is not used as part of an  
2 electric thermal storage or demand response  
3 program;

4 “(B) to distribute an activation key for a  
5 grid-enabled water heater with knowledge that  
6 such activation key will be used to activate a  
7 grid-enabled water heater that is not used as  
8 part of an electric thermal storage or demand  
9 response program;

10 “(C) to otherwise enable a grid-enabled  
11 water heater to operate at its designed speci-  
12 fication and capabilities with knowledge that  
13 such water heater is not used as part of an  
14 electric thermal storage or demand response  
15 program; or

16 “(D) to knowingly remove or render illegi-  
17 ble the label of a grid-enabled water heater de-  
18 scribed in section 325(e)(6)(A)(ii)(V).”;

19 (3) in section 333(a) (42 U.S.C. 6303(a))—

20 (A) by striking “section 332(a)(5)” and in-  
21 sserting “paragraph (5), (6), (7), or (8) of sec-  
22 tion 332(a)”;

23 (B) by striking “paragraph (1), (2), or (5)  
24 of section 332(a)” and inserting “paragraph

1 (1), (2), (5), (6), (7), or (8) of section 332(a)”;

2 and

3 (4) in section 334 (42 U.S.C. 6304)—

4 (A) by striking “section 332(a)(5)” and in-  
5 serting “paragraph (5), (6), (7), or (8) of sec-  
6 tion 332(a)”; and

7 (B) by striking “section 332(a)(6)” and in-  
8 serting “section 332(a)(7)”.

9 **TITLE III—ENERGY INFORMA-**  
10 **TION FOR COMMERCIAL**  
11 **BUILDINGS**

12 **SEC. 301. ENERGY INFORMATION FOR COMMERCIAL BUILD-**  
13 **INGS.**

14 (a) REQUIREMENT OF BENCHMARKING AND DISCLO-  
15 SURE FOR LEASING BUILDINGS WITHOUT ENERGY STAR  
16 LABELS.—Section 435(b)(2) of the Energy Independence  
17 and Security Act of 2007 (42 U.S.C. 17091(b)(2)) is  
18 amended—

19 (1) by striking “paragraph (2)” and inserting  
20 “paragraph (1)”; and

21 (2) by striking “signing the contract,” and all  
22 that follows through the period at the end and in-  
23 serting the following:

24 “signing the contract, the following requirements are  
25 met:

1           “(A) The space is renovated for all energy  
2 efficiency and conservation improvements that  
3 would be cost effective over the life of the lease,  
4 including improvements in lighting, windows,  
5 and heating, ventilation, and air conditioning  
6 systems.

7           “(B)(i) Subject to clause (ii), the space is  
8 benchmarked under a nationally recognized, on-  
9 line, free benchmarking program, with public  
10 disclosure, unless the space is a space for which  
11 owners cannot access whole building utility con-  
12 sumption data, including spaces—

13                 “(I) that are located in States with  
14 privacy laws that provide that utilities shall  
15 not provide such aggregated information to  
16 multitenant building owners; and

17                 “(II) for which tenants do not provide  
18 energy consumption information to the  
19 commercial building owner in response to a  
20 request from the building owner.

21           “(ii) A Federal agency that is a tenant of  
22 the space shall provide to the building owner, or  
23 authorize the owner to obtain from the utility,  
24 the energy consumption information of the

1 space for the benchmarking and disclosure re-  
2 quired by this subparagraph.”.

3 (b) STUDY.—

4 (1) IN GENERAL.—Not later than 2 years after  
5 the date of enactment of this Act, the Secretary of  
6 Energy, in collaboration with the Administrator of  
7 the Environmental Protection Agency, shall complete  
8 a study—

9 (A) on the impact of—

10 (i) State and local performance  
11 benchmarking and disclosure policies, and  
12 any associated building efficiency policies,  
13 for commercial and multifamily buildings;  
14 and

15 (ii) programs and systems in which  
16 utilities provide aggregated information re-  
17 garding whole building energy consumption  
18 and usage information to owners of multi-  
19 tenant commercial, residential, and mixed-  
20 use buildings;

21 (B) that identifies best practice policy ap-  
22 proaches studied under subparagraph (A) that  
23 have resulted in the greatest improvements in  
24 building energy efficiency; and

25 (C) that considers—

- 1 (i) compliance rates and the benefits  
2 and costs of the policies and programs on  
3 building owners, utilities, tenants, and  
4 other parties;
- 5 (ii) utility practices, programs, and  
6 systems that provide aggregated energy  
7 consumption information to multitenant  
8 building owners, and the impact of public  
9 utility commissions and State privacy laws  
10 on those practices, programs, and systems;
- 11 (iii) exceptions to compliance in exist-  
12 ing laws where building owners are not  
13 able to gather or access whole building en-  
14 ergy information from tenants or utilities;
- 15 (iv) the treatment of buildings with—  
16 (I) multiple uses;  
17 (II) uses for which baseline infor-  
18 mation is not available; and  
19 (III) uses that require high levels  
20 of energy intensities, such as data  
21 centers, trading floors, and televisions  
22 studios;
- 23 (v) implementation practices, includ-  
24 ing disclosure methods and phase-in of  
25 compliance;



1                   (vi) the safety and security of  
2                   benchmarking tools offered by government  
3                   agencies, and the resiliency of those tools  
4                   against cyber attacks; and

5                   (vii) international experiences with re-  
6                   gard to building benchmarking and diselo-  
7                   sure laws and data aggregation for multi-  
8                   tenant buildings.

9                   (2) SUBMISSION TO CONGRESS.—At the conclu-  
10                  sion of the study, the Secretary shall submit to the  
11                  Committee on Energy and Commerce of the House  
12                  of Representatives and Committee on Energy and  
13                  Natural Resources of the Senate a report on the re-  
14                  sults of the study.

15                  (c) CREATION AND MAINTENANCE OF DATABASE.—

16                  (1) IN GENERAL.—Not later than 18 months  
17                  after the date of enactment of this Act and following  
18                  opportunity for public notice and comment, the Sec-  
19                  retary of Energy, in coordination with other relevant  
20                  agencies, shall maintain, and if necessary create, a  
21                  database for the purpose of storing and making  
22                  available public energy-related information on com-  
23                  mercial and multifamily buildings, including—

24                          (A) data provided under Federal, State,  
25                          local, and other laws or programs regarding

1 building benchmarking and energy information  
2 disclosure;

3 (B) information on buildings that have dis-  
4 closed energy ratings and certifications; and

5 (C) energy-related information on buildings  
6 provided voluntarily by the owners of the build-  
7 ings, only in an anonymous form unless the  
8 owner provides otherwise.

9 (2) COMPLEMENTARY PROGRAMS.—The data-  
10 base maintained pursuant to paragraph (1) shall  
11 complement and not duplicate the functions of the  
12 Environmental Protection Agency’s Energy Star  
13 Portfolio Manager tool.

14 (d) INPUT FROM STAKEHOLDERS.—The Secretary of  
15 Energy shall seek input from stakeholders to maximize the  
16 effectiveness of the actions taken under this section.

17 (e) REPORT.—Not later than 2 years after the date  
18 of enactment of this Act, and every 2 years thereafter,  
19 the Secretary of Energy shall submit to the Committee  
20 on Energy and Commerce of the House of Representatives  
21 and Committee on Energy and Natural Resources of the

- 1 Senate a report on the progress made in complying with
- 2 this section.

Passed the Senate March 26 (legislative day, March 27), 2015.

Attest:

*Secretary.*

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 535**

---

**AN ACT**

To promote energy efficiency.