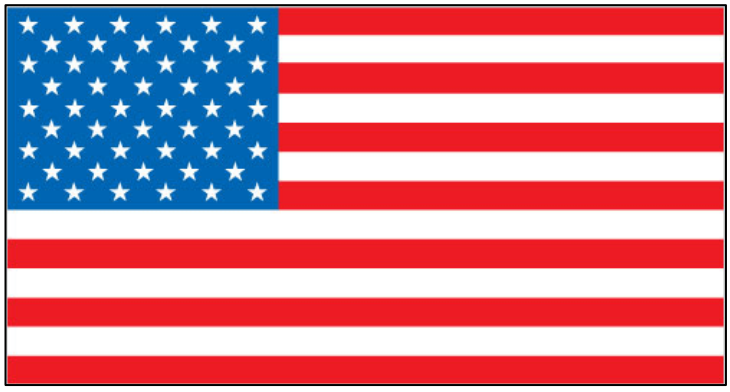
CLIMATE CHANGE LEGISLATION IN

THE UNITED STATES OF AMERICA

AN EXCERPT FROM

The 2015 Global Climate Legislation Study

A Review of Climate Change Legislation in 99 Countries



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United States of America

Legislative Process

The United States has a bicameral legislature or Congress composed of the Senate and the House of Representatives. Bills may be introduced by a member of either chamber. Typically, the first stage in the approval of a bill involves consideration by a committee. If approved (reported) by the committee, the bill reaches the floor of the chamber. Once a bill is approved by one chamber, it is sent to the other, which may pass, reject or amend it. In order for a proposed bill to become law, both chambers must agree on identical versions of the bill and the President must sign it. If the President vetoes a bill, the veto can be overturned if a two-thirds majority of both chambers vote to do so.

Approach to Climate Change

The US's GHG emission reduction targets are relatively modest when compared with other advanced economies, amounting to less than a 5% reduction by 2020 below 1990 levels. The country's current UNFCCC commitment of reducing emissions by 17% by 2020 in relation to 2005 levels is accompanied by the observation that the final target will be reported to the UNFCCC Secretariat in light of enacted legislation, a recognition of the domestic political structure and division of powers. In November 2014 at the APEC Leaders' meeting in Beijing, the US announced an additional target to reduce emissions by 26-28% from 2005 levels by 2025. Given the absence thus far of dedicated climate change legislation, the US government is managing GHGs using a combination of existing law (The Clean Air Act), executive orders and partnership programmes. In 2013, the President announced a Climate Action Plan, including a series of executive actions designed to accomplish the GHG emission reduction targets and prepare the United States for the impacts of climate change.

Although the passing of energy and climate change bills through Congress is time-consuming and complex, US legislation tends to be comprehensive, precise and with clear financial commitments and monitoring mechanisms. Energy remains an active area of legislative proposals, including on renewable energy and energy efficiency. Proposals have tended to focus on securing American leadership in renewable energy and energy efficiency technologies, as well as guaranteeing that climate provisions do not affect trade competitiveness vis-à-vis emerging markets, most notably China and India.

Although there were a number of attempts to pass a comprehensive climate change bill in the 111th Congress (2009-2010) – the most significant of which was the American Clean Energy and Security Bill (ACES) referred to as the "Waxman-Markey Bill", which passed the House of Representatives in 2009 – all

attempts at getting the House and the Senate to agree on climate legislation have failed.

Legislation similar to the ACES bill was passed by the Senate Environment and Public Works Committee but was never brought to the Senate floor. Attempting to develop legislation that would secure enough support to pass, the Senate drafted several bills of its own. However, all of these also failed to generate enough support and never reached the Senate floor for a vote. As a result, the Senate Majority Leader, a Democrat, proposed a limited Energy Bill with a focus on the Gulf of Mexico oil spill, the promotion of natural gas vehicles, home energy renovations and financing for the Land and Water Conservation Fund. Even this failed to generate enough support and, following the mid-term elections in 2010 and the beginning of the 112th Congress, all of the draft bills expired along with the House-passed ACES bill.

Although the current Administration and the Environmental Protection Agency (EPA) have consistently said they would prefer that Congress pass legislation to address climate change, the difficulties in securing support for comprehensive climate change legislation have meant that regulation has assumed greater importance. The EPA has therefore begun to develop regulations using its existing authority under The Clean Air Act, which was signed into law in 1963 and last amended in 1990, and which does not contain provisions specifically addressing mitigation of GHGs or climate change. In his 2013 Climate Action Plan, the President set a timetable for the EPA to complete work on regulations governing existing and future fossil fuel power plants.

According to The White House, as of November 2014 the plan includes the following measures:

- Clean Power Plan: The EPA proposed new regulations for existing power plants in June 2014 that would reduce power sector emissions by 30% below 2005 levels by 2030 while delivering USD55bn-USD93bn in net benefits from improved public health and reduced carbon pollution. The EPA has also proposed regulations for newly-constructed fossil-fuel power plants that would require them to meet minimum standards for GHG emissions per kilowatt-hour of electricity produced.
- Standards for Heavy-Duty Engines and Vehicles: In February 2014 the President directed the EPA and the Department of Transportation to issue the next phase of fuel efficiency and GHG standards for medium- and heavy-duty vehicles by March 2016.
- Energy Efficiency Standards: The Department of Energy set a goal of reducing carbon pollution by 3bn metric tonnes cumulatively by 2030 through energy conservation standards.
- Economy-wide Measures to reduce other GHGs: The EPA and other agencies are taking action to cut methane emissions from landfills, coal mining, agriculture, and oil and gas systems. In January 2015 a new Methane Action Plan was announced. At the same time, the State Department is working to secure a global agreement that would reduce

emissions of potent industrial greenhouse gases called HFCs through an amendment to the Montreal Protocol.

This work follows the EPA's 2009 finding under the Clean Air Act that GHG emissions threaten the public health and welfare of current and future generations. This "endangerment finding" forms the basis for EPA's regulation of air pollutants for their effect as GHGs.

The beginning of work to regulate GHG emissions under the Clean Air Act has raised some opposition in Congress. During the 112th and the 113th Congresses, the House of Representatives – with Republicans in the majority – passed numerous bills to restrict the authority of the EPA to regulate GHG emissions, to expand production of fossil fuels and approve the Keystone XL pipeline that would bring bitumen derived from tar sands in Canada to refineries in the US. Thus far, the Senate has not taken up any of this House legislation, although following the mid-term elections in November 2014, the Republicans have a majority in the Senate. The President has said he would veto any proposals that contained a prohibition on EPA action on GHGs and, given that the Senate rejected several amendments to legislation restricting the EPA's ability to regulate GHGs, the EPA's ability to regulate GHGs has thus far not been affected.

As well as opposition in Congress, many of the EPA's actions since 2009 have been challenged in court. The US Court of Appeals for the District of Columbia, which has jurisdiction over decisions and rulemakings of federal agencies, has ruled in EPA's favour in these cases. The Supreme Court has also ruled and repeatedly confirmed that the EPA has the authority to regulate GHG emissions under the Clean Air Act. This brings to an end the legal challenges that could broadly preclude the EPA from regulating GHG emissions under the Clean Air Act, though the Supreme Court could still strike down any particular EPA regulation for other legal deficiencies.

The opposition to the President's climate action has also been fought via the federal budget. The 112th Congress and the first half of the 113th Congress were dominated by negotiations on federal spending. After wrangling that has seen the US on the brink of default and a temporary shutdown of the government, federal spending has been reduced, with climate programmes and agencies especially targeted. Although the EPA's authority to regulate GHGs was unscathed, its budget has been cut from USD10.3bn in Fiscal Year 2010 to USD7.9bn in Fiscal Year 2013, recovering slightly to USD8.2bn in 2014. Funding for a proposed Climate Service within the National Oceanographic and Atmospheric Administration (NOAA) and the position of Assistant to the President for Energy and Climate Change were eliminated and commitments to international climate finance were greatly reduced.

In the 2012 campaign for the White House, which culminated in the re-election of Barack Obama, climate change was essentially absent as an issue in the debate. However, climate change was prominent in the President's inauguration

speech and his subsequent 2013 State of the Union address in which he challenged Congress to pass climate legislation or his administration would take aggressive actions to address climate change, a promise he fulfilled when he announced his Climate Action Plan, which federal agencies have worked aggressively to implement since it was announced.

In March 2015, an Executive Order[1] sets a new target for federal government GHG emissions to be reduced by 40%, and the share of renewable electric energy consumed by the federal agencies to increase to 30% by 2025 (compared to 2008). This is to be done through a broad range of measures that aim to make the federal government's operations more sustainable, efficient and energy-secure.

Energy Supply

Efforts to include climate-related measures in the American legislative process are not limited to climate-specific legislation. Measures related to renewable energy and energy efficiency are at the core of the US legislative response to climate change. They mostly include financial incentives and tax breaks for the development of clean energy technology and promotion of behavioural change among businesses and consumers. Legislation to require that a certain percentage of national electricity comes from renewable sources (Renewable Electricity Standard or RES), like those already adopted by 30 states, has been introduced in both chambers of Congress. However, each time one chamber has passed an RES bill, the other chamber has not been able to garner enough support for it to become law.

In addition, the transition to a low carbon economy is a priority in different kinds of legislation not directly concerned with climate related issues. For example, the US stimulus package, known as the American Recovery and Reinvestment Act 2009, allocated USD94bn to renewable energy technologies, energy efficiency, low carbon vehicles, smart grids and mass transit. There are energy provisions in the Duncan Hunter National Defense Authorisation Act for Fiscal Year 2009 and renewable energy provisions in the 2008 Farm Bill that were expanded in the 2014 Farm Bill.

The US is also continuously revising energy efficiency and renewable energy legislation.

Federal support for renewables development, coupled with state incentives and requirements, has led to dramatic growth in electricity generation from renewable sources of energy in the United States in recent years. In 2012, wind provided the most new electricity capacity developed in the US. In President Obama's first term, electricity generation from solar, wind and geothermal

[1] Executive Order 13693 is not included in the detailed Executive Portfolio for the US, as it was passed in March 2015, and this Study's scope is limited to legislation passed up to January 1st 2015.

resources more than doubled. As part of the Climate Action Plan, the President has set a goal to once again double renewable electricity generation by 2020.

Adaptation

A foundation for co-ordinated action on climate change preparedness and resilience was established by Executive Order in 2009, the Interagency Climate Change Adaptation Task Force led by the Council on Environmental Quality (CEQ), the Office of Science and Technology Policy (OSTP), and the National Oceanic and Atmospheric Administration (NOAA). Additionally, through the US Global Change Research Programme (USGCRP), and agency programmes and activities, the Federal Government is continuing to support scientific research, observational capabilities, and assessments necessary to improve the understanding of, and response to, climate change and its impacts.

In 2013, the President issued an Executive Order entitled Preparing the United States for the Impacts of Climate Change, to strengthen the US's climate resilience. The Order promotes engaged and strong partnerships and information sharing at all levels of government, risk-informed decision-making and the tools to facilitate it, adaptive learning, in which experiences serve as opportunities to inform and adjust future actions; and preparedness planning.

The Order includes: Modernising Federal Programmes to Support Climate Resilient Investment; Managing Lands and Waters for Climate Preparedness and Resilience; Providing Information, Data, and Tools for Climate Change Preparedness and Resilience; Federal Agency Planning for Climate Change Related Risk; The creation of a Council on Climate Preparedness and Resilience involving representatives from all major government departments; and the formation of a State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience to inform Federal efforts.

Sub-National activity

A myriad policies and legislation on climate change exist at the state level.[2] California is a leading state, with the Global Warming Solutions Act (AB32), the Pavley Law's stringent air quality targets for motor vehicles, and the California Environmental Quality Act with its GHG emissions provisions. California's "cap-and-trade" scheme came into effect in 2012 with an enforceable compliance obligation beginning in 2013, raising USD1.4bn in its first year and helping to deliver California's State-level target of reducing GHG emissions to 1990 levels by 2020 and to 80% below 1990 levels by 2050.

As at the end of 2014, 32 states and many more local governments have plans to address climate change, while a few others have enacted binding restrictions on GHG emissions. In June 2014 Rhode Island became the latest state to join this

[2] For a useful summary of U.S sub-national action, see http://www.epa.gov/statelocalclimate/state/state-examples/action-plans.html#all

group after it passed the Resilient Rhode Island Act, which stipulates that GHG emissions should be reduced 45% below 1990 levels by 2035 and 80% below 1990 levels by 2050.

The nine-state strong Regional Greenhouse Gas Initiative (RGGI) and the California-led Western Climate Initiative further highlight how US sub-national actors have been successfully experimenting with caps on carbon emissions from electric power plants.

US states and regions are also developing creative climate financing mechanisms—such as Connecticut's and New York's "green banks"—to advance clean energy development.

USA: Legislative Portfolio

Name of law	**Clean Air Act**
Date	17 December 1963
Summary	The Clean Air Act is a federal law designed to control air pollution on a national level. It requires the Environmental Protection Agency (EPA) to develop and enforce regulations to protect the general public from exposure to airborne contaminants that are known to be hazardous to human health and/or welfare. Congress passed the first Clean Air Act in 1963, creating a research and regulatory programme in the US Public Health Service. The Act authorised development of emission standards for stationary sources. In the Clean Air Act Extension of 1970, Congress greatly expanded the federal mandate by requiring comprehensive federal and state regulations for both industrial and mobile sources. The law established four new regulatory programmes: • National Ambient Air Quality Standards (NAAQS) – EPA was required to promulgate national standards for six criteria pollutants: carbon monoxide, nitrogen dioxide, sulphur dioxide, particulate matter, hydrocarbons and photochemical oxidants (some of the criteria pollutants were revised in subsequent legislation) • State Implementation Plans (SIPs) • New Source Performance Standards (NSPS) • National Emissions Standards for Hazardous Air Pollutants (NESHAPs). The EPA was also created under the National Environmental Policy Act about the same time as these additions were passed, which was important to help implement the programmes listed above. Since then, the Clean Air Act has been amended (in 1977 and 1990) to strengthen its effect, including adding regulations relating to acid deposition (to tackle acid rain) and stratospheric ozone protection. The EPA's 2009 finding that GHG emissions endanger health and welfare opened the door to EPA regulation of substances for their GHG effect. The EPA began regulating GHGs from mobile and stationary sources of air pollution under the Clean Air Act for the first time in 2011. Standards for mobile sources have been established, and the EPA is currently promulgating standards for fossil fuel-fired power plants and has announced plans to regulate GHG emissions from additional stationary sources.

Name of law	**American Recovery and Reinvestment Act**
Date	17 February 2009
Summary	The Bill authorises a stimulus package that supports new and existing renewable energy and energy efficiency programmes. The bill supersedes the tax provisions of the Energy Improvement and Extension Act 2008 as well as part of the Emergency Economic Stabilisation Act 2008. The Bill allocated USD16.8bn to energy efficiency and renewable energy programmes. It foresaw the extension of credit for electricity produced from renewable sources. The limitation on the issuance of new clean renewable energy bonds was increased by USD1.6bn. On completing the 2009 "National Electric Transmission Congestion Study", the Secretary of Energy shall include an analysis of renewable energy sources constrained by lack of adequate transmission capacity. The bill amends the Energy Policy Act of 2005 to create the "Temporary Programme for Rapid Deployment of Renewable Energy and Electric Power Transmission Projects" that includes incremental hydropower and cutting edge biofuel projects. No limitation shall be placed on funding for the purchase and installation of energy efficiency and renewable energy equipment and materials. Under the Bill, USD2.7bn was destined to the Department of Energy's "Energy Efficiency and Conservation Block Grant Programme", created without funding by the Energy Independence and Security Act 2007, to finance energy efficiency and conservation projects and programmes through the concession of grants to states, territories, local governments and Native American tribes. An additional USD1bn was allocated to state energy offices to support weatherisation of low-income homes. USD2bn in grants was made available to US-based advanced battery manufacturing facilities. USD400m was allocated to state and local grant programmes supporting advanced vehicles, and over USD80bn was destined for clean energy research, development and deployment, USD50bn of which was to be granted for direct appropriation and USD30bn in the form of tax-based incentives. USD277m was granted to Energy Frontier Research Centres to develop cost-effective alternative energy technologies and USD6bn was allocated to the "Innovative Technologies Loan Guarantee Programme", established by the Energy Policy Act, to accelerate the deployment of commercial clean energy technologies. USD2.5bn was given for discretionary clean energy research and development managed by the Department of Energy (DOE), including USD800m for next generation biofuels and USD400m for geothermal technologies, and support for several research projects. Grants over USD110m were given to the US National Renewable Energy Laboratory to advance wind energy technologies, building new energy efficient facilities and upgrading the Laboratory's Integrated Bio-refinery Research Facility. The Bill also allocated USD500m to a grant programme supporting clean energy workforce training managed by the Department of Labor and USD100m to support more workforce training that is managed by the DOE Office of Electricity Delivery and Energy Reliability. The DOE's Office of Energy Efficiency and Renewable Energy will monitor performance in accordance with Risk Mitigation Plans (RMPs). For large grant programmes such as the Energy Efficiency and Conservation Block Grant (EECBG), weatherisation assistance and State Energy Programmes (SEP), the DOE will provide assistance to national labs to help measure and verify results. Grant recipients must submit a plan of how they will use funds within 18 months and disburse funds within 36 months. The DOE will perform on-site monitoring annually in each state.

Name of law	**Duncan Hunter National Defense Authorisation Act for Fiscal Year 2009 – Energy Provisions**
Date	15 October 2008
Summary	Authorises defence spending for fiscal year 2009 and includes several provisions aimed at energy efficiency, renewable energy and use of alternative sources of energy in the armed forces. The bill requires the Department of Defense (DoD) to consider the use of wind and solar energy for expeditionary forces to reduce the need to deliver fuel to battle areas, where electricity is typically produced by engine-driven generators. A report examining the feasibility of solar and wind energy must be submitted 120 days following enactment. It requires the DoD to conduct a study on the use of alternatives to reduce the life-cycle emissions of alternative and synthetic fuels (including coal-to-liquid fuels).

Name of law	**Food, Conservation, and Energy Act of 2008 (revised 2014) – Title IX-Renewable Energy Provisions**
Date	18 June 2008
Summary	The Act includes provisions on agricultural subsidies, energy, conservation, nutrition and development. Expands the Biorefinery Assistance Programme by providing loan guarantees (2008–2010) of USD320m for the creation of commercial-scale biorefineries as well as grants to build demonstration-scale biorefineries. Allocates USD55m to support renewable biomass use in biorefineries instead of fossil fuels. Creates the Rural Energy for America Programme (REAP), which is worth USD285m, and promotes the use of hydroelectric source technologies. Creates the Biomass Crop Assistance Programme to support crop conversion to bioenergy. Expands the Biobased Market Programme by allocating USD11m to a federal procurement programme and a voluntary labelling programme. Allocates USD345m to the Bioenergy Programme for Advanced Fuels to support the production of advanced biofuels. Expands the Feedstock Flexibility Programme for Bioenergy Producers by subsidising the use of sugar for ethanol production through federal purchases of surplus sugar. Authorises the Forest Service to conduct a comprehensive research and development programme on forest biomass for energy generation. Allocates USD258m to the Biomass Research and Development Initiative to provide competitive grants, contracts and financial assistance to eligible entities to carry out research and development and demonstration of biofuels and bio-based products. Provides USD1m per year (2008–2012) to the Biodiesel Fuel Education Programme for the allocation of competitive grants to educate public and private actors operating vehicle fleets as well as the public at large about the benefits of biodiesel fuel use. The 2014 revision: • Reauthorises and provides USD880m for energy programmes established in the 2008 Bill • Expands the Biorefinery Assistance Programme to include biobased product and renewable chemical manufacturing • Expands the Biopreferred programme to include forestry products.

Name of law	**Energy Independence and Security Act of 2007**
Date	19 December 2007
Summary	Introduces measures to expand the production of renewable fuels, reduce US dependence on oil, increase energy security and address climate change. Sets a mandatory Renewable Fuel Standard (RFS) that requires fuel producers to use at least 36bn gallons of biofuel by 2022, and provides incentives for the development of renewable energy technologies (solar, wind, geothermal, ocean, biomass or landfill gas). Includes provisions on lighting: phasing out the use of incandescent light bulbs by 2014, improving lighting efficiency by more than 70% by 2020, setting an energy efficient standard and promoting consumer education and lamp labelling. Also includes provisions for energy efficiency in appliances, buildings (i.e. ensuring that all new federal buildings are carbon neutral by 2030) and transportation. Further establishes provisions for funding of research on carbon capture and storage and hydrogen technologies. Includes the first increase in fuel economy standards in 30 years. Automakers are required to boost fleet-wide fuel economy to 35 miles per gallon (14.8km/l) by 2020. This was superseded by an agreement brokered by the President to settle automakers' court cases against the State of California. The agreement established a standard of 35.5mpg by 2016. Creates the Renewable Energy Innovation Manufacturing Partnership Programme to support research and development and deployment of renewable energy technologies (solar, wind, biomass, geothermal, energy storage and fuel cell systems). Requires all lighting in federal buildings to use Energy Star products or products designated under the Federal Energy Management Programme (FEMP) by the end of 2013; requires all Federal agencies to purchase devices that limit standby power use; requires the Department of Housing and Urban Development (HUD) to update energy efficiency standards for all public and assisted housing by applying the International Energy Conservation Code.

Name of law	**Energy Policy Act 2005 (Energy Bill)**
Date	8 August 2005
Summary	A statute that provides tax incentives and loan guarantees for energy production of various types. Supersedes the National Energy Plan and is partially superseded by the Energy Independence and Security Act 2007. Provides USD4.3bn tax breaks for nuclear power; USD2.7bn to extend the renewable electricity production credit; and USD1.6bn in tax incentives for investment in clean coal facilities. Grants loan guarantees for innovative technologies such as advanced nuclear reactors and clean coal. Provides subsidies to wind energy, promotes the competitiveness of geothermal energy vis-à-vis fossil fuels and allocates USD50m annually to a biomass grant programme. Includes ocean energy sources as separate renewable technologies. Provides tax credits for electricity generation from wind, closed-loop biomass, open-loop biomass, geothermal, solar, small irrigation power, municipal solid waste and refined coal. Regulates renewable energy development in the Outer Continental Shelf (OCS). Provides USD1.3bn tax breaks for conservation and energy efficiency. Provides USD1.3bn tax breaks for alternative motor vehicles and fuels (ethanol, methane, liquefied natural gas, propane). Provides up to USD3,400 tax credit for hybrid vehicle owners. Requires Federal facilities to draw part of their energy from renewable sources. Provides tax breaks for energy conservation improvements to homes. Requires that Federal fleet vehicles capable of operating on alternative fuels use these fuels exclusively.

USA: Executive Portfolio

Name of Policy	**Executive Order 13653: Preparing the United States for the Impacts of Climate Change**
Date	1 November 2013
Summary	To improve the Nation's preparedness and resilience, agencies are required to take a series of steps to make it easier for American communities to strengthen their resilience to climate change, including through: (1) engaged and strong partnerships and information sharing at all levels of government; (2) risk-informed decision-making and the tools to facilitate it; (3) adaptive learning, in which experiences serve as opportunities to inform and adjust future actions; and (4) preparedness planning. The order includes the following provisions: 1. Modernising Federal Programs to Support Climate Resilient Investment 2. Managing Lands and Waters for Climate Preparedness and Resilience 3. Providing Information, Data, and Tools for Climate Change Preparedness and Resilience 4. Federal Agency Planning for Climate Change Related Risk 5. The creation of an interagency Council on Climate Preparedness and Resilience (Council) 6. vi) The creation of a State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience.

Name of Policy	**Executive Order 13514: Federal Leadership in Environmental, Energy, and Economic Performance**
Date	5 October 2009
Summary	The Order aims to make GHG emission management a priority for federal agencies, thus establishing reporting requirements with detailed targets and deadlines. The focus is on transportation, overall energy use and procurement policies. All federal agencies are required to develop, implement and annually update a Strategic Sustainability Performance Plan that prioritises agency actions based on life-cycle return on investment. It also directs agencies to work on climate change adaptation. Supersedes E.O.13423: Strengthening Federal Environmental, Energy, and Transportation Management. The Order requires all Federal agencies to: • Improve electronic product/service efficiency and stewardship as well as to follow pollution prevention and waste reduction requirements • Improve fleet and transportation management • Enhance efforts towards sustainable buildings and communities. The Order directs government agencies to work on climate change adaptation, including: • The appointment of an Adaptation Specialist • Establishment of an Agency-wide Climate Change Adaptation Policy and Mandate by June 2011 • Participation in Climate Change Adaptation workshops and education of all employees throughout 2011 • Identification and analysis of climate vulnerabilities that would interfere with the Agency's mission (by March 2012) • Implementation of the Adaptation Plan by September 2012. Each federal agency must report a percentage GHG emissions reduction target for 2020 relative to a 2008 baseline to the White House's Council on Environmental Quality (CEQ) Chair and Office of Management and Budget (OMB) Director. Additionally, each agency must produce an inventory of absolute GHG emissions on transportation, energy use and procurement for the fiscal year 2010 and then annually thereafter.

Name of Policy	**Executive Order 13423: Strengthening Federal Environmental, Energy, and Transportation Management**
Date	26 January 2007
Summary	Demands federal agencies to conduct their transportation and energy-related activities in an environmentally, economically and fiscally sound and integrated way. Sets more demanding targets than the Energy Policy Act 2005 and supersedes E.O. 13123 and E.O. 13149. Promotes renewable energy generation projects in federal agencies and determines that each agency should ensure that half of the statutorily required renewable energy consumed in a fiscal year comes from new renewable sources. Determines that each federal agency should reduce energy intensity by 3% annually until the end of fiscal year 2015 or 30% by the end of fiscal year 2015, relative to energy use in 2003. Determines that if an agency operates a fleet of at least 20 motor vehicles it must ensure a 10% annual increase in total fuel consumption that is non-petroleum based relative to 2005. Each agency must equally ensure the use of plug-in hybrid electric (PHEV) vehicles when these are commercially available at a reasonably comparable life-cycle cost to non-PHEV vehicles. Requires each federal agency to: • Improve energy efficiency and reduce GHG emissions • Procure energy from new renewable sources • Adhere to sustainable environmental practices (i.e. acquisition of bio-based, environmentally preferable, energy-efficient, water-efficient and recycled-content products) • Reduce the fleet's total consumption of petroleum products.

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