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116TH CONGRESS, 1st Session — SENATE — REPORT 116–107

STREAMLINING ENERGY EFFICIENCY FOR SCHOOLS ACT

SEPTEMBER 19, 2019.—Ordered to be printed

Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 253]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 253) to coordinate the provision of energy retrofitting assistance to schools, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

The amendments are as follows:

On page 3, line 18, strike "Affairs" and insert "Education".

On page 3, line 21, strike "schools" and insert "schools, and identify programs that are duplicative."

PURPOSE

The purpose of S. 253 is to coordinate the provision of energy retrofitting assistance to schools.

BACKGROUND AND NEED

While K–12 school districts typically spend billions of dollars annually on their energy bills, and there are a variety of existing Federal programs to help reduce those costs, it is difficult for school administrators to navigate all of their options. S. 253 seeks to improve the effectiveness and awareness of Federal energy efficiency programs for schools by providing a coordinating structure to help school officials better utilize available Federal energy programs and financing options.

89–010

S. 253 establishes the Department of Energy's (DOE) Office of Energy Efficiency and Renewable Energy (EERE) as the lead agency in coordinating a cross-departmental effort to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools. The legislation also requires a review of existing Federal programs and financing mechanisms, streamlines communication and outreach to States, local education agencies, and schools regarding existing programs, and develops a mechanism for governors, State energy programs, nonprofit organizations, and local educational, financial, and energy officials to form a peer-to-peer network to support the initiation of the projects. Finally, DOE is directed to provide technical assistance to States, local educational agencies, and schools to effectively access and use federal tools to finance, develop, and maintain these projects.

The Alliance to Save Energy estimates this legislation would result in $2.21 billion in net annual energy savings and help avoid 15.5 million metric tons of carbon dioxide emissions, at no cost to the Federal Government.

LEGISLATIVE HISTORY

S. 253 was introduced by Senators Collins, Warner, Shaheen, Portman, and Merkley on January 29, 2019. Senator Hassan was added as a cosponsor on March 25, 2019.

Similar legislation, H.R. 762 was introduced in the House of Representatives by Representatives Cartwright, Carbajal, Connolly, Fitzpatrick, Lowenthal, Matsui, McEachin, Pingree, Pocan, Quigley, Tonko, and Welch on January 24, 2019. H.R. 762 passed the House of Representatives by voice vote on March 5, 2019.

In the 115th Congress, Senators Collins, Warner, Shaheen, Portman, and Merkley introduced similar legislation, S. 383, on February 15, 2017. Senator Warren was added as a cosponsor on June 14, 2017. The measure was included in S. 385, the Energy Savings and Industrial Competitiveness Act (Cal. 73), and slightly modified as section 1103 in S. 1460, the Energy and Natural Resources Act of 2017 (Cal. 162).

Similar legislation, H.R. 627, was introduced in the House of Representatives by Representatives Cartwright, Beyer, Blumenauer, Carter, Clark, Cohen, Connolly, Delaney, DeSaulnier, Eshoo, Grijalva, Hanabusa, Jackson Lee, Johnson, Kaptur, Keating, Knight, Lance, Lee, Lieu, Loebsack, Lowenthal, Matsui, Mullin, Norton, Olson, Peters, Pingree, Pocan, Polis, Quigley, Radewagen, Rice, Schakowsky, Schiff, Scott, Scott, Serrano, Shea-Porter, Slaughter, Speier, Stewart, Tonko, Tsongas, and Welch on January 24, 2017. The Energy and Commerce Committee ordered H.R. 627 reported on June 7, 2017 (H. Rept. 115–171). H.R. 627 was passed by the House of Representatives by voice vote on June 12, 2017.

In the 114th Congress, Senators Collins, Warner, Ayotte, and Merkley introduced similar legislation, S. 523, on February 12, 2015. Senator Shaheen was added as a cosponsor on May 5, 2015. The Committee on Energy and Natural Resources held a hearing on S. 523 on April 30, 2015 (S. Hrg. 114–166). The measure was included in S. 2012, the Energy Policy Modernization Act of 2016, which the Senate passed, as amended, on April 20, 2016.

Similar legislation, H.R. 756, was introduced in the House of Representatives by Representatives Cartwright, Clark, Connolly, Conyers, Delaney, Eshoo, Esty, Gibson, Hastings, Himes, Honda, Joyce, Kelly, Kuster, Lance, Langevin, Loebsack, Lowenthal, Mullin, Norton, Peters, Pocan, Polis, Quigley, Ruiz, Schiff, Sires, Speier, Stewart, Tonko, Tsongas, Van Hollen, Vela, and Welch on February 5, 2015. H.R. 756 was passed by the House of Representatives by voice vote on December 6, 2016. The measure was included in S. 720, the Energy Savings and Industrial Competitiveness Act of 2015 (Cal. 210).

In the 113th Congress, Senators Udall and Collins introduced similar legislation, S. 1084, on June 3, 2013. Senator Schatz was added as a cosponsor on July 8, 2013. The Subcommittee on Energy held a hearing on S. 1084 on June 25, 2013 (S. Hrg. 113–70). Identical language was also included in S. 2074 and S. 2262, both introduced by Senators Shaheen, Portman, Ayotte, Bennet, Collins, Coons, Franken, Hoeven, Isakson, Landrieu, Manchin, Murkowski, Warner, and Wicker on February 27, 2014 and April 28, 2014, respectively. Cloture on the motion to end debate on S. 2262 was not agreed to in the Senate by a yea-nay vote of 55–36 on May 12, 2014.

Companion legislation, H.R. 4092, was introduced in the House of Representatives by Representatives Cartwright, Clark, Connolly, Delaney, Grayson, Holt, Honda, Larson, Loebsack, Lowenthal, Mullin, Peters, Pocan, Price, Sablan, Schiff, Shea-Porter, Sires, and Welch on February 26, 2014. H.R. 4092 was passed by the House of Representatives by voice vote on June 23, 2014.

In the 112th Congress, Senators Udall and Collins introduced a similar bill, S. 828, on April 14, 2011.

In the 111th Congress, Senators Udall, Collins, Burris, Merkley, Murray, and Tester introduced a similar bill, S. 3364, on May 13, 2010. Senator Lincoln was added as a cosponsor on June 22, 2010.

The Committee on Energy and Natural Resource met in open business session on July 16, 2019, and ordered S. 253 favorably reported, as amended.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on July 16, 2019, by a majority voice vote of a quorum present, recommends that the Senate pass S. 253, if amended as described herein. Senator Lee asked to be recorded as voting no.

COMMITTEE AMENDMENTS

During its consideration of S. 253, the Committee adopted an amendment. The amendment expanded the required review of existing Federal energy efficiency programs and financing mechanisms to include identification of any programs that are duplicative.

In addition, pursuant to rule 7(d) of the Committee's rule, the vote to report the measure authorized correction of section 2(a)(1)(D) to reflect the fact that the Office of Indian Education Programs within the Bureau of Indian Affairs was renamed and established as a separate Bureau of Indian Education in 2006.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 sets forth the short title of the bill.

Sec. 2. Coordination of energy retrofitting assistance for schools

Section 2(a) defines relevant terms. The term "school" is broadly defined to include nonprofit elementary or secondary school; an institution of higher education; a school of the defense dependents' education system; a school operated by the Bureau of Indian Education; a tribally controlled school; and a Tribal College or University.

Subsection (b) designates the DOE's EERE as the lead agency for coordinating and disseminating information about existing Federal energy efficiency programs to schools.

Subsection (c) describes the requirements of coordination and outreach under subsection (b), including: a review of existing Federal programs and financing mechanisms, including an identification of programs that are duplicative; establishing a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication about relevant programs to schools; providing technical assistance to states, local educational agencies, and schools; developing an online resource website with contact information for relevant technical assistance and support staff in EERE; and establishing a process of recognition for schools that successfully implement energy efficiency projects.

Subsection (d) requires a report within 180 days of enactment describing the implementation of the legislation.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the costs of this measure have been provided by the Congressional Budget Office:

S. 253, Streamlining Energy Efficiency for Schools Act
As ordered reported by the Senate Committee on Energy and Natural Resources on July 16, 2019.

By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	2	not estimated

		Mandate Effects	
Statutory pay-as-you-go procedures apply?	No		
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

S. 253 would designate the Department of Energy as the lead agency to coordinate and disseminate information on existing federal programs that aim to help initiate, develop, and finance energy efficiency, renewable energy, and retrofit projects in schools.

Using information about the cost of similar efforts, CBO estimates that implementing S. 253 would cost $2 million over the 2020–2024 period. Any spending would be subject to the availability of appropriated funds. Those costs would stem from coordinating and collaborating among federal agencies, providing technical assistance to states, and creating an online resource for schools. CBO estimates that the department would need three new employees to carry out these duties, at an annual cost of about $500,000.

The CBO staff contact for this estimate is Madeleine Fox. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 253. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 253, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 253, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The Committee did not request executive views on S. 253.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 253 as ordered reported.

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