

117TH CONGRESS
1ST SESSION

H. R. 5279

To require the Secretary of Defense to update the Unified Facilities Criteria to the most updated energy efficiency codes and standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2021

Mr. NEGUSE (for himself and Ms. CASTOR of Florida) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require the Secretary of Defense to update the Unified Facilities Criteria to the most updated energy efficiency codes and standards, 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.**

4 This Act may be cited as the “Defense Energy Effi-
5 ciency Act”.

1 **SEC. 2. AMENDMENT OF UNIFIED FACILITIES CRITERIA TO**
2 **PROMOTE ENERGY EFFICIENT MILITARY IN-**
3 **STALLATIONS.**

4 (a) **AMENDMENT REQUIRED.**—Not later than Sep-
5 tember 1, 2022, the Secretary of Defense shall amend the
6 Unified Facilities Criteria relating to military construction
7 planning and design to ensure that building practices and
8 standards of the Department of Defense incorporate the
9 latest consensus-based codes and standards for energy ef-
10 ficiency and conservation, including the 2021 Inter-
11 national Energy Conservation Code and the ASHRAE
12 Standard 90.1–2019.

13 (b) **CONDITIONAL AVAILABILITY OF FUNDS.**—Not
14 more than 25 percent of the funds authorized to be appro-
15 priated for fiscal year 2022 for Department of Defense
16 planning and design accounts relating to military con-
17 struction projects may be obligated until the date on which
18 the Secretary of Defense submits to the Committees on
19 Armed Services of the House of Representatives and the
20 Senate a certification that the Secretary—

21 (1) has initiated the amendment process re-
22 quired by subsection (a); and

23 (2) intends to complete such process by Sep-
24 tember 1, 2022.

25 (c) **IMPLEMENTATION OF UNIFIED FACILITIES CRI-**
26 **TERIA AMENDMENTS.**—

1 (1) COMPLIANCE DEADLINE.—Any Department
2 of Defense Form 1391 submitted to Congress after
3 September 1, 2022, shall comply with the Unified
4 Facilities Criteria, as amended pursuant to this sec-
5 tion.

6 (2) CERTIFICATION.—Not later than March 1,
7 2023, the Secretary of Defense shall certify to the
8 Committees on Armed Services of the House of Rep-
9 resentatives and the Senate the completion and full
10 incorporation of the amendments made pursuant to
11 subsection (a) into military construction planning
12 and design.

13 (d) ANNUAL REVIEW REQUIRED.—The Secretary of
14 Defense shall conduct an annual review comparing the
15 Unified Facilities Criteria and industry best practices for
16 the purpose of ensuring that military construction building
17 practices and standards of the Department of Defense re-
18 lating to military installation energy efficiency and energy
19 conservation remain up-to-date with the latest consensus-
20 based energy codes and standards that provide energy sav-
21 ings. Not later than March 1 each year, the Secretary
22 shall submit the results of the most recent review to the
23 Committees on Armed Services of the House of Represent-
24 atives and the Senate.

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