

P.L. 110-140 (H.R. 6)

**ENERGY
INDEPENDENCE AND
SECURITY ACT (EISA)
OF 2007**

**New and Enhanced
FEMP Responsibilities**



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U.S. Department of Energy
**Energy Efficiency
and Renewable Energy**

Bringing you a prosperous future where energy
is clean, abundant, reliable, and affordable

Title I – Energy Security through Improved Vehicle Economy

Subtitle C – Federal Vehicle Fleets

Sec. 141 Federal Vehicle Fleets (f)

- Definitions for: Federal agency, Medium Duty Passenger Vehicle, Member's Representational Allowance (e.g., greenhouse gas requirement, exceptions)

Sec. 142 Federal Fleet Conservation Requirements

- 20 percent reduction in annual petroleum consumption and 10 percent increase in annual alternative fuel consumption, using a FY 2005 baseline
- Directs DOE to establish interim milestones to assess annual agency progress
- Directs each agency to develop and implement a plan

Title II – Energy Security through Increased Production of Biofuels

Subtitle C – Biofuels Infrastructure

Sec. 246 – Federal Fleet Fueling Centers

- By 2010, directs each agency to install at least 1 renewable fuel pump at each Federal fleet fueling center
- Directs President to submit a report to Congress by October 31 of each year on agency progress in complying with this requirement

Title III – Energy Savings through Improved Standards for Appliances and Lighting

Subtitle C – Lighting Energy Efficiency

Sec. 323 Public Building Energy Efficiency and Renewable Energy Systems

- In the construction, alteration, or acquisition of a building or leased space by GSA – an estimate of the future performance is to be conducted along with a specific description of the use of energy efficient or renewable energy measures, including PV.
- Same requirement for energy efficient lighting fixtures and bulbs – also addresses maintenance, EnergyStar®, additional energy efficient lighting designations, GSA guidelines, etc.

Title IV – Energy Savings in Buildings and Industry

Sec. 421 – Commercial High-Performance Green Buildings

- Directs DOE Director of Office of High-Performance Green Buildings (OBT) to coordinate information and outreach activities with other agencies and within DOE, particularly [FEMP](#).

Sec. 431 – Energy Reduction Goals for Federal Buildings

- Establishes new energy reduction goals for Federal facilities

<u>Percent</u>	<u>Year</u>
2	2006
4	2007
9	2008
12	2009
15	2010
18	2011
21	2012
24	2013
27	2014
30	2015

Sec. 432. Management of Energy and Water Efficiency in Federal Buildings

- Amends Sec. 543 of NECPA, adds the following provisions:
 - Energy and Water Evaluations: DOE must issue criteria for covered facilities such that at least 75 percent of each agency's facility energy use is included; directs evaluations of 25 percent of an agency's covered facilities every year
 - Implementation of identified energy and water efficiency measures; allows for bundling of individual measures of varying paybacks into combined projects
 - Follow up on implemented measures – directs energy managers to address equipment, O&M plans, M&V, etc.
 - Directs DOE to issue guidelines (and necessary criteria)
 - Directs for each facility, the use of a web-based tracking system to certify compliance for energy and water evaluations, implementation and follow up of measures – results to be reported to Congress, other Federal agencies, and the public
 - For each facility, energy use data for each metered building shall be entered into a benchmarking system (e.g., EnergyStar)
 - OMB issued energy management scorecards – data to be provided to Congress
 - Authorizes agencies to use appropriations, private financing, or appropriations and private financing to comply with this section

Sec. 433. Federal Building Energy Efficiency Performance Standards

- Directs DOE to issue revised Federal building energy efficiency performance standards within one year of enactment of Act
- For new buildings or building undergoing major renovations requiring a GSA prospectus to Congress or at least \$2.5 million, fossil fuels use to be reduced as compared to a similar building's use in FY 2003; percentages may be adjusted downward and sustainable design principles shall be applied.

<u>Percentage</u>	<u>Year</u>
55	2010
65	2015
80	2020
90	2025
100	2030

A certification system and level for green buildings shall be identified by DOE In consultation with DOD and GSA, based on Director of Federal High-Performance Green Buildings (GSA) findings. Specific guidance for developing certification program is provided (e.g., siting, design, construction, third-party certification organizations, etc).

- Directs the Federal Acquisition Regulatory Council to consult with the Federal (GSA) and Commercial (DOE) Directors of Federal High-Performance Green Buildings to revise FAR within 2 years of enactment of the Act to require Federal officers and employees to comply with the Act's provisions regarding acquisition, construction, or major renovations. OFPP to issue new guidance to all Federal agencies regarding the design of proposed facilities and m major renovations.

Sec. 434 Management of Federal Building Efficiency

- Requires any large capital energy investment in an existing building that is not a major renovation to include energy efficient designs, systems, etc. Provides a process for the review of each action and requires an OMB compliance report to Congress
- Metering – not later than October 1, 2015 – each agency shall provide for equivalent metering of natural gas and steam.

Sec. 435. Leasing

- Leasing – within 3 years of enactment of the Act, no agency shall enter into a lease if space has not earned an EnergyStar label within the most recent year; provides exemptions.

Sec. 436 High-Performance Green Federal Buildings

- Directs GSA to establish a Federal High-Performance Green Building Office and Advisory Committee; Federal Director to coordinate activities with Director of Commercial High-Performance Green Buildings (DOE), including outreach, coordination with other agencies, establish green practices and standards for the

Federal sector, review/analyze current Federal budget practices and LCC issues, certification of new and existing Federal facilities as high-performance green buildings, make recommendations to Congress, etc.

Sec. 437 Federal Green Building Performance

- Directs U.S. Comptroller to conduct audits (by October 31 of each fiscal year following enactment of the Act and at future times determined by the Comptroller) of sec 305(a)(3)(D) of ECPA and sec. 435 and submit to Congress and Federal (and Advisory Committee) and Commercial Directors of Offices of High-Performance Green Buildings
- Audit to address budget, LCC, contracting issues, best practices, etc.

Sec. 438 Storm Water Runoff Requirement for Federal Development Projects

- Provides guidelines for facility-related projects with footprint exceeding 5,000 square feet.

Sec. 439. Cost-Effective Technology Acceleration Program

- Directs GSA to establish program to accelerate the use of more cost-effective technologies/practices in GSA facilities; provides guidance for implementation and monitoring progress.

Title V – Energy Savings in Government and Public Institutions

Subtitle B – Energy Savings Performance Contracting

Sec. 511. Authority to Enter into Contracts, Reports

- Amends NECPA by inserting text: “and any termination penalty exposure” following “the energy and cost savings that have resulted from such contracts.”

Sec. 512. Financing Flexibility

- Adds subsection on Funding options – permitting agencies to use a combination of appropriations and private financing for an ESPC project

Sec. 513. Promoting Long-Term Energy Savings Performance Contracts and Verifying Savings

- Inserts text: “beginning on the date of the deliver order” following “25 years” and adding: In carrying out this section, a Federal agency shall not (i) establish a Federal agency policy that limits the maximum contract term to a period shorter than 25 years or (ii) limits the total amount of obligations under ESPCs or other private financing of energy savings measures.

- Adds a provision on M&V requirements for private financing – for ESPCs, evaluations and savings M&V shall be used by a Federal agency to meet the requirements for the need for energy audits, calculation of energy savings, etc. to implement guarantee of savings
- Within 18 months of enactment of the Act, each agency shall, to the maximum extent practicable, modify an IDIQ ESPCs and other private financing to conform to this Subtitle.

Sec. 514. Permanent Reauthorization

- Amends NECPA – strikes subsection

Sec. 515. Definition of Energy Savings

- Amends NECPA with the following provisions:
 - “the increased efficient use of an existing energy source by cogeneration or heat recovery;”
 - allows for the sale/transfer of electrical or thermal energy generated on-site from renewable sources or cogeneration, but in excess of Federal needs to utilities or non-Federal users;
 - increased use of water use in interior and exterior applications

Sec. 516. Retention of Savings

- Amends NECPA by striking paragraph (5) – Retrofit of Federal Buildings

Sec. 517. Training Federal Contracting Officers to Negotiate Energy Efficiency Contracts

- Directs DOE to create and administer in FEMP a training program to educate Federal contract negotiation and management personnel (provides specific guidance on training schedule, who is to be trained, etc.

Sec. 518. Study of Energy and Cost Savings in Non-Building Applications

- Addresses non-building application “secondary savings” financed by ESPCs; directs DOE and DOD to conduct a joint study of the potential for the use of ESPCs for non-building applications

Subtitle C – Energy Efficiency in Federal Agencies

Sec. 521. Installation of PV System at DOE HQ

- Directs GSA to install a PV system (Sun Wall Design Project); authorizes \$30 million from the Federal Buildings Fund to cover project and other repairs/alternations.

Sec. 522 Prohibition on Incandescent Lamps by Coast Guard

- As of January 1, 2009, Coast Guard cannot purchase or install general service incandescent lamps; exceptions provided.

Sec. 523. Standard Relating to Solar Hot Water Heaters

- Amends ECPA by adding: “if lifecycle cost-effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

Sec. 524. Federally Procured Appliances with Standby Power

- Defines products as “commercially available, off-the-shelf”; agencies are directed to purchase projects that use not more than 1 watt in standby power or if not available , the lowest wattage available,

Sec. 525. Federal Procurement of Energy Efficient Products

- Amends NECPA by adding: 1) “in a product category cover by the EnergyStar program or the Federal Energy Management Program for designated products” following “energy consuming product” 2) adds “list in their catalogues, represent as available, and” following “Logistics agency shall.”

Sec. 526. Procurement and Acquisition of Alternatives Fuels

- Prohibits agencies from entering into contracts for procurement of alternative or synthetic fuel, including fuel from non-conventional petroleum sources, for any mobility-related use, other than research or testing. An exception is made if the contract specifies that lifecycle greenhouse gas emissions associated with the production and combustion of fuel supplied under the contract must, on an ongoing basis, be less than or equal to emissions from equivalent conventional fuel produced from conventional petroleum sources.

Sec. 527. Government Efficiency Status Reports

- Directs each agency to compile and submit an annual government efficiency report to OMB addressing compliance with the provisions in this Act, status of implementation of measures, savings, etc.

Sec. 528. OMB Government Efficiency Reports and Scorecards

- Directs OMB to submit an annual Government efficiency report to the Houses Committee on Oversight and Government Reform and the Senate Committee on Governmental Affairs by April 1 of each year; report to address agency information, evaluation of overall agency progress in meeting goals, and recommendations.
- OMB shall include annual energy scorecard the compliance of each agency with respect to the provisions of the Act.

A Strong Energy Portfolio for a Strong America

Energy efficiency and clean, renewable energy will mean a stronger economy, a cleaner environment, and greater energy independence for America. Working with a wide array of state, community, industry, and university partners, the U.S. Department of Energy's Office of Energy Efficiency and Renewable Energy invests in a diverse portfolio of energy technologies.

For More Information
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