

## HR 2635

Carbon-Neutral Government Act of 2007

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Jun 7, 2007

**Current Status:** For Further Action See H.R.6.

**Latest Action:** For Further Action See H.R.6. (Dec 19, 2007)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-bill/2635>

### Sponsor

**Name:** Rep. Waxman, Henry A. [D-CA-30]

**Party:** Democratic • **State:** CA • **Chamber:** House

### Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Jun 12, 2007
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Jun 12, 2007
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Jun 12, 2007
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Jun 12, 2007
Rep. Hodes, Paul W. [D-NH-2]	D · NH		Jun 12, 2007
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Jun 12, 2007
Rep. Lynch, Stephen F. [D-MA-9]	D · MA		Jun 12, 2007
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Jun 12, 2007
Rep. McCollum, Betty [D-MN-4]	D · MN		Jun 12, 2007
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Jun 12, 2007
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Jun 12, 2007
Rep. Watson, Diane E. [D-CA-33]	D · CA		Jun 12, 2007
Rep. Welch, Peter [D-VT-At Large]	D · VT		Jun 12, 2007
Rep. Yarmuth, John A. [D-KY-3]	D · KY		Jun 12, 2007

### Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred to	Jun 26, 2007
Armed Services Committee	House	Referred to	Jun 28, 2007
Energy and Commerce Committee	House	Referred to	Jun 7, 2007
Natural Resources Committee	House	Discharged From	Aug 4, 2007
Oversight and Government Reform Committee	House	Reported By	Aug 4, 2007
Transportation and Infrastructure Committee	House	Referred to	Jun 8, 2007

## Subjects & Policy Tags

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### Policy Area:

Government Operations and Politics

### Related Bills

Bill	Relationship	Last Action
110 HR 3221	Related bill	<b>Jul 30, 2008:</b> Became Public Law No: 110-289.
110 HR 6	Procedurally related	<b>Dec 19, 2007:</b> Became Public Law No: 110-140.

Carbon-Neutral Government Act of 2007 - **Title I: Federal Government Inventory and Management of Greenhouse Gas Emissions** - (Sec. 101) Requires federal agencies, annually, to inventory and report their greenhouse gas (GHG) emissions. Requires each inventory and report to indicate as discrete categories: (1) any direct emission of GHG as a result of an agency's activity; and (2) the quantity of indirect GHG emissions attributable to the generation of electricity used by the agency and commercial air travel by agency personnel; and (3) the quantity of GHG emissions associated with the work performed for the agency by federal contractors, comprising direct and indirect emissions associated with electricity used by, and commercial air travel by, such contractors.

Requires the Administrator of the Environmental Protection Agency (EPA) to issue guidance and provide assistance to agencies regarding such inventories. Requires such guidance to establish inventory and reporting procedures that are at least as rigorous as the EPA's Climate Leaders program's inventory procedures and to define the scope of the inventories of direct emissions to be consistent with the obligation for reporting inventories under the United Nations Framework Convention on Climate Change.

Requires each agency to submit to the Administrator and make publicly available an initial inventory of the agency's GHG emissions for the proceeding year. Directs the Administrator to review and certify or decline to certify the inventory within six months. Requires an agency to submit to a revised inventory within six months after the Administrator declines to certify an inventory.

Requires the Secretaries of the Interior and Agriculture to include as a discrete category in any such inventory any emission or biological sequestration of GHG associated with land managed by the Bureau of Land Management (BLM) or the Forest Service. Declares that such emissions and biological sequestration of GHG shall not be considered for the purposes of setting or measuring progress toward emission reduction targets.

(Sec. 102) Requires the Administrator to promulgate annual reduction targets for federal government GHG emissions for FY2010-FY2050. Requires the targets to be calculated so as to: (1) prevent the total quantity of GHG emissions of all agencies in FY2011 and each subsequent year from exceeding the total quantity of such emissions in FY2010; and (2) reduce such GHG emissions as rapidly as possible, but at a minimum by a quantity equal to 2% of projected FY2010 emissions each fiscal year, so as to achieve zero net annual federal GHG emissions by FY2050.

Requires agencies to develop plans to achieve such targets through FY2020. Requires agencies to develop, submit to the Administrator, and make publicly available updated plans for achieving such targets for the 10-year period beginning in 2021 and each subsequent 10-year period. Directs the Administrator to review and certify or decline to certify the plans within six months. Requires an agency to submit a revised plan within six months after the Administrator declines to certify an inventory. Requires an agency to submit a revised plan to the Administrator and make it publicly available if it fails to meet its targets for a fiscal year.

Directs the Administrator, if a national, mandatory, economy-wide cap-and-trade program for GHGs has not been enacted by FY2010, to submit to Congress by 2011 a proposal to allow agencies to meet their targets in part through emission offsets beginning in FY2015. Declares that the Administrator shall implement the proposal if Congress has not enacted it by 2012.

Requires the Forest Service, BLM, the National Park Service, and the U.S. Fish and Wildlife Service to: (1) identify management strategies with the greatest potential to enhance net biological sequestration of GHGs on federal lands they

manage while avoiding harmful effects on other environmental values and to reduce negative impacts of global warming on biodiversity, water supplies, forest health, biological sequestration and storage; (2) implement programs on selected land management units in different parts of the nation to test the strategies identified as having the greatest potential to achieve the described benefits; and (3) report to Congress on the results of the studies and the strategies identified.

Requires the Forest Service to study the opportunities of urban and wildland-urban interface forestry programs to enhance net biological sequestration of GHGs.

Requires agencies to report to the Administrator and make publicly available annual reports on implementation of plans for managing emissions. Requires the Administrator to annually report to Congress on the federal government's progress toward carbon neutrality.

(Sec. 103) Requires the Comptroller General to issue the report requested by Congress on May 17, 2007, regarding markets for GHG emissions offsets. Authorizes a pilot project under which agencies and legislative branch offices may purchase GHG offsets and renewable energy certificates. Requires the Administrator to issue guidelines for agencies establishing criteria for qualified GHG offsets and qualified renewable energy certificates. Requires such guidelines to take into account the findings and recommendations of the report by the Comptroller General and to establish: (1) performance standards for GHG offset projects that benchmark reliably expected GHG reductions from identified categories of projects that reduce GHG emissions or sequester carbon; and (2) criteria for qualified renewable energy certificates to ensure that energy generated is renewable.

Requires the Comptroller General to report to Congress on an evaluation of the pilot program and recommendations for improvement. Limits the amount of discretionary funds used for the pilot program to no more than .01% of such amount. Terminates the program at the end of FY 2010.

(Sec. 104) Declares that this Act does not preempt or limit the authority of a state to take any action to address global warming.

(Sec. 106) Authorizes appropriations.

**Title II: Federal Government Energy Efficiency** - (Sec. 201) Amends the Energy Policy Act of 1992 to prohibit agencies from acquiring light duty motor vehicles or medium duty passenger vehicles that are not low GHG emitting vehicles. Requires the Administrator to: (1) annually issue guidance identifying the makes and model numbers of low GHG emitting vehicles; and (2) take into account the most stringent standards for vehicle GHG emissions applicable to and enforceable against manufacturers for vehicles sold in the United States. Prohibits the Administrator from identifying as a low GHG emitting vehicle any vehicle that emits GHGs at a higher rate than such standards allow for the manufacturer's fleet average grams per mile of carbon dioxide-equivalent emissions for that class of vehicle, taking into account any emissions allowances and adjustment factors such standards provide.

(Sec. 202) Requires agencies that own, operate, maintain, or otherwise fund infrastructure, assets, or personnel to provide delivery of fuel to their operations to use the fully burdened cost of fuel in conducting analyses and making decisions regarding their activities that create a demand for energy.

(Sec. 203) Amends the National Energy Conservation Policy Act to provide for federal procurement of Energy Star products.

(Sec. 204) Amends the Energy Conservation and Production Act to require the Secretary of Energy to establish revised

federal building energy efficiency performance standards that require that: (1) new federal buildings and federal buildings undergoing renovations be designed so that their fossil fuel-generated energy consumption is reduced by specified percentages in FY2101-FY2030; (2) sustainable design principles be applied to the siting, design, and construction of such buildings; and (3) water conservation technologies be applied to the extent that they are life-cycle cost-effective.

Redefines the term "federal building" to mean any building to be constructed by, or for the use of, any federal agency, including buildings leased by a federal agency and privatized military housing. (Currently, the term includes buildings for federal agencies that are not legally subject to state or local building codes.)

(Sec. 205) Amends the National Energy Conservation Policy Act to require agencies, with respect to each of their federal buildings with greater than 40,000 square feet of space or greater than \$75,000 per year in energy costs, to: (1) benchmark, annually, the energy efficiency performance of certain federal buildings using the Energy Star Portfolio Manager Buildings Benchmark Tool and rate performance; (2) use the benchmark performance, rating, and annual energy costs to evaluate improving the building's energy efficiency performance and reducing costs; and (3) post benchmark information on their websites.

Requires federal agencies to recommission or retrocommission, and conduct diagnostic energy audits, with respect to 20% of such buildings annually.

Requires agencies to ensure that any large capital energy investment in an existing building that is not a major renovation but that involves replacement of installed equipment or renovation, rehabilitation, expansion, or remodeling of existing space employs the most energy efficient designs, systems, equipment, and controls that are life-cycle cost effective.

Requires agencies to provide for metering of natural gas, steam, chilled water, and water in federal buildings.

(Sec. 206) Prohibits agencies from entering into contracts: (1) to lease space in buildings that have not earned the Energy Star label in the most recent year; or (2) for the procurement of an alternative or synthetic fuel for mobility-related uses, other than for research or testing, unless the associated lifecycle GHG emissions will be less than or equal to emissions from fuel from conventional petroleum sources. Allows agencies to enter into contracts to lease space in buildings that have not earned the Energy Star label if: (1) no space is available in such buildings that meets an agency's functional requirements; or (2) the agency is proposing to remain in a building that the agency has occupied previously; and (3) the lease contract includes provisions requiring the space's renovation for all energy efficiency improvements that would be cost effective over a five-year period or the life of the lease, whichever is greater.

(Sec. 208) Limits a contract for public utilities of renewable energy to not more than 20 years.

(Sec. 209) Requires: (1) agencies subject to this Act's requirements to submit to the Director of the Office of Management and Budget (OMB) an annual government efficiency status report; and (2) the Director to submit an Annual Government Efficiency report to specified congressional committees.

(Sec. 211) Authorizes appropriations for federal government energy efficiency efforts.

(Sec. 212) Sets forth provisions governing judicial review and remedies for violations of this Act.

## Actions Timeline

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- **Dec 19, 2007:** For Further Action See H.R.6.
- **Aug 3, 2007:** Reported (Amended) by the Committee on Oversight and Government. H. Rept. 110-297, Part I.
- **Aug 3, 2007:** Committee on Energy and Commerce discharged.
- **Aug 3, 2007:** Committee on Armed Services discharged.
- **Aug 3, 2007:** Committee on Transportation discharged.
- **Aug 3, 2007:** Committee on Natural Resources discharged.
- **Aug 3, 2007:** Committee on Agriculture discharged.
- **Aug 3, 2007:** Placed on the Union Calendar, Calendar No. 187.
- **Jun 28, 2007:** Referred to the Subcommittee on Readiness.
- **Jun 26, 2007:** Referred to the Subcommittee on Department Operations, Oversight, Nutrition and Forestry.
- **Jun 12, 2007:** Committee Consideration and Mark-up Session Held.
- **Jun 12, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 8, 2007:** Referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management.
- **Jun 7, 2007:** Introduced in House
- **Jun 7, 2007:** Referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Armed Services, Transportation and Infrastructure, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jun 7, 2007:** Referred to the Subcommittee on Energy and Air Quality.

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