

Requirement	Drivers	Notes
Reporting		
<p>Federal agencies must submit to the Office of Management and Budget (OMB) an annual government efficiency status report on compliance with the implementation of initiatives to improve energy efficiency, reduce energy costs, lower greenhouse gas emissions, and savings to U.S. taxpayers resulting from mandated improvements.</p>	<p>EISA 2007 § 527; 42 U.S.C. § 17143</p>	<p>SPO uses annual data submitted to the Sustainability Dashboard data to produce the DOE's Annual Energy Management Report. This report is submitted to OMB and the Federal Energy Management Program (FEMP) and fulfills DOE's reporting requirement.</p>
Renewable Energy		
<p>Renewable electric energy should account for not less than 7.5% of total agency electric consumption by FY 2013 and each year thereafter.</p>	<p>EPAAct 2005 § 203; 42 U.S.C. § 15852(a)</p>	<p>Guidance is located here. Note that the renewable energy credit will be doubled if the electricity is: (1) produced and used on-site at a Federal facility; (2) or produced on Federal lands and used at a Federal facility; or (3) produced on Indian land and used at a Federal facility.</p>
<p>If life cycle cost-effective, at least 30% of hot water demand in new Federal buildings or Federal buildings undergoing major renovations must be met with solar hot water.</p>	<p>EISA 2007 § 523; 42 U.S.C. § 6834(a)(3)(A)(iii)</p>	
Energy and Water Efficiency		
<p>New buildings and major renovations are to be designed that a building's fossil fuel-generated energy consumption is reduced by 90% beginning in FY 2025 and 100% beginning in FY 2030 as compared to a similar building in FY 2003.</p> <p>This rule applies to new construction and major renovations that exceed the below cost thresholds:</p> <ul style="list-style-type: none"> • For Federally owned public buildings (as defined in statute), the threshold is approximately \$3.6 million in 2024 dollars. • For Federally owned non-public Federal buildings, the threshold is approximately \$3.8 million in 2024 dollars. • For leased Federal buildings (both public and non-public buildings), the threshold is approximately \$1.8 million in 2024 dollars. 	<p>Clean Energy for New Federal Buildings and Major Renovations of Federal Buildings; EISA 2007 § 433</p>	<p>Section 433 of Energy Independence and Security Act (EISA) 2007 directs DOE to establish, by rule, revised Federal building energy efficiency performance standards for new buildings and major renovations such that certain Federal buildings shall be designed to reduce on-site fossil fuel-generated energy consumption, as compared to a similar building in FY 2003.</p> <p>The Clean Energy Rule focuses on on-site combustion of Scope 1 fossil fuels emissions:</p> <ul style="list-style-type: none"> • Applies to fossil fuel use in building operational end-uses only. • Does not allow renewable electricity to offset on-site fossil fuel use. (cont.)

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		<ul style="list-style-type: none"> Excludes industrial and manufacturing process loads.
<p>Subject to certain exclusions, each Federal agency must reduce the energy consumption per gross square foot of its Federal buildings relative to a FY 2003 baseline by 27% by 2014 and by 30% by FY 2015.</p>	<p>EISA 2007 § 431; EPA Act 2005 § 102(c); 42 U.S.C. § 8253(a)</p>	<p>SPO is awaiting guidance on energy consumption goals for 2025 and onward. Previously, goals have been set via Executive Order and through DOE’s Sustainability Plan.</p>
<p>Agencies are required to install all life cycle cost-effective energy and water conservation measures in owned buildings to the maximum extent practicable, as soon as practicable after October 1, 2022. Agencies are then required to report non-compliance to DOE every two years, beginning January 1, 2022.</p>	<p>EA 2020 §1002; 42 U.S.C. § 8253(b)</p>	
<p>Agency energy managers are required to complete an annual comprehensive energy and water evaluation for approximately 25% of “covered” facilities in a manner that ensures that an evaluation of such facility is completed at least once every four years. Exceptions for evaluations if complicated criteria are met.</p> <p>Energy and Water Efficiency and Conservation Measures (ECMs)</p> <p>Two years after the date of completion of each evaluation, each energy manager shall implement all life cycle cost effective ECMs (individually or bundled) AND Each Federal agency shall use performance contracting to address at least 50% of the measures identified (Guidance to determine criteria: 50% of implementation cost, counting of measures problematic).</p> <p>For each measure implemented under 42 U.S.C. § 8253(f)(4), agencies are required to ensure that equipment is fully commissioned at acceptance to be operating at design specifications; a plan for appropriate operations, maintenance, and repair of the equipment is in place at acceptance and is followed; equipment and system performance is measured during its entire life to ensure proper operations, maintenance, and repair; and energy and water savings are measured and verified.</p>	<p>EISA 2007 § 432; EA 2020 §1002; 42 U.S.C. § 8253(f)(3)(A)</p> <p>EISA 2007 § 432; EA 2020 §1002; 42 U.S.C. § 8253(f)(4)</p> <p>EISA 2007 § 432; 42 U.S.C. § 8253(f)(5)</p>	<p>Annual energy and water evaluation data and energy and water ECM data is submitted to the Sustainability Dashboard and ENERGY STAR’s Portfolio Manager. SPO complies and reports on site data through FEMP’s Compliance Tracking System.</p>
<p>As part of the evaluation under 42 U.S.C. § 8253(f)(3)(A), energy managers are required to identify and assess recommissioning</p>	<p>EISA 2007 § 432; 42 U.S.C. § 8253(f)(3)(A)-(B)</p>	

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measures (or if the facility has never been commissioned, retrocommissioning measures) for the facility.		
Agencies are required to install metering and advanced metering devices for energy and water in Federal buildings in accordance with U.S. Department of Energy metering guidelines.	EISA 2007 § 434 ; EPAAct 2005 § 103 ; EA 2020 §1002 42 U.S.C. § 8253(e)	FEMP produced updated metering guidance in 2022 in coordination with the Energy Act of 2020. The updated metering guidance can be found here .
Agencies are required to enter energy use data for each metered covered facility into a building energy use benchmarking system.	EISA 2007 § 432 ; 42 U.S.C. § 8253(f)(8)	
<p>If water is used to achieve energy efficiency in new Federal buildings in accordance with 42 U.S.C. § 6834(a)(3), then water conservation measures shall be applied to the extent that they are life cycle cost-effective.</p> <p>In addition to the use of water conservation technologies otherwise required by 42 U.S.C. 6834, water conservation technologies are to be applied to the extent that the technologies are life cycle cost-effective.</p>	EPAAct 2005 § 109 ; 42 U.S.C. § 6834(a)(3)(A)(ii) ; 42 U.S.C. § 6834(a)(3)(D)(vii)	
Each agency, in consultation with the Federal Acquisition Regulatory Council, is to establish criteria for the improvement of energy efficiency in Federal facilities operated by Federal government contractors or subcontractors.	EPAAct 1992 § 167 ; 42 U.S.C. § 8262k(a)	Federal contractors, and their subcontractors, which manage and operate Federally-owned facilities, to adopt and utilize energy conservation measures designed to reduce energy costs in Government-owned and contractor-operated facilities and which are ultimately borne by the Federal Government.
Use of a system to manage energy and water use at the facility, such as ISO 50001	42 U.S.C. §8253 (f)	
Fleet Management- A full list of Sustainable Fleet goals can be found here		
<p>Alternative Fuel Vehicle Targets</p> <p>75% of light duty vehicle acquisitions must consist of alternative fuel vehicles (AFV).</p> <p>Subject to certain exceptions, Federal agency shall not acquire a light-duty vehicle or a medium-duty passenger vehicle that is not a low greenhouse gas (GHG) emitting vehicle.</p>	42 USC §13212	Electric vehicles, including electricity from solar energy, are alternative fuel vehicles.

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Not later than October 1, 2015, and for each year thereafter, achieve a 10% increase in annual alternative fuel consumption relative to an FY 2005 baseline.	42 U.S.C. §6374e (a)(2)	
Dual-fueled vehicles acquired are to operate on alternative fuels unless an agency qualifies for and receives a waiver from this requirement from the Secretary.	42 U.S.C. § 6374(a)(3)(E)	
Agencies are to purchase, to the maximum extent feasible, dedicated and dual-fueled vehicles and to ensure that each type of alternative fuel vehicle is used by the Federal Government.	42 U.S.C. § 6374(a)(3)(A)-(D)	
By January 1, 2010, agencies that use a light- or heavy-duty vehicle fleet should lease or purchase fuel cell vehicles and hydrogen energy systems to meet energy-savings goals.	42 U.S.C. § 16122(b)	
Agencies are prohibited from procuring alternative or synthetic fuel unless its life cycle greenhouse gas (GHG) emissions are less than those for conventional petroleum sources.	42 U.S.C. § 17142	
<p>Petroleum Reduction Targets</p> <p>Not later than October 1, 2015, and for each year thereafter, achieve at least a 20% reduction in annual petroleum consumption relative to an FY 2005 baseline.</p> <p>Acquisition of an alternative fuel vehicle (AFV) is considered practical unless the initial cost of the AFV exceeds the initial cost of a comparable gasoline- or diesel-fueled vehicle by at least 5%.</p>	42 U.S.C. §6374e (a)(2)	
<p>Alternative Fuel Vehicle Fueling</p> <p>To the maximum extent practicable, arrange for the fueling of alternative fueled vehicles at commercial fueling facilities that offer alternative fuels for sale to the public.</p>	42 U.S.C. §13213 (a)	
Not later than January 1, 2010, install at least 1 renewable fuel pump at each Federal fleet fueling center.	42 U.S.C. §17053	
Refueling sites providing alternative fuels to agencies must be accessible to the public when feasible.	42 U.S.C. § 6374(c)	
Sustainable Buildings		
In leasing buildings for its own use or that of another agency, each agency is required to fully consider the efficiency of all potential building space at the time of renewing or entering a new lease.	EPAAct 1992 § 152(d)(2); 42 U.S.C. § 8254(b)(2)	

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With certain exceptions, Federal agencies are not to enter into a contract to lease space in a building that has not earned the ENERGY STAR label in the most recent year.	EISA 2007 § 435 ; 42 U.S.C. § 17091	
If life cycle cost-effective, new Federal buildings must be designed to achieve ASHRAE 90.1 energy consumption levels and 30% below such levels. The version of ASHRAE 90.1 that Federal agencies must use depends on when design for construction begins.	42 U.S.C. §6834 (a)(3)(A) ; 10 CFR Parts 433, Subpart A and 435, Subpart A	
New Federal buildings and major renovations of existing buildings are to reduce fossil fuel-generated energy consumption by 55% in FY 2010, 65% in FY 2015, 80% in FY 2020, 90% in FY 2025, and 100% in FY 2030, compared to a FY 2003 baseline.	42 U.S.C. §6834 (a)(3)(D) ; 10 CFR Parts 433, Subpart B and 435, Subpart B	
The sponsor of any development or redevelopment project involving a Federal facility with a footprint that exceeds 5,000 square feet is required to use site planning, design, construction, and maintenance strategies for the property to maintain or restore, to the maximum amount technically feasible, the predevelopment hydrology of the property with regard to the temperature, rate, volume, and duration of flow.	EISA 2007 § 438 ; 42 U.S.C. § 17094	
New Federal buildings and major renovations of existing buildings are to apply sustainable design principles to the siting, design, and construction of such buildings.	EISA 2007 § 433 ; 42 U.S.C. 6834	Pending General Services Administration (GSA) guidelines, agencies must consider this guidance for siting of Federal facilities.
Large capital energy investments that are not classified as "major renovations" but involve the replacement of installed equipment (or involves renovation, rehabilitation, expansion, or remodeling) should employ the most energy-efficient designs, systems, equipment and controls that are life cycle cost-effective.	EISA 2007 § 434 ; 42 U.S.C. § 8253(g)	
The design of new Federal buildings shall be made using life cycle cost methods and procedures established under 42 U.S.C. § 8254(a).	Federal Energy Management Improvement Act of 1988 § 2 ; 42 U.S.C. § 8254(b)(1)	
Agencies must report annually on sustainable Federal building status in the Federal Real Property Profile Management System.	42 U.S.C. § 524	Goals for High Performance Sustainable Buildings are set by Executive Order. High-performance green buildings are defined in 42 U.S.C. §17061 and 42 U.S.C. § 17092 . The 2020 Guiding Principles for Sustainable Federal Buildings guidance is available here .

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Resilience		
Agency head required to incorporate natural resilience into real property asset management and investment decisions made by the agency	31 U.S.C. §501	The Disaster Resiliency Planning Act amended this code on December 5th, 2022. Each head of an agency shall be directed by OMB guidance to incorporate assessments of natural disaster risk information conducted by the agency, such as from vulnerability and other risk assessments, into real property asset management investment decisions made by the agency.
Performance Contracting		
Authority to enter into performance contracts.	42 U.S.C. § 8287, et seq; 10 CFR 436 Subpart B	The head of a Federal agency may enter into contracts under this subchapter solely for the purpose of achieving energy savings and benefits ancillary to that purpose. Each such contract may, notwithstanding any other provision of law, be for a period not to exceed 25 years.
Each Federal agency shall use performance contracting to address at least 50 percent of the measures identified via covered facility evaluations.	EISA 2007 § 432; EA 2020 §1002; 42 U.S.C. §8253 (f)	The Energy Act of 2020 amended 42 U.S.C. § 8253(f)(4), Implementation of Identified Energy and Water Efficiency Measures. Guidance can be found here .
Maximize the use of energy savings performance contracts (ESPCs).	FAR Part 23.2: Energy Savings Performance Contracts	Agencies should make maximum use of the authority provided in the National Energy Conservation Policy Act (42 U.S.C. 8287) to use an ESPC, when life-cycle cost-effective, to reduce energy use and cost in the agency's facilities and operation.
Authority for agencies to enter contracts for public utility services for periods up to 10 years. DOE's delegation of authority to enter into new contracts or modify existing contracts for electric services.	40 U.S.C. § 501; Federal Property and Administrative Services Act of 1949 § 201; FAR 41.103	
Authority for agencies to accept financial incentives, goods, or services generally available from a utility to increase energy efficiency or to conserve water or manage electricity demand.	42 U.S.C. § 8256(c)	

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Pollution Prevention & Waste Management		
<p>Pollution should be prevented or reduced at the source whenever feasible; pollution that cannot be prevented should be recycled in an environmentally safe manner, whenever feasible; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner whenever feasible; and disposal or other release into the environment should be employed only as a last resort and should be conducted in an environmentally safe manner.</p>	<p>42 U.S.C. §13101</p>	
<p>Hazardous substance reporting and reduction.</p>	<p>42 U.S.C. § 11021; 42 U.S.C. § 11022; 42 U.S.C. § 6921; 42 U.S.C. § 6961</p>	<p>Agencies must comply with state, interstate, and local requirements for management and disposal of non-hazardous solid waste and hazardous waste.</p>
Sustainable Procurement		
<p>Agencies are required to give preference to products that are energy and water efficient, non-ozone depleting substances, made from biobased or recycled content, and a part of U.S. Environmental Protection Agency’s purchasing programs.</p>	<p>FAR Subpart 23.1; FAR Subpart 52.223; 42 U.S.C. §6962; 42 U.S.C. §7671; 7 U.S.C. §8102; 42 U.S.C. Ch 133; 48 CFR Part 23; 42 U.S.C. § 8259b(e)(2)-(4)</p>	<p>This includes:</p> <ul style="list-style-type: none"> • Recycled content products identified by EPA’s Comprehensive Procurement Guideline Program (FAR Subpart 23.7 and FAR Subpart 23.4); <ul style="list-style-type: none"> ○ EPA programs that identify sustainable products and services include: WaterSense, Safer Choice, SmartWay Transport partners and SmartWay products, and PA Recommendations of Specifications, Standards, and Ecolabels for Federal Purchasing • Biobased products in categories designated by the Department of Agriculture (FAR Subpart 23.4); • Energy efficient products certified by ENERGY STAR and energy and water efficient products designated by DOE-FEMP (FAR Subpart 23.2; 48 CFR Part 23); • Products made with or containing acceptable alternatives to ozone-depleting substances listed by EPA’s Significant New

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		<p>Alternatives Policy (SNAP) program (FAR Subpart 23.8 and FAR Subpart 23.6); and agencies are to buy products with low standby power of not more than 1 watt if the lower-wattage product is life cycle cost effective and if the performance of the product is not compromised (42 U.S.C. § 8259b(e)(2)-(4)).</p>
Data Centers & Electronic Stewardship		
<p>Each Federal agency shall consider energy efficient data center strategies and methods of increasing asset and infrastructure utilization; and address data center efficiency holistically, reflecting the total energy consumption of data centers as whole systems, including both equipment and facilities.</p>	<p>42 U.S.C. §8253 (h); 42 USC §17112</p>	
<p>Federal agencies are required to incorporate energy-efficiency criteria consistent with ENERGY STAR and FEMP designated products for all procurements involving energy-consuming products and services.</p>	<p>EPAAct 2005 § 104; 42 U.S.C. § 8259b(b)</p>	<p>Agencies are exempt from procuring ENERGY STAR products or FEMP-designated products if: An ENERGY STAR product or FEMP-designated product is not cost-effective over the life of the product, taking energy cost savings into account or, no ENERGY STAR product or FEMP-designated product is reasonably available that meets the functional requirements of the agency.</p>
Training		
<p>Required training for Federal Building Personnel</p>	<p>40 U.S.C. §581</p>	<p>FEMP has worked with GSA to develop courses that cover the core competencies of the Federal Building Personnel Training Act of 2010.</p>
<p>Each agency is required to establish and maintain a program to ensure that facility energy managers are trained energy managers.</p>	<p>EPAAct 1992 § 157; 42 U.S.C. § 8262c(a)</p>	