

# *Building Energy Codes & Federal Policy: The View from Capitol Hill*

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# About ASHRAE

*ASHRAE, founded in 1894, is a global society advancing human well-being through sustainable technology for the built environment. The Society and its more than 55,000 members worldwide focus on building systems, energy efficiency, indoor air quality, refrigeration and sustainability. Through research, standards writing, publishing, certification and continuing education, ASHRAE shapes tomorrow's built environment today.*



# About ASHRAE

- Over 38,000 members in US
- Members are active in their communities and include
  - Consulting engineers
  - Contractors
  - Manufacturers
  - Manufacturer's representatives
  - College students
  - University professors
  - Architects
  - Others
- 144 Chapters and Sections, Over 300 Student Branches

# About ASHRAE

- 6 Professional Certifications – Many Recognized by States ([www.ashrae.org/certification](http://www.ashrae.org/certification))
  - Building Energy Assessment Professional
  - Building Energy Modeling Professional
  - Commissioning Process Management Professional
  - Healthcare Facility Design Professional Certification
  - High-Performance Building Design Professional
  - Operations and Performance Management Professional
- Building Energy Quotient Program ([www.buildingenergyquotient.org](http://www.buildingenergyquotient.org))
- Lots of large and specialty conferences held each year in the US and around the globe
  - Jointly sponsored AHR Expo is the world's largest trade show for the heating, ventilation, air conditioning, and refrigeration industry, attracting some 50,000 attendees from all 50 States and more than 140 countries
- Over 140 Standards & Guidelines, with More in Development

# The Current State of Play

*H.R.8 the North American Energy Security  
and Infrastructure Act of 2015*

&

*S.2012 the Energy Policy Modernization  
Act of 2015*



# Current State of Play: H.R.8

- Covers a lot of areas such as grid modernization, cybersecurity, hydropower, LNG exports, workforce training, SPR, and various aspects of energy efficiency.
  - **Also addresses building energy codes.**
- Some parts of the bill are good – the building E codes provisions are not. Here's why: (short answer)
- Would limit DOE technical assistance to States, Indian tribes, local jurisdictions, SDOs & prohibit DOE from promoting adoption of building E codes.

# Current State of Play: H.R.8

## Specifically...

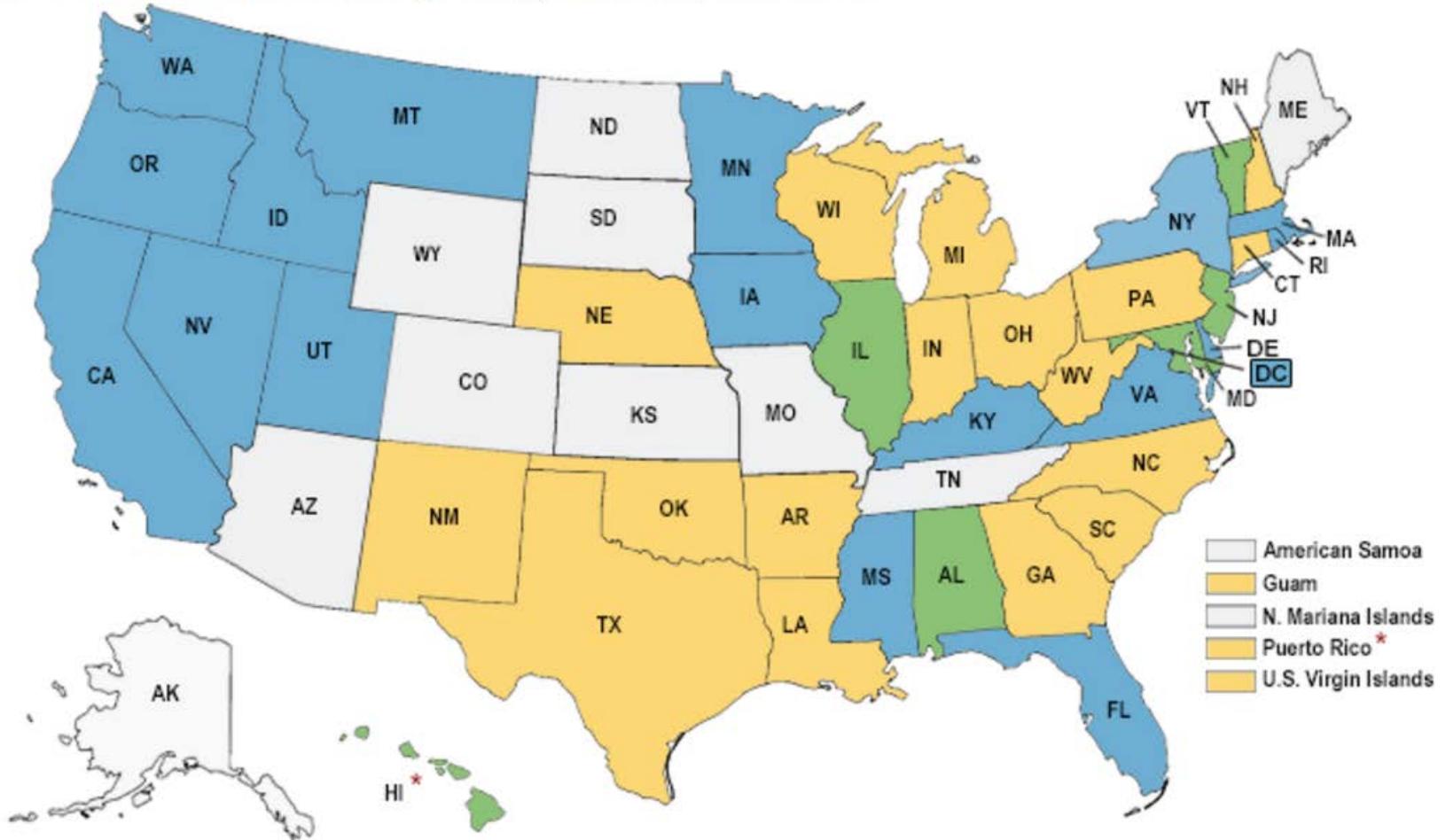
- Would prohibit DOE from proposing or providing “technical or financial assistance for any code, provision in the code, or energy target, or amendment thereto, that has a payback greater than 10 years.”
  - ASHRAE uses the Scalar Ratio Method in Standard 90.1 when evaluating proposed changes to the Standard where an additional cost to the building is anticipated.
- Scalar Ratio Method = a type of life-cycle cost model that includes economic factors such as discount rates, fuel costs, Federal, and State tax rates.
- ASHRAE strongly believes that DOE should not be limited in the types of technical assistance it provides to States, Indian tribes, and SDOs. Different stakeholders place greater importance on different types of payback information and related information.
- Public policy is improved when technical knowledge flows without restriction.

# Current State of Play: H.R.8

- Would also prohibit DOE from providing technical or financial assistance to States, Indian tribes, private third parties or NGOs for the purposes of promoting or discouraging the adoption of a particular building E code, code provision, or E savings target.
  - ASHRAE supports current Federal law, which allows DOE to provide incentive funding to States and local jurisdictions for adopting the most recent versions of Standard 90.1 and the IECC for which DOE has issued an affirmative determination.
  - States can use all the help they can get...

# Adoption of Standard 90.1

Current Commercial Building Energy Code Adoption Status

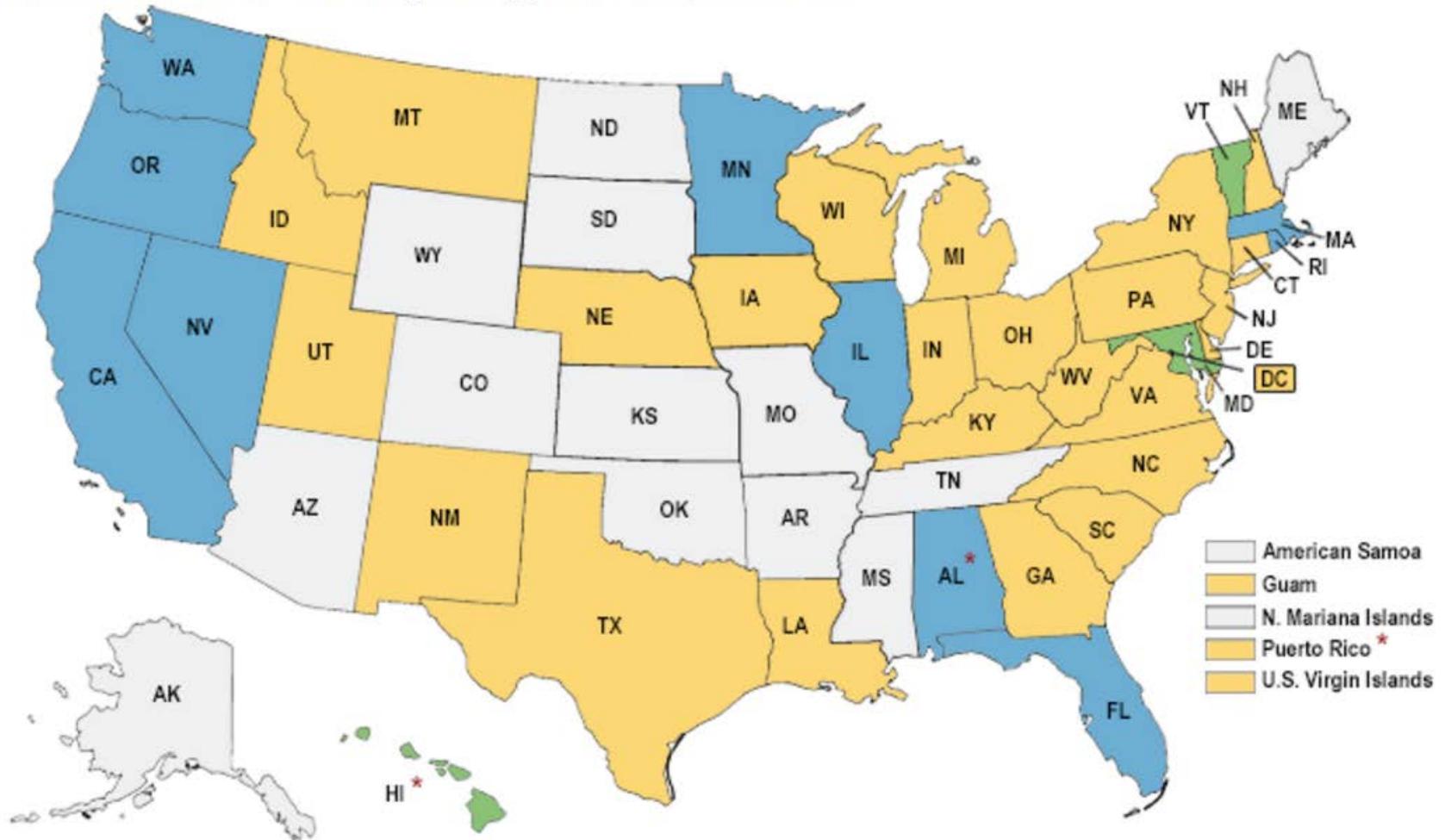


<b>6</b> ASHRAE 90.1-2013/2015 IECC, equivalent, or more energy efficient	<b>18</b> ASHRAE 90.1 - 2010/2012 IECC, equivalent, or more energy efficient	<b>20</b> ASHRAE 90.1 - 2007/2009 IECC, equivalent, or more energy efficient
<b>12</b> Older or less energy efficient than ASHRAE 90.1 - 2007/2009 IECC, or no statewide code.		

\* Adopted new Code to be effective at a later date

# Adoption of IECC

Current Residential Building Energy Code Adoption Status



<b>3</b> IECC 2015, equivalent, or more energy efficient	<b>10</b> IECC 2012, equivalent, or more energy efficient
<b>28</b> IECC 2009, equivalent, or more energy efficient	<b>15</b> Older or less energy efficient than IECC 2009, or no statewide code

\* Adopted new Code to be effective at a later date

# Current State of Play: H.R.8

- Passed the House on 12/3/15 by a vote of 249 – 174.
- Veto threatened by President Obama, who cited the building energy codes provisions of H.R.8 as one of his top objections:

*“H.R.8 would stifle the Nation’s move toward energy efficiency by severely hampering the Department of Energy’s (DOE) ability to provide technical support for building code development and State implementation.”*

# Current State of Play: S.2012

- The Energy Policy Modernization is a comprehensive energy bill addressing areas that include:
- Energy infrastructure in its various forms
- Renewable and non-renewable energy
- Workforce development
- Reauthorizes the Weatherization Assistance Program and State Energy Program
- Building energy codes – ASHRAE supports

# Current State of Play: S.2012

- Supports the development of model building E codes and increased adoption of & compliance with updated building E codes by States, Indian tribes, and local jurisdictions.
- Supports the development and adoption of voluntary stretch codes.
- No restrictions on DOE technical assistance.
- ***The building energy codes provisions of S.2012 represent the consensus agreement obtained between the Hill and a large, diverse coalition of stakeholders who have worked through years of long discussions to reach understanding.***

# Current State of Play: S.2012

Where are we now?

- Was being debated on the Senate floor, with over 300 amendments filed.
- Debate temporarily paused due to events in Flint, Michigan and subsequent holds placed by Senators concerned about various related, unrelated issues.
- Senate leaders remain hopeful that obstacles can be overcome, and bill can be passed – but time is a big factor.
- Good sign: Many in House, Senate are talking more about a conference committee, instead of bill alternatives.

# Current State of Play

- After Senate action, next big area of concern is conference committee.
- Building E codes provisions of House, Senate bills are very different – which will succeed? A hybrid?
- Answer is part politics, part the degree to which we, collectively, can educate Members of Congress & their staff on the complex world of building E codes and the consequences of their actions.
- Why is it so important that we all work together? Because the challenges are so great.

# The Challenges of Communicating with Congress



# Congressional Communication Challenges

- Challenges of time, issue complexity, and competing interests are real and should not be underplayed.
- 535 Members of Congress + 6 Delegates + 40 committees (not including Joint, Special, or Select) = More than 8,000 staffers on the Hill
- Including MoC, there are ~ 3 people in each office you need to work with = 1,743
- Would take more than a year to meet with everyone just once! Success requires follow-up (multiple meetings, site tours, etc.), especially with constituents.

# How Can We Succeed?

- Really the only way we can achieve our common goals is by working together.
- Use our organization's respective strengths and natural capabilities.
- Open & honest communication. Different perspectives mean sometimes we'll agree, sometimes we won't.
- Ethics, integrity, civility are important.

*Questions?*

*Thank You!*

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