

**AMENDMENT TO H.R. 3628, AS REPORTED  
OFFERED BY MR. LIEU OF CALIFORNIA**

Add at the end the following:

**1 SEC. 3. ANNUAL REPORT ON UNUSED AND UNDERUTILIZED  
2 DATA CENTERS.**

3 (a) REPORT REQUIRED.—Not later than 1 year after  
4 the date of enactment of this Act, and annually thereafter  
5 for 5 years, the Secretary shall submit to Congress a re-  
6 port on unused or significantly underutilized data centers  
7 in the United States.

8 (b) INCLUSIONS.—The Secretary shall include in  
9 each report under subsection (a)—

10 (1) a comprehensive inventory of data centers  
11 that—

12 (A) are newly constructed or expanded  
13 within the previous 5 years; and

14 (B) operate at less than 25 percent utiliza-  
15 tion, or are not in operation;

16 (2) an analysis of the impact of energy usage  
17 by such data centers, including—

18 (A) estimated electricity demand associated  
19 with keeping such data centers connected to the  
20 grid;

1 (B) projected impacts on local and regional  
2 electric grids; and

3 (C) opportunities for reducing unnecessary  
4 energy consumption by such data centers;

5 (3) the reasons such data centers are unused or  
6 significantly underutilized, including economic, regu-  
7 latory, supply-chain, or technological factors contrib-  
8 uting to data centers remaining unused or signifi-  
9 cantly underutilized after construction; and

10 (4) recommendations for improving planning,  
11 permitting, and energy-resource forecasting regard-  
12 ing future data center construction to prevent large-  
13 scale unused capacity.

14 (c) CONSULTATION.—In preparing each report under  
15 subsection (a), the Secretary shall consult with State and  
16 local governments, utilities, data center developers, and  
17 other groups as appropriate.

18 (d) DEFINITIONS.—In this section:

19 (1) DATA CENTER.—The term “data center”  
20 has the meaning given that term in section 453 of  
21 the Energy Independence and Security Act of 2007  
22 (42 U.S.C. 17112).

23 (2) SECRETARY.—The term “Secretary” means  
24 the Secretary of Energy.

