

**(3) Evaluation**

Using the guidelines of the Federal Energy Management Program relating to whole-building evaluation, measurement, and verification, the Secretary shall evaluate the costs and benefits of the buildings selected under paragraph (2), including an identification of—

(A) which advanced building technologies and systems—

- (i) are most cost-effective; and
- (ii) show the most promise for—
  - (I) increasing building energy savings;
  - (II) increasing service performance to building occupants;
  - (III) reducing environmental impacts; and
  - (IV) establishing cybersecurity; and

(B) any other information the Secretary determines to be appropriate.

**(d) Better building challenge**

As part of the Better Building Challenge of the Department, the Secretary, in consultation with major private sector property owners, shall develop smart building accelerators to demonstrate innovative policies and approaches that will accelerate the transition to smart buildings in the public, institutional, and commercial buildings sectors.

**(e) Omitted****(f) Report**

Not later than 2 years after December 27, 2020, and every 2 years thereafter until a total of 3 reports have been made, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives a report on—

- (1) the establishment of the Federal Smart Building Program and the evaluation of Federal smart buildings under subsection (b);
- (2) the survey and evaluation of private sector smart buildings under subsection (c); and
- (3) any recommendations of the Secretary to further accelerate the transition to smart buildings.

(Pub. L. 116-260, div. Z, title I, § 1007, Dec. 27, 2020, 134 Stat. 2433.)

**Editorial Notes****CODIFICATION**

Section is comprised of section 1007 of Pub. L. 116-260. Subsec. (e) of section 1007 of Pub. L. 160-260 enacted section 17086 of this title.

Section was enacted as part of the Energy Act of 2020, and not as part of the Energy Independence and Security Act of 2007 which comprises this chapter.

**PART A—RESIDENTIAL BUILDING EFFICIENCY****§ 17071. Energy Code improvements applicable to manufactured housing****(a) Establishment of standards****(1) In general**

Not later than 4 years after December 19, 2007, the Secretary shall by regulation estab-

lish standards for energy efficiency in manufactured housing.

**(2) Notice, comment, and consultation**

Standards described in paragraph (1) shall be established after—

(A) notice and an opportunity for comment by manufacturers of manufactured housing and other interested parties; and

(B) consultation with the Secretary of Housing and Urban Development, who may seek further counsel from the Manufactured Housing Consensus Committee.

**(b) Requirements****(1) International Energy Conservation Code**

The energy conservation standards established under this section shall be based on the most recent version of the International Energy Conservation Code (including supplements), except in cases in which the Secretary finds that the code<sup>1</sup> is not cost-effective, or a more stringent standard would be more cost-effective, based on the impact of the code<sup>1</sup> on the purchase price of manufactured housing and on total life-cycle construction and operating costs.

**(2) Considerations**

The energy conservation standards established under this section may—

(A) take into consideration the design and factory construction techniques of manufactured homes;

(B) be based on the climate zones established by the Department of Housing and Urban Development rather than the climate zones under the International Energy Conservation Code; and

(C) provide for alternative practices that result in net estimated energy consumption equal to or less than the specified standards.

**(3) Updating**

The energy conservation standards established under this section shall be updated not later than—

(A) 1 year after December 19, 2007; and

(B) 1 year after any revision to the International Energy Conservation Code.

**(c) Enforcement**

Any manufacturer of manufactured housing that violates a provision of the regulations under subsection (a) is liable to the United States for a civil penalty in an amount not exceeding 1 percent of the manufacturer's retail list price of the manufactured housing.

(Pub. L. 110-140, title IV, § 413, Dec. 19, 2007, 121 Stat. 1601.)

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE**

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

<sup>1</sup> So in original. Probably should be "Code".

PART B—HIGH-PERFORMANCE COMMERCIAL BUILDINGS

**§ 17081. Commercial high-performance green buildings**

**(a) Director of Commercial High-Performance Green Buildings**

Notwithstanding any other provision of law, the Secretary, acting through the Assistant Secretary of Energy Efficiency and Renewable Energy, shall appoint a Director of Commercial High-Performance Green Buildings to a position in the career-reserved Senior Executive service, with the principal responsibility to—

- (1) establish and manage the Office of Commercial High-Performance Green Buildings; and
- (2) carry out other duties as required under this part.

**(b) Qualifications**

The Commercial Director shall be an individual, who by reason of professional background and experience, is specifically qualified to carry out the duties required under this part.

**(c) Duties**

The Commercial Director shall, with respect to development of high-performance green buildings and zero-energy commercial buildings nationwide—

- (1) coordinate the activities of the Office of Commercial High-Performance Green Buildings with the activities of the Office of Federal High-Performance Green Buildings;
- (2) develop the legal predicates and agreements for, negotiate, and establish one or more public-private partnerships with the Consortium, members of the Consortium, and other capable parties meeting the qualifications of the Consortium, to further such development;
- (3) represent the public and the Department in negotiating and performing in accord with such public-private partnerships;
- (4) use appropriated funds in an effective manner to encourage the maximum investment of private funds to achieve such development;
- (5) promote research and development of high-performance green buildings, consistent with section 17083 of this title; and
- (6) jointly establish with the Federal Director a national high-performance green building clearinghouse in accordance with section 17083(1) of this title, which shall provide high-performance green building information and disseminate research results through—
  - (A) outreach;
  - (B) education; and
  - (C) the provision of technical assistance.

**(d) Reporting**

The Commercial Director shall report directly to the Assistant Secretary for Energy Efficiency and Renewable Energy, or to other senior officials in a way that facilitates the integrated program of this part for both energy efficiency and renewable energy and both technology development and technology deployment.

**(e) Coordination**

The Commercial Director shall ensure full coordination of high-performance green building

information and activities, including activities under this part, within the Federal Government by working with the General Services Administration and all relevant agencies, including, at a minimum—

- (1) the Environmental Protection Agency;
- (2) the Office of the Federal Environmental Executive;
- (3) the Office of Federal Procurement Policy;
- (4) the Department of Energy, particularly the Federal Energy Management Program;
- (5) the Department of Health and Human Services;
- (6) the Department of Housing and Urban Development;
- (7) the Department of Defense;
- (8) the National Institute of Standards and Technology;
- (9) the Department of Transportation;
- (10) the Office of Science Technology and Policy; and
- (11) such nonprofit high-performance green building rating and analysis entities as the Commercial Director determines can offer support, expertise, and review services.

**(f) High-Performance Green Building Partnership Consortium**

**(1) Recognition**

Not later than 90 days after December 19, 2007, the Commercial Director shall formally recognize one or more groups that qualify as a high-performance green building partnership consortium.

**(2) Representation to qualify**

To qualify under this section, any consortium shall include representation from—

- (A) the design professions, including national associations of architects and of professional engineers;
- (B) the development, construction, financial, and real estate industries;
- (C) building owners and operators from the public and private sectors;
- (D) academic and research organizations, including at least one national laboratory with extensive commercial building energy expertise;
- (E) building code agencies and organizations, including a model energy code-setting organization;
- (F) independent high-performance green building associations or councils;
- (G) experts in indoor air quality and environmental factors;
- (H) experts in intelligent buildings and integrated building information systems;
- (I) utility energy efficiency programs;
- (J) manufacturers and providers of equipment and techniques used in high-performance green buildings;
- (K) public transportation industry experts; and
- (L) nongovernmental energy efficiency organizations.

**(3) Funding**

The Secretary may make payments to the Consortium pursuant to the terms of a public-private partnership for such activities of the Consortium undertaken under such a partner-