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**Legislative Update**

# Legislative Update

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# Agenda

- **Senate Energy Legislation**
- **House Energy Legislation**
- **Defense Authorization Bills – House & Senate**
- **Appropriations**

# Energy Legislation – Senate

Shaheen-Portman S.1000

## **Energy Savings and Industrial Competitiveness Act of 2011**

### *Federal Energy Provisions*

- **Sec. 401** – Adoption of personal computer savings techniques by Fed Agencies
- **Sec. 401** – GSA may update designs if a building has not yet been built
- **Sec. 403** – BEST PRACTICES FOR ADVANCED METERING --  
A plan from each agency on who has primary responsibility for the metering requirement and documentation of any findings that advanced meters are not practicable. An annual report required thereafter

# Energy Legislation – Senate

Shaheen-Portman S.1000 (Continued)

## *Federal Energy Provisions*

- **Sec. 404** – FEDERAL ENERGY MANAGEMENT AND DATA COLLECTION STANDARD -- Use web based tracking system to certify compliance with audits, implementation of projects, follow up and publishing consumption data on a facility level basis
- **Sec. 405** – Extends ESPC authority to electric vehicles and their charging infrastructure
- **Sec. 406** – Adds Thermal to the federal definitions for renewable energy and fixes the double counting or nothing issue for renewables on site
- **Sec. 407** – Study on Federal Data Center consolidation

# Energy Legislation – Senate (continued)

*Other Federal Energy legislation introduced*

## **S. 963 Federal Energy Bill – Sen. Carper**

- **Sec 4** – Modernize Federal Building Energy Standards for new buildings
- **Sec 6** – Smart metering in every building over 30,000 sf, and smart sub-meters for systems in some buildings. Must measure hourly and provide data at least daily
- **Sec 7** – DOE guidance on employing tools to save energy through the use of computer hardware, power management etc.
- **Sec 8** – Adds Thermal to the federal definitions for renewables and fixes the double or nothing problem for renewables on site
- **Sec 9** – Expand ESPCs to non-building applications.
- **Sec 10** – GSA may update designs if a building has been designed but not built
- **Sec 11** – Commissioning and Re-Commissioning for all property over \$10M in value, 50,000 sf, or energy intensive
- **Sec 12** – Audit and reporting by the Comptroller General of the United States on progress of Federal energy management efforts

# Energy Legislation – Senate (continued)

*Other Federal Energy legislation introduced*

## **S. 1321 Practical Energy Plan of 2011 – Sen. Lugar**

- **Section 133** – Expands ESPC authority to non-building applications, particularly mobility and federal hydroelectric dams
- **Section 211** – Changes section 432 EISA from “may” to “shall” ensuring that Federal agencies must implement the energy conservation measures found in their required audits
- **Section 212** – Requires all new Federal buildings to meet or exceed national model energy efficiency codes
- **Section 213** – Expresses Congressional intent that the next round of base closure and realignment should take into account the ability of bases to reduce external energy needs

# House Energy Legislation

## *Possible bill by Rep. Bass*

- Preference for life cycle cost effective private funds for funding energy
- efficiency improvements in federal buildings
- Reporting on the costs associated with not acting on the audits generated by Section 432 EISA
- Include savings degradation, cost of delay and other factors in evaluating life cycle costs
- Add Electric Vehicles to ESPCs
- Address Cycle time within one year

# ESPC Budget Scoring

**Efforts to expand scope or use of ESPCs triggers a budget score  
(e.g. electric vehicles, mobility, dams)**

- Savings from an ESPC results in a reduction in *discretionary spending*
- Entering into an ESPC (a legally binding agreement) results in *mandatory spending*
- “Congressional budget scoring procedures do not permit effects in those two categories to be combined.”

*CBO letter to Chairman Upton, July 1, 2011*

# House Defense Authorization Bill FY12 HR 1540

## *Renewable Energy Provisions*

- **Sec. 2822** – Consider energy security in developing energy projects on military installations using renewable energy sources
- **Sec. 2823** – Establish an interim objective for DOD 2025 Renewable Energy goal
- **Sec. 2824** – Establish a policy to use centralized, bulk purchase renewable energy certificates to reduce cost of facility energy projects when using RE sources

# House Defense Authorization Bill

## ***Energy Efficiency Provisions***

- **Sec. 2825** – Prescribe a list of energy-efficient products for use in construction, repair or renovation of DOD facilities:
  - Roof-top solar thermal, PV, direct solar & coating technologies
  - On demand solar and tank-less hot water
  - Energy management controls systems
  - Energy efficient HVAC
  - Thermal windows and insulations systems
  - Electric meters
  - Efficient lighting, equipment and appliances
  - PHEV charging and hydrogen fuel stations
  - Solar-power collecting structures to provide shade for vehicles
  - Wall & roof insulation systems and air infiltration mitigation systems (weather-proofing)
  - Fuel cells
  - Hydrogen
  - Ground source and natural gas heat pumps and CHP

# House Defense Authorization Bill

## *Energy Efficiency Provisions for DOD*

- **Sec. 2826** – Training program for installation energy managers
- **Sec. 2827** – Submit energy management report w/in 120 days end of FY
- **Sec. 2828** – Continuous commissioning of facilities to resolve operating problems, improve comfort, optimize energy use and identify retrofits
- **Sec. 2829** – Requirement to capture and track meter data
- **Sec. 2830** – Metering requirement for Navy piers to track, capture and reduce energy while Naval vessels are in port
- **Sec. 2831** – Report cost benefit analysis of DOD investments in ASHRAE HVAC standards and LEED certifications. Prohibit LEED gold or platinum certifications in FY 2012

# Senate Defense Authorization Bill FY 12

## S. 1253

### *Renewable Energy Provision*

- **Sec. 311 – Modification of energy performance goals:** Establish a clear and effective trajectory to meet long-term renewable energy goal that would include direct use of solar technology to existing list of energy efficient products in facilities.

# Senate Defense Authorization Bill

## *“Items of Special Interest” – Energy Efficiency Provisions*

- **Army energy security implementation strategy** – Develop quantitative targets and timelines for goals such as have been established by the Air Force and Navy
- **Energy metering** – Take appropriate steps to analyze data gathered by energy meters in an effective and efficient manner in accordance with metering requirement, in order to track reductions in energy.
- **Net-Zero energy usage on military installations** – Army shall submit by Feb 1, 2012 a proposed investment plan for its Net-Zero pilot installations including:
  - 1) Description of goals under all Net-Zero categories (energy, water & waste)
  - 2) The funding and other resources programmed to carry out the plan and the timeline for funding

# DoDESA – Defense Energy Security Act of 2011

## Rep. Giffords and Sen Udall

### *Provisions to reduce reliance on the grid*

- Fund the Installation Energy Test Bed Initiative
- Enhance energy-management and monitoring practices
- Create a plan for development of renewable projects & define renewable energy standards
- Robustly fund ECIP
- Adopt enhanced energy-efficiency standards for military buildings
- Study the energy security of renewable development and the societal impacts associated with enhanced energy security on military installations

# Appropriations for Federal Energy Programs

## ***DOE's FEMP Program***

FY10 Actual	\$32M
FY11 CR Actual	\$30 M
FY12 Request	\$33 M
FY 12 House	\$30 M
FY 12 Senate	?

***DOD ECIP*** -- \$135 Million both House and Senate Appropriation bills

# Future Defense Spending

## Center for Strategic Budget Analysis

### Base Discretionary Defense Budget

*(in FY 2012 dollars)*

