

**AMENDMENT TO H.R. 4776, AS REPORTED
OFFERED BY MR. LIEU OF CALIFORNIA**

Add at the end the following:

1 **SEC. 4. 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 the permitting challenges contributing to unused
7 or significantly underutilized data centers in the United
8 States.

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

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

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

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

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

1 (A) estimated electricity demand associated
2 with keeping such data centers connected to the
3 grid;

4 (B) projected impacts on local and regional
5 electric grids; and

6 (C) opportunities for reducing unnecessary
7 energy consumption by such data centers;

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

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

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

21 (d) DEFINITIONS.—In this section:

22 (1) DATA CENTER.—The term “data center”
23 has the meaning given that term in section 453 of
24 the Energy Independence and Security Act of 2007
25 (42 U.S.C. 17112).

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

