

## ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT: WHAT'S IN S. 2657 VS. H.R. 4777

S. 2657 (Murkowski- Manchin)	S. 2137/H.R. 3962, Energy Savings and Industrial Competitiveness (ESIC) Act (Portman-Shaheen/Welch-McKinley)	H.R. 4777 (Rules Committee)	Enacted in H.R. 133 (Omnibus)
N/A	<b>Section 1. Short title; table of contents</b>  Section 1 provides a short title and the table of contents.	N/A	NO
N/A	<b>Sec. 2. Definition of Secretary</b>  Section 2 provides the definition of Secretary.	N/A	NO
	<b>Title I—Buildings</b>		
	<b>SUBTITLE A—BUILDING ENERGY CODES</b>		
Not in S. 2657  Amendments Pending:  Amdt. No. 1514 (Portman);  Amdt. No. 1551 (Cornyn)	<b>Sec. 101. Greater energy efficiency in building codes</b>  Sec. 101(a) amends Sec. 303 of the Energy Conservation and Production Act (ECPA, P. L. 94–385, as amended) to add certain definitions.  Subsection (b) amends Sec. 304 of ECPA to require that the Secretary of Energy (Secretary) encourage and support the adoption of building energy codes by States, local governments, or Indian tribes that meet or exceed model building energy codes.  Subsection (c) amends Sec. 305 of ECPA to replace the term “voluntary building energy code” with “model building energy code.”  Subsection (d) amends Sec. 307 of ECPA to require that the Secretary support the updating of model building energy codes, and	Sec. 1101	NO

	that the Secretary align any new established energy savings targets with the respective existing code development cycles of the American Society of Heating, Refrigerating and Air-Conditioning Engineers, and the International Code Council.		
Not in S. 2657  (Amendments Pending)	<b>Sec. 102. Cost-effective codes implementation for efficiency and resilience</b>  Section 102(a) amends Title III of ECPA to add a new Sec. 309 that creates a new grant program at the Department of Energy (DOE) to help homebuilders, contractors, architects, trades, code officials, and others cost-effectively adapt and implement updated building energy codes. The grants would be eligible to be used for training, better data on meeting codes, and plans for improved codes implementation.  Subsection (b) provides a conforming amendment to Sec. 303 of ECPA.	Sec. 1102	NO
Sec. 1101	<b>Sec. 103. Commercial building energy consumption information sharing</b>  Section 103(a) requires the Energy Information Administration (EIA) and the Environmental Protection Agency (EPA) to submit to Congress an information sharing agreement relating to commercial building energy consumption data.  Subsection (b) provides what is required to be included in the information sharing agreement.  Subsection (c) provides what data is required to be included in the information sharing agreement.  Subsection (d) describes protection of information requirements to be carried out by the EIA and EPA in carrying out the agreement.	Sec. 1003	NO
<b>SUBTITLE B—WORKER TRAINING AND CAPACITY BUILDING</b>			
Sec. 1011	<b>Sec. 111. Building training and assessment centers</b>  Sec. 111 directs the Secretary to provide grants to institutions of higher education and Tribal Colleges or Universities to establish building training and assessment centers.	Sec. 1111	NO
Sec. 1012	<b>Sec. 112. Career skills training</b>  Sec. 112 directs the Secretary to provide grants to eligible entities to cover a portion of the cost of career skills training programs that lead to students receiving an industry-related certification for the installation of energy efficient building technologies.	Sec. 1112	NO
<b>SUBTITLE C—SCHOOL BUILDINGS</b>			
Sec. 1003	<b>Sec. 121. Coordination of energy retrofit assistance for schools</b>	Sec. 1121	<b>YES</b> Sec. 1001

	Sec. 121 directs DOE's Office of Energy Efficiency and Renewable Energy (EERE) to coordinate and disseminate information on existing Federal programs that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.		
	<b>Title II—Industrial Efficiency and Competitiveness</b>		
	<b>SUBTITLE A—MANUFACTURING ENERGY EFFICIENCY</b>		
Sec. 1021	<b>Sec. 201. Purposes</b>  Sec. 201 provides the purpose of this subtitle.	Sec. 1201	N/A
Sec. 1022	<b>Sec. 202. Future of Industry Program and industrial research and assessment centers</b>  Section 202(a) amends the heading of Sec. 452 of EISA to add the "Future of Industry Program."  Subsection (b) adds a new Sec. 454 that provides definitions for "energy service provider" and "industrial research and assessment center." It also requires the Secretary to establish a Center of Excellence at not more than five of the highest-performing industrial assessment centers to coordinate with and advise within its region on best practices for carrying out assessments. These centers would also facilitate coordination between government and private entities that would aid the industrial facilities in implementing recommendations resulting from an assessment. This subsection also directs industrial research and assessment centers to coordinate with the Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology and DOE's Building Technologies Program, and to increase partnerships with the national laboratories and energy service and technology providers. This subsection further directs the Secretary to provide funding for outreach and coordination activities by the industrial research and assessment centers, and to provide funding for workforce training purposes.  Subsection (c) provides for a clerical amendment to the table of contents of EISA.	Sec. 1202	NO
Sec. 1024	<b>Sec. 203. Sustainable manufacturing initiative</b>  Sec. 203 amends part E of title II of the Energy Policy and Conservation Act (EPCA, P. L. 109–163, as amended) to add a Sustainable Manufacturing Initiative which requires DOE's EERE to provide onsite technical assessments to manufacturers seeking efficiency opportunities and requires the Secretary to carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes.	Sec. 1203	NO
Sec. 1025	<b>Sec. 204. Conforming Amendments</b>  Sec. 204 makes conforming changes to the Energy Policy Act of 2005.	Sec. 1204	NO
	<b>SUBTITLE B—EXTENDED PRODUCT SYSTEM REBATE PROGRAM</b>		
Sec. 1042	<b>Sec. 211. Extended product system rebate program</b>	Sec. 1211	<b>YES</b> Sec. 1005

	Sec. 211 directs the Secretary to establish a rebate program to encourage the replacement of energy inefficient electric motors.		
Sec.	<b>Sec. 221. Energy Efficient Transformers Rebate</b> Sec. 221 directs the Secretary of Energy to establish a rebate program to encourage replacement of energy inefficient transformers.		<b>YES</b> Sec. 1006
<b>Title III—Federal Agency Energy Efficiency</b>			
Sec. 1035	<b>Sec. 301. Energy-efficient and energy-saving information technologies</b> Sec. 301 amends section 543 of the National Energy Conservation Policy Act (NECPA, P. L. 95–619, as amended) by adding a new subsection that directs the Director of the Office of Management and Budget (OMB) to collaborate with each Federal agency to develop an implementation strategy for the maintenance, purchase, and use of energy-efficient and energy-saving information technologies.	Sec. 1301	<b>YES</b> Sec. 1004
Sec. 1037	<b>Sec. 302. Energy efficient data centers</b> Sec. 302 amends section 453 of EISA to update the Voluntary National Information Program. It requires the Secretary to develop a metric for data center energy efficiency, and directs the Secretary, in consultation with the Director of OMB, to maintain a data center energy practitioner program and open data initiative for Federal data center energy usage.	Sec. 1302	<b>YES</b> Sec. 1003
<b>Title IV—Regulatory Provisions</b>			
<b>SUBTITLE A—THIRD-PARTY CERTIFICATION UNDER ENERGY STAR PROGRAM</b>			
Sec. 1041	<b>Sec. 401. Third-party certification under Energy Star program</b> Sec. 401 amends section 324A of EPCA to direct the Administrator to revise the certification requirements for Energy Star program partners that manufacture consumer, home, and office electronic products and have complied with all program requirements for at least 18 months.	Not in H.R. 4447	NO
<b>SUBTITLE B—FEDERAL GREEN BUILDINGS</b>			
Sec. 1036	<b>Sec. 411. High-performance green Federal buildings</b> Sec. 411 amends section 436(h) of EISA to require the Federal Director of the Office of Federal High-Performance Green Buildings, within the General Services Administration, to conduct an ongoing review of private sector green building certification systems and provide the Secretary with a list of certification systems most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.	Sec. 1401	NO
<b>SUBTITLE C—ENERGY AND WATER PERFORMANCE REQUIREMENTS FOR FEDERAL BUILDINGS</b>			
Sec. 1031	<b>Sec. 421. Energy and water performance requirements for Federal buildings</b>	Not in H.R. 4447	NO

	<p>Sec. 421 amends section 543 of NECPA to extend existing Federal building energy efficiency improvement targets (2.5 percent per year relative to 2018 consumption levels) through 2027, and adds water use reduction targets (2 percent per year relative to 2007 consumption levels) through 2030. As amended, section 543(a)(2) will provide for exclusions from the targets for buildings with energy intensive activities and impose reporting requirements for excluded buildings. As amended, section 543(f)(3) will require Federal energy managers to complete comprehensive energy and water evaluation and recommissioning or retro-commissioning for 25 percent of the facilities of each agency for excluded buildings for which reporting is required to ensure that Federal buildings are performing at their optimal level of energy efficiency. Not later than two years after the date of completion of each evaluation, each energy manager may implement energy- or water- saving measures identified in the evaluation or shall explain why the measures were not implemented. Also, this section repeals the provision of section 433 of ECPA that established a requirement that Federal buildings be designed so that fossil fuel-generated energy consumption of the building be reduced on a timetable to zero percent by 2030.</p>		
Sec. 1032	<p><b>Sec. 422. Federal Energy Management Program</b></p> <p>Sec. 422 amends section 543 of NECPA to formally establish the Federal Energy Management Program (FEMP). This section details FEMP’s directives and the duties of its director, and authorizes \$36 million in programmatic funding through 2030.</p>	Sec. 1411	<b>YES</b> Sec. 1012
Sec. 1034	<p><b>Sec. 423. Federal building energy efficiency performance standards; certification system and level for green buildings</b></p> <p>Sec. 423 amends section 303 of ECPA to expand the scope of existing energy standards for new Federal buildings to cover major renovations.</p>	Sec. 1412	NO
Not in S. 2657	<p><b>Sec. 424. Enhanced energy efficiency underwriting</b></p> <p>Sec. 424 requires the Secretary of the Department of Housing and Urban Development to develop and issue updated underwriting and appraisal guidelines for borrowers who voluntarily submit a qualified home energy report. The provision would cover any loan issued, insured, purchased, or securitized by the Federal Housing Administration and other federal agencies, or their successors. The updated guidelines would adjust underwriting criteria and valuation guidelines to account for expected energy cost savings as an offset to other expenses and to account for present value of expected energy savings. If no qualified energy report is provided, no adjustment would be made. Lenders would be required to inform loan applicants of the costs and benefits of improving the energy efficiency of a home.</p>	Not in H.R. 4777	NO
<b>Title V—Miscellaneous</b>			
N/A	<b>Sec. 501. Budgetary effects</b>	N/A	N/A

	Sec. 501 states that for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, the budgetary effect of this legislation shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act.		
N/A	<p><b>Sec. 502. Advance appropriations required</b></p> <p>Sec. 502 provides that authorization of amounts under this Act and the amendments made by this Act shall be effective for any fiscal year only to the extent and in the amount provided in advance in appropriations Acts.</p>	N/A	N/A