

109TH CONGRESS
2D SESSION

S. _____

To improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. JEFFORDS (for himself, Ms. SNOWE, Mr. LAUTENBERG, Mr. CHAFEE, Mrs. BOXER, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. LIEBERMAN, and Mr. OBAMA) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To improve efficiency in the Federal Government through the use of high-performance green 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “High-Performance Green Buildings Act of 2006”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—OFFICE OF HIGH-PERFORMANCE GREEN BUILDINGS

- Sec. 101. Oversight.
- Sec. 102. Office of High-Performance Green Buildings.
- Sec. 103. Green Building Advisory Committee.
- Sec. 104. Public outreach.
- Sec. 105. Research and development.
- Sec. 106. Budget and life-cycle costing and contracting.
- Sec. 107. Authorization of appropriations.

TITLE II—HEALTHY HIGH-PERFORMANCE SCHOOLS

- Sec. 201. Definitions.
- Sec. 202. Grants for healthy school environments.
- Sec. 203. Federal guidelines for siting of school facilities.
- Sec. 204. Environmental health program.
- Sec. 205. Authorization of appropriations.

TITLE III—STRENGTHENING FEDERAL LEADERSHIP

- Sec. 301. Incentives.
- Sec. 302. Federal procurement.
- Sec. 303. Federal green building performance.

TITLE IV—DEMONSTRATION PROJECT

- Sec. 401. Coordination of goals.
- Sec. 402. Authorization of appropriations.

1 SEC. 2. DEFINITIONS.

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of General Serv-
5 ices.

6 (2) COMMITTEE.—The term “Committee”
7 means the Green Building Advisory Committee es-
8 tablished under section 103(a).

9 (3) DIRECTOR.—The term “Director” means
10 the individual appointed to the position established
11 under section 101(a).

12 (4) FEDERAL FACILITY.—

1 (A) IN GENERAL.—The term “Federal fa-
2 cility” means any building or facility the in-
3 tended use of which requires the building or fa-
4 cility to be—

5 (i) accessible to the public; and

6 (ii) constructed or altered by or on be-
7 half of the United States.

8 (B) EXCLUSIONS.—The term “Federal fa-
9 cility” does not include a privately-owned resi-
10 dential or commercial structure that is not
11 leased by the Federal Government.

12 (5) HIGH-PERFORMANCE GREEN BUILDING.—
13 The term “high-performance green building” means
14 a building that, during its life-cycle—

15 (A) reduces energy, water, and material re-
16 source use;

17 (B) improves indoor environmental quality
18 including, reducing indoor pollution, improving
19 thermal comfort, and improving lighting and
20 acoustic environments that affect occupant
21 health and productivity;

22 (C) reduces negative impacts on the envi-
23 ronment throughout the life-cycle of the build-
24 ing, including air and water pollution and waste
25 generation;

1 (D) increases the use of environmentally
2 preferable products, including biobased, recycled
3 content, and nontoxic products with lower life-
4 cycle impacts;

5 (E) increases reuse and recycling opportu-
6 nities;

7 (F) integrates systems in the building;

8 (G) reduces the environmental and energy
9 impacts of transportation through building loca-
10 tion and site design that support a full range
11 of transportation choices for users of the build-
12 ing; and

13 (H) considers indoor and outdoor effects of
14 the building on human health and the environ-
15 ment, including—

16 (i) improvements in worker produc-
17 tivity;

18 (ii) the life-cycle impacts of building
19 materials and operations; and

20 (iii) other factors that the Office con-
21 siders to be appropriate.

22 (6) LIFE-CYCLE.—The term “life-cycle”, with
23 respect to a high-performance green building, means
24 all stages of the useful life of the building (including
25 components, equipment, systems, and controls of the

1 building) beginning at conception of a green building
2 project and continuing through site selection, design,
3 construction, landscaping, commissioning, operation,
4 maintenance, renovation, deconstruction or demoli-
5 tion, removal, and recycling of the green building.

6 (7) LIFE-CYCLE ASSESSMENT.—The term “life-
7 cycle assessment” means a comprehensive system
8 approach for measuring the environmental perform-
9 ance of a product or service over the life of the prod-
10 uct or service, beginning at raw materials acquisition
11 and continuing through manufacturing, transpor-
12 tation, installation, use, reuse, and end-of-life waste
13 management.

14 (8) LIFE-CYCLE COSTING.—The term “life-cycle
15 costing”, with respect to a high-performance green
16 building, means a technique of economic evaluation
17 that—

18 (A) sums, over a given study period, the
19 costs of initial investment (less resale value), re-
20 placements, operations (including energy use),
21 and maintenance and repair of an investment
22 decision; and

23 (B) is expressed—

24 (i) in present value terms, in the case
25 of a study period equivalent to the longest

1 useful life of the building, determined by
2 taking into consideration the typical life of
3 such a building in the area in which the
4 building is to be located; or

5 (ii) in annual value terms, in the case
6 of any other study period.

7 (9) OFFICE.—The term “Office” means the Of-
8 fice of High-Performance Green Buildings estab-
9 lished under section 102(a).

10 **TITLE I—OFFICE OF HIGH-PER-**
11 **FORMANCE GREEN BUILD-**
12 **INGS**

13 **SEC. 101. OVERSIGHT.**

14 (a) IN GENERAL.—The Administrator shall establish
15 within the General Services Administration, and appoint
16 an individual to serve as Director in, a position in the ca-
17 reer-reserved Senior Executive service, to—

18 (1) establish and manage the Office in accord-
19 ance with section 102; and

20 (2) carry out other duties as required under
21 this Act.

22 (b) COMPENSATION.—The compensation of the Di-
23 rector shall not exceed the maximum rate of basic pay for
24 the Senior Executive Service under section 5382 of title
25 5, United States Code, including any applicable locality-

1 based comparability payment that may be authorized
2 under section 5304(h)(2)(C) of that title.

3 **SEC. 102. OFFICE OF HIGH-PERFORMANCE GREEN BUILD-**
4 **INGS.**

5 (a) ESTABLISHMENT.—The Director shall establish
6 within the General Services Administration an Office of
7 High-Performance Green Buildings.

8 (b) DUTIES.—The Director shall—

9 (1) ensure full coordination of high-performance
10 green building information and activities within the
11 General Services Administration and all relevant
12 agencies, including, at a minimum—

13 (A) the Environmental Protection Agency;

14 (B) the Office of the Federal Environ-
15 mental Executive;

16 (C) the Office of Federal Procurement Pol-
17 icy;

18 (D) the Department of Energy;

19 (E) the Department of Health and Human
20 Services;

21 (F) the Department of Defense; and

22 (G) such other Federal agencies as the Di-
23 rector considers to be appropriate;

24 (2) establish a senior-level Federal green build-
25 ing advisory committee, which shall provide advice

1 and recommendations in accordance with section
2 103;

3 (3) identify and biennially reassess improved or
4 higher rating standards recommended by the Com-
5 mittee;

6 (4) establish a national high-performance green
7 building clearinghouse in accordance with section
8 104, which shall provide green building information
9 through—

10 (A) outreach;

11 (B) education; and

12 (C) the provision of technical assistance;

13 (5) ensure full coordination of research and de-
14 velopment information relating to high-performance
15 green building initiatives under section 105;

16 (6) identify and develop green building stand-
17 ards that could be used for all types of Federal fa-
18 cilities in accordance with section 105;

19 (7) establish green practices that can be used
20 throughout the life of a Federal facility;

21 (8) review and analyze current Federal budget
22 practices and life-cycle costing issues, and make rec-
23 ommendations to Congress, in accordance with sec-
24 tion 106; and

1 (9) complete and submit the report described in
2 subsection (c).

3 (c) REPORT.—Not later than 2 years after the date
4 of enactment of this Act, and biennially thereafter, the Di-
5 rector shall submit to Congress a report that—

6 (1) describes the status of the green building
7 initiatives under this Act and other Federal pro-
8 grams in effect as of the date of the report, includ-
9 ing—

10 (A) the extent to which the programs are
11 being carried out in accordance with this Act;
12 and

13 (B) the status of funding requests and ap-
14 propriations for those programs;

15 (2) identifies within the planning, budgeting,
16 and construction process all types of Federal facility
17 procedures that inhibit new and existing Federal fa-
18 cilities from becoming high-performance green build-
19 ings as measured by—

20 (A) a silver rating, as defined by the Lead-
21 ership in Energy and Environmental Design
22 Building Rating System standard established by
23 the United States Green Building Council (or
24 an equivalent rating); or

1 (B) an improved or higher rating standard,
2 as identified by the Committee;

3 (3) identifies inconsistencies, as reported to the
4 Committee, in Federal law with respect to product
5 acquisition guidelines and high-performance product
6 guidelines;

7 (4) recommends language for uniform stand-
8 ards for use by Federal agencies in environmentally
9 responsible acquisition;

10 (5) in coordination with the Office of Manage-
11 ment and Budget, reviews the budget process for
12 capital programs with respect to alternatives for—

13 (A) restructuring of budgets to require the
14 use of complete energy- and environmental-cost
15 accounting;

16 (B) using operations expenditures in budg-
17 et-related decisions while simultaneously incor-
18 porating productivity and health measures (as
19 those measures can be quantified by the Office,
20 with the assistance of universities and national
21 laboratories);

22 (C) permitting Federal agencies to retain
23 all identified savings accrued as a result of the
24 use of life-cycle costing for future high-perform-
25 ance green building initiatives; and

1 (D) identifying short- and long-term cost
2 savings that accrue from high-performance
3 green buildings, including those relating to
4 health and productivity;

5 (6) identifies green, self-sustaining technologies
6 to address the operational needs of Federal facilities
7 in times of national security emergencies, natural
8 disasters, or other dire emergencies;

9 (7) summarizes and highlights development, at
10 the State and local level, of green building initia-
11 tives, including executive orders, policies, or laws
12 adopted promoting green building (including the sta-
13 tus of implementation of those initiatives); and

14 (8) includes, for the 2-year period covered by
15 the report, recommendations to address each of the
16 matters, and a plan for implementation of each rec-
17 ommendation, described in paragraphs (1) through
18 (6).

19 (d) IMPLEMENTATION.—The Office shall carry out
20 each plan for implementation of recommendations under
21 subsection (c)(7).

22 **SEC. 103. GREEN BUILDING ADVISORY COMMITTEE.**

23 (a) ESTABLISHMENT.—Not later than 180 days after
24 the date of enactment of this Act, the Director shall estab-

1 lish a committee to be known as the “Green Building Ad-
2 visory Committee”.

3 (b) MEMBERSHIP.—The Committee shall be com-
4 posed of representatives of, at a minimum—

5 (1) each agency referred to in section
6 102(b)(1); and

7 (2) other relevant entities, as determined by the
8 Director, including at least 1 representative of each
9 of the following:

10 (A) State and local governmental green
11 building programs.

12 (B) Independent green building associa-
13 tions or councils.

14 (C) Building experts, including architects,
15 material suppliers, and construction contrac-
16 tors.

17 (D) Security advisors focusing on national
18 security needs, natural disasters, and other dire
19 emergency situations.

20 (E) Children and adult environmental
21 health experts.

22 (c) MEETINGS.—The Director shall establish a reg-
23 ular schedule of meetings for the Committee, which shall
24 convene a minimum of 6 times each year.

1 (d) DUTIES.—The Committee shall provide advice
2 and expertise for use by the Director in carrying out the
3 duties under this Act, including such recommendations re-
4 lating to Federal activities carried out under sections 104
5 through 106 as are agreed to by a majority of the mem-
6 bers of the Committee.

7 (e) FACA EXEMPTION.—The Committee shall not be
8 subject to the Federal Advisory Committee Act (5 U.S.C.
9 App.).

10 **SEC. 104. PUBLIC OUTREACH.**

11 The Director, in coordination with the Committee,
12 shall carry out public outreach to inform individuals and
13 entities of the information and services available Govern-
14 ment-wide by—

15 (1) establishing and maintaining a national
16 high-performance green building clearinghouse, in-
17 cluding on the Internet, that—

18 (A) identifies existing similar efforts and
19 coordinates activities of common interest; and

20 (B) provides information relating to high-
21 performance green buildings, including
22 hyperlinks to Internet sites that describe the ac-
23 tivities, information, and resources of—

24 (i) the Federal Government;

25 (ii) State and local governments;

1 (iii) the private sector (including non-
2 governmental and nonprofit entities and
3 organizations); and

4 (iv) international organizations;

5 (2) identifying and recommending educational
6 resources for implementing high-performance green
7 building practices, including security and emergency
8 benefits and practices;

9 (3) providing access to technical assistance on
10 using tools and resources to make more cost-effec-
11 tive, energy-efficient, health-protective, and environ-
12 mentally beneficial decisions for constructing high-
13 performance green buildings, particularly tools avail-
14 able to conduct life-cycle costing and life-cycle as-
15 sessment;

16 (4) providing information on application proc-
17 esses for certifying a high-performance green build-
18 ing, including certification and commissioning; and

19 (5) providing technical information, market re-
20 search, or other forms of assistance or advice that
21 would be useful in planning and constructing high-
22 performance green buildings; and

23 (6) using such other methods as are determined
24 by the Director to be appropriate.

1 **SEC. 105. RESEARCH AND DEVELOPMENT.**

2 (a) ESTABLISHMENT.—The Director, in coordination
3 with the Committee, shall—

4 (1)(A) survey existing research and studies re-
5 lating to high-performance green buildings; and

6 (B) coordinate activities of common interest;

7 (2) develop and recommend a high-performance
8 green building research plan that—

9 (A) identifies information and research
10 needs, including the relationships between
11 health, occupant productivity, and each of—

12 (i) pollutant emissions from materials
13 and products in the building;

14 (ii) natural day lighting;

15 (iii) ventilation choices and tech-
16 nologies;

17 (iv) heating, cooling, and system con-
18 trol choices and technologies;

19 (v) moisture control and mold;

20 (vi) maintenance, cleaning, and pest
21 control activities;

22 (vii) acoustics; and

23 (viii) other issues relating to the
24 health, comfort, productivity, and perform-
25 ance of occupants of the building; and

1 (B) promotes the development and dissemi-
2 nation of high-performance green building
3 measurement tools that, at a minimum, may be
4 used—

5 (i) to monitor and assess the life-cycle
6 performance of facilities (including dem-
7 onstration projects) built as high-perform-
8 ance green buildings; and

9 (ii) to perform life-cycle assessments;
10 (3) assist the budget and life-cycle costing func-
11 tions of the Office under section 106;

12 (4) study and identify potential benefits of
13 green buildings relating to security, natural disaster,
14 and emergency needs of the Federal Government;
15 and

16 (5) support other research initiatives deter-
17 mined by the Office.

18 (b) INDOOR AIR QUALITY.—The Director, in con-
19 sultation with the Committee, shall develop and implement
20 a comprehensive indoor air quality program for all Federal
21 facilities to ensure the safety of Federal workers and facil-
22 ity occupants—

23 (1) during new construction and renovation of
24 facilities; and

25 (2) in existing facilities.

1 **SEC. 106. BUDGET AND LIFE-CYCLE COSTING AND CON-**
2 **TRACTING.**

3 (a) ESTABLISHMENT.—The Director, in coordination
4 with the Committee, shall—

5 (1) identify, review, and analyze current budget
6 and contracting practices that affect achievement of
7 high-performance green buildings, including the
8 identification of barriers to green building life-cycle
9 costing and budgetary issues;

10 (2) develop guidance and conduct training ses-
11 sions with budget specialists and contracting per-
12 sonnel from Federal agencies and budget examiners
13 to apply life-cycle cost criteria to actual projects;

14 (3) identify tools to aid life-cycle cost decision-
15 making; and

16 (4) explore the feasibility of incorporating the
17 benefits of green buildings, such as security benefits,
18 into a cost-budget analysis to aid in life-cycle costing
19 for budget and decision making processes.

20 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

21 There is authorized to be appropriated to carry out
22 this title \$4,000,000 for each of fiscal years 2007 through
23 2012, to remain available until expended.

1 **TITLE II—HEALTHY HIGH-**
2 **PERFORMANCE SCHOOLS**

3 **SEC. 201. DEFINITIONS.**

4 In this title:

5 (1) HIGH-PERFORMANCE SCHOOL.—The term
6 “high-performance school” has the meaning given
7 the term “healthy, high-performance school build-
8 ing” in section 5586 of the Elementary and Sec-
9 ondary Education Act of 1965 (20 U.S.C. 7277e).

10 (2) LOCAL EDUCATIONAL AGENCY.—The term
11 “local educational agency” has the meaning given
12 the term in section 9101 of the Elementary and Sec-
13 ondary Education Act of 1965 (20 U.S.C. 7801).

14 (3) STATE EDUCATIONAL AGENCY.—The term
15 “State educational agency” has the meaning given
16 the term in section 9101 of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C. 7801).

18 **SEC. 202. GRANTS FOR HEALTHY SCHOOL ENVIRONMENTS.**

19 (a) IN GENERAL.—The Administrator of the Envi-
20 ronmental Protection Agency, in consultation with the
21 Secretary of Education and the Secretary of Health and
22 Human Services, may provide grants to State and local
23 educational agencies for use in—

24 (1) providing technical assistance for programs
25 of the Environmental Protection Agency (including

1 the Tools for Schools Program and the Healthy
2 School Environmental Assessment Tool) to schools
3 for use in addressing environmental issues; and

4 (2) development of State school environmental
5 quality plans, in partnership with the Environmental
6 Protection Agency, that include—

7 (A) standards for healthy high-perform-
8 ance school building design, construction, and
9 renovation;

10 (B) identification of ongoing school build-
11 ing environmental problems in the State, in-
12 cluding assessment of information on the expo-
13 sure of children to environmental hazards in
14 school facilities, as provided by the Adminis-
15 trator of the Environmental Protection Agency;

16 (C) proposals for the systematic improve-
17 ment (including benchmarks and timelines) of
18 environmental conditions in schools throughout
19 the State, including—

20 (i) school building siting, construction,
21 and maintenance;

22 (ii) indoor air quality;

23 (iii) pest control;

24 (iv) radon contamination;

25 (v) lead contamination;

1 (vi) environmentally preferable pur-
2 chasing of products for classroom instruc-
3 tion and for maintenance;

4 (vii) hazard identification and remedi-
5 ation; and

6 (viii) modes of transportation avail-
7 able to students and staff;

8 (D) recommendations for improvements in
9 the capacity of the State to track child and
10 adult health complaints relating to schools; and

11 (E) plans for operation as an emergency,
12 self-sustaining evacuation center.

13 (b) OTHER GRANTS.—The Administrator of the En-
14 vironmental Protection Agency may provide grants to
15 qualified, nonprofit organizations to assist in community
16 and public education on healthy school environments.

17 (c) COST SHARING.—

18 (1) FEDERAL SHARE.—The Federal share of
19 the cost of a project or activity carried out using
20 funds from a grant under subsection (a) shall not
21 exceed 90 percent.

22 (2) NON-FEDERAL SHARE.—The non-Federal
23 share of the cost of a project or activity carried out
24 using funds from a grant under subsection (a) may

1 be provided in the form of cash or in-kind goods and
2 services.

3 (d) GRANT PRIORITY.—

4 (1) IN GENERAL.—In providing grants under
5 this section for use in carrying out the program re-
6 ferred to in subsection (a)(1), the Administrator of
7 the Environmental Protection Agency, in consulta-
8 tion with the Secretary of Education, shall give pri-
9 ority to school districts with need for environmental
10 improvement as identified in the school environ-
11 mental plans described in this section.

12 (2) RESPONSIBILITY OF SCHOOL DISTRICTS
13 AND STATE EDUCATIONAL AGENCIES.—

14 (A) SCHOOL DISTRICTS.—Not later than 2
15 years after the date of enactment of this Act,
16 and annually thereafter, each school district
17 that receives funds from the Administrator of
18 the Environmental Protection Agency to carry
19 out a program described in subsection (a) shall
20 submit to the State educational agency with ju-
21 risdiction over the school district a report that
22 includes—

23 (i) a list of schools in the districts
24 that, as of the date of the report, have ac-
25 cepted funds or other assistance from the

1 Environmental Protection Agency for use
2 in carrying out this section; and

3 (ii) an overview of the impact of the
4 funds, including—

5 (I) general data regarding meas-
6 ures of student health and attendance
7 rates before and after grant interven-
8 tion; and

9 (II) descriptions of toxic or haz-
10 ardous cleaning, maintenance, or in-
11 structional products eliminated or re-
12 duced in use as part of the promotion
13 or remediation of the indoor air qual-
14 ity of schools within the school dis-
15 trict; and

16 (iii) basic information on the potential
17 influence of other factors (such as the in-
18 stallation of carpet and HVAC systems
19 and similar activities) on air quality.

20 (B) STATE EDUCATIONAL AGENCY RE-
21 PORTS.—Not later than 180 days after the date
22 on which each State educational agency has re-
23 ceived the annual reports under subparagraph
24 (A) from all participating school districts, the
25 State educational agency shall submit to the

1 Administrator of the Environmental Protection
2 Agency and Congress a consolidated report of
3 all information received from the school dis-
4 tricts.

5 **SEC. 203. FEDERAL GUIDELINES FOR SITING OF SCHOOL**
6 **FACILITIES.**

7 The Administrator of the Environmental Protection
8 Agency, in consultation with the Secretary of Education
9 and the Secretary of Health and Human Services, shall
10 develop school site selection guidelines that account for—

11 (1) the special vulnerability of children to haz-
12 ardous substances or pollution exposures in any case
13 in which the potential for contamination at a poten-
14 tial school site exists, as determined by the Adminis-
15 trator of the Environmental Protection Agency, in
16 consultation with the Secretary of Education;

17 (2) modes of transportation available to stu-
18 dents and staff; and

19 (3) the potential use of a school at the site as
20 an emergency shelter.

21 **SEC. 204. ENVIRONMENTAL HEALTH PROGRAM.**

22 (a) IN GENERAL.—The Administrator of the Envi-
23 ronmental Protection Agency, in consultation with the
24 Secretary of Education, the Secretary of Health and
25 Human Services, and other relevant agencies, shall issue

1 guidelines for use by the State in developing and imple-
2 menting an environmental health program for schools
3 that—

4 (1) takes into account the status and findings
5 of Federal research initiatives established under this
6 Act and other relevant Federal law with respect to
7 school facilities, including relevant updates on trends
8 in the field, such as the impact of school facility en-
9 vironments on student and staff—

10 (A) health, safety, and productivity; and

11 (B) disabilities or special needs;

12 (2) provides research using relevant tools iden-
13 tified or developed in accordance with section 105 to
14 quantify the relationships between—

15 (A) human health, occupant productivity,
16 and student performance; and

17 (B) with respect to school facilities, each
18 of—

19 (i) pollutant emissions from materials
20 and products;

21 (ii) natural day lighting;

22 (iii) ventilation choices and tech-
23 nologies;

24 (iv) heating and cooling choices and
25 technologies;

- 1 (v) moisture control and mold;
2 (vi) maintenance, cleaning, and pest
3 control activities;
4 (vii) acoustics; and
5 (viii) other issues relating to the
6 health, comfort, productivity, and perform-
7 ance of occupants of the school facilities;

8 (3) provides technical assistance on siting, de-
9 sign, management, and operation of school facilities,
10 including facilities used by students with disabilities
11 or special needs;

12 (4) collaborates with federally funded pediatric
13 environmental health centers to assist in on-site
14 school environmental investigations;

15 (5) assists States and the public in better un-
16 derstanding and improving the environmental health
17 of children; and

18 (6) provides to the Office a biennial report of
19 all activities carried out under this title, which the
20 Director shall include in the report described in sec-
21 tion 102(e).

22 (b) PUBLIC OUTREACH.—The Director shall ensure,
23 to the maximum extent practicable, that the public clear-
24 inghouse established under section 104 receives and makes
25 available—

1 (1) information from the Administrator of the
2 Environmental Protection Agency that is contained
3 in the report described in subsection (a)(6); and

4 (2) information on the exposure of children to
5 environmental hazards in school facilities, as pro-
6 vided by the Administrator of the Environmental
7 Protection Agency.

8 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

9 There is authorized to be appropriated to carry out
10 this title \$10,000,000 for the period of fiscal years 2007
11 through 2012, to remain available until expended.

12 **TITLE III—STRENGTHENING**
13 **FEDERAL LEADERSHIP**

14 **SEC. 301. INCENTIVES.**

15 As soon as practicable after the date of enactment
16 of this Act, the Director shall identify incentives to encour-
17 age the use of green buildings and related technology in
18 the operations of the Federal Government, including
19 through—

20 (1) the provision of recognition awards; and

21 (2) the maximum feasible retention of financial
22 savings in the annual budgets of Federal agencies
23 for use in reinvesting in future green building initia-
24 tives.

1 **SEC. 302. FEDERAL PROCUREMENT.**

2 (a) IN GENERAL.—Not later than 2 years after the
3 date of enactment of this Act, the Director of the Office
4 of Federal Procurement Policy, in consultation with the
5 Director and the Under Secretary of Defense for Acquisi-
6 tion, Technology, and Logistics, shall promulgate revisions
7 of the applicable acquisition regulations, to take effect as
8 of the date of promulgation of the revisions—

9 (1) to direct any Federal procurement execu-
10 tives involved in the acquisition, construction, or
11 major renovation (including contracting for the con-
12 struction or major renovation) of any facility—

13 (A) to employ integrated design principles;

14 (B) to improve site selection for environ-
15 mental and community benefits;

16 (C) to optimize building and systems en-
17 ergy performance;

18 (D) to protect and conserve water;

19 (E) to enhance indoor environmental qual-
20 ity; and

21 (F) to reduce environmental impacts of
22 materials and waste flows; and

23 (2) to direct Federal procurement executives in-
24 volved in leasing buildings, to give preference to the
25 lease of facilities that—

26 (A) are energy-efficient; and

1 (B) to the maximum extent practicable,
2 have applied contemporary high-performance
3 and sustainable design principles during con-
4 struction or renovation.

5 (b) GUIDANCE.—Not later than 90 days after the
6 date of promulgation of the revised regulations under sub-
7 section (a), the Director shall issue guidance to all Federal
8 procurement executives providing direction and instruc-
9 tions to renegotiate the design of proposed facilities, ren-
10 ovations for existing facilities, and leased facilities to in-
11 corporate improvements that are consistent with this sec-
12 tion.

13 **SEC. 303. FEDERAL GREEN BUILDING PERFORMANCE.**

14 (a) IN GENERAL.—Not later than October 31 of each
15 of the 2 fiscal years following the fiscal year in which this
16 Act is enacted, and at such times thereafter as the Comp-
17 troller General of the United States determines to be ap-
18 propriate, the Comptroller General of the United States
19 shall, with respect to the fiscal years that have passed
20 since the preceding report—

- 21 (1) conduct an audit of the implementation of
- 22 this Act; and
- 23 (2) submit to the Office, the Committee, the
- 24 Administrator, and Congress a report describing the
- 25 results of the audit.

1 (b) CONTENTS.—An audit under subsection (a) shall
2 include a review, with respect to the period covered by the
3 report under subsection (a)(2), of—

4 (1) budget, life-cycle costing, and contracting
5 issues, using best practices identified by the Comp-
6 troller General of the United States and heads of
7 other agencies in accordance with section 106;

8 (2) the level of coordination among the Office,
9 the Office of Management and Budget, and relevant
10 agencies;

11 (3) the performance of the Office in carrying
12 out the implementation plan;

13 (4) the design stage of high-performance green
14 building measures;

15 (5) high-performance building data that were
16 collected and reported to the Office; and

17 (6) such other matters as the Comptroller Gen-
18 eral of the United States determines to be appro-
19 priate.

20 (c) CONSULTATION.—The Director shall consult with
21 the Committee to enhance and assist the implementation
22 of the Environmental Stewardship Scorecard announced
23 at the White House Summit on Federal sustainable build-
24 ings in January 2006, to measure the implementation by

1 each Federal agency of sustainable design and green
2 building initiatives.

3 **TITLE IV—DEMONSTRATION**
4 **PROJECT**

5 **SEC. 401. COORDINATION OF GOALS.**

6 (a) IN GENERAL.—The Director shall establish
7 guidelines to implement a demonstration project to con-
8 tribute to the research goals of the Office.

9 (b) PROJECTS.—In accordance with guidelines estab-
10 lished by the Director under subsection (a) and the duties
11 of the Director described in title I, the Director shall carry
12 out—

13 (1) for each of fiscal years 2008 through 2013,
14 1 demonstration project in a Federal building se-
15 lected by the Director in accordance with relevant
16 agencies and described in subsection (c)(1), that—

17 (A) provides for the evaluation of the in-
18 formation obtained through the conduct of
19 projects and activities under this Act; and

20 (B) achieves a platinum rating, as defined
21 by the Leadership in Energy and Environ-
22 mental Design Building Rating System stand-
23 ard established by the United States Green
24 Building Council (or equivalent rating); and

1 (2) no fewer than 4 demonstration projects at
2 4 universities, that, as competitively selected by the
3 Director in accordance with subsection (c)(2),
4 have—

5 (A) appropriate research resources and rel-
6 evant projects to meet the goals of the dem-
7 onstration project established by the Office; and

8 (B) the ability—

9 (i) to serve as a model for high-per-
10 formance green building initiatives, includ-
11 ing research and education;

12 (ii) to identify the most effective ways
13 to use high-performance green building
14 and landscape technologies to engage and
15 educate undergraduate and graduate stu-
16 dents;

17 (iii) to effectively implement a high-
18 performance green building education pro-
19 gram for students and occupants;

20 (iv) to demonstrate the effectiveness
21 of various high-performance technologies in
22 each of the 4 climatic regions of the
23 United States described in subsection
24 (c)(2)(B); and

1 (v) to explore quantifiable and non-
2 quantifiable beneficial impacts on public
3 health and employee and student perform-
4 ance.

5 (c) CRITERIA.—

6 (1) FEDERAL FACILITIES.—With respect to the
7 existing or proposed Federal facility at which a dem-
8 onstration project under this section is conducted,
9 the Federal facility shall—

10 (A) be an appropriate model for a project
11 relating to—

12 (i) the effectiveness of high-perform-
13 ance technologies;

14 (ii) analysis of materials, components,
15 systems, and emergency operations in the
16 building, and the impact of those mate-
17 rials, components, and systems, including
18 the impact on the health of building occu-
19 pants;

20 (iii) life-cycle costing and life-cycle as-
21 sessment of building materials and sys-
22 tems; and

23 (iv) location and design that promote
24 access to the Federal facility through walk-
25 ing, biking, and mass transit; and

1 (B) possess sufficient technological and or-
2 ganizational adaptability.

3 (2) UNIVERSITIES.—With respect to the 4 uni-
4 versities at which a demonstration project under this
5 section is conducted—

6 (A) the universities should be selected,
7 after careful review of all applications received
8 containing the required information, as deter-
9 mined by the Director, based on—

10 (i) successful and established public-
11 private research and development partner-
12 ships;

13 (ii) demonstrated capabilities to con-
14 struct or renovate buildings that meet high
15 indoor environmental quality standards;

16 (iii) organizational flexibility;

17 (iv) technological adaptability;

18 (v) the demonstrated capacity of at
19 least 1 university to replicate lessons
20 learned among nearby or sister univer-
21 sities, preferably by participation in groups
22 or consortia that promote sustainability;

23 (vi) the demonstrated capacity of at
24 least 1 university to have officially-adopt-

1 ed, institution-wide “green building” guide-
2 lines for all campus building projects; and
3 (vii) the demonstrated capacity of at
4 least 1 university to have been recognized
5 by similar institutions as a national leader
6 in sustainability education and curriculum
7 for students of the university; and

8 (B) each university shall be located in a
9 different climatic region of the United States,
10 each of which regions shall have, as determined
11 by the Office—

- 12 (i) a hot, dry climate;
13 (ii) a hot, humid climate;
14 (iii) a cold climate; or
15 (iv) a temperate climate (including a
16 climate with cold winters and humid sum-
17 mers).

18 (d) REPORT.—Not later than 1 year after the date
19 of enactment of this Act, and annually thereafter through
20 September 30, 2013—

21 (1) the Director shall submit to the Adminis-
22 trator a report that describes the status of the dem-
23 onstration projects; and

24 (2) each University at which a demonstration
25 project under this section is conducted shall submit

1 to the Administrator a report that describes the sta-
2 tus of the demonstration projects under this section.

3 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) FEDERAL DEMONSTRATION PROJECT.—There is
5 authorized to be appropriated to carry out the Federal
6 demonstration project described in section 401(b)(1)
7 \$10,000,000 for the period of fiscal years 2008 through
8 2013, to remain available until expended.

9 (b) UNIVERSITY DEMONSTRATION PROJECTS.—
10 There is authorized to be appropriated to carry out the
11 university demonstration projects described in section
12 401(b)(2) \$10,000,000 for the period of fiscal years 2008
13 through 2013, to remain available until expended.