



117th Congress Policy Priorities

The High Performance Buildings Coalition (HPBC) is a coalition of approximately 200 organizations providing guidance and support to the High Performance Buildings Caucus of the U.S. Congress, co-chaired by Rep. Peter Welch (D-VT) and David McKinley (R-WV).

Recognizing that we spend more than 90 percent of our time indoors and that buildings account for 40 percent of U.S. greenhouse gas emissions, the Coalition supports legislation and policies that protect life and property, promote innovative building technologies, enhance U.S. economic competitiveness, increase energy and water efficiency in the built-environment, advance sustainable and resilient communities, and support the development of private sector standards, codes and guidelines that address these concerns.

Buildings Are A Critical Part of America's Infrastructure

We urge Congress to recognize the critical role buildings play in public health and safety, national security, economic growth, resilience to natural hazards, addressing climate change, and as a vital part of our nation's infrastructure. We also encourage Congress to ensure that infrastructure proposals invest in new construction and retrofits of buildings that employ high performance and resilient methods and technologies.

Promote the Growth of Skilled Trades and Workers. Skilled trades face significant workforce shortages. A trained workforce is critical to ensuring infrastructure investments now and in the future are built to last and are well maintained. The Coalition supports federal assistance for worker training for building professionals through both secondary and post-secondary education, registered apprenticeship, non-profit organization-led instruction, and certifications.

Support Grid-Interactive Buildings and Security Measures. The HPBC supports section 1007 of H.R.133, the Consolidated Appropriations Act of 2021 to accelerate smart buildings and improve building-grid integration. In implementing these provisions, HPBC supports the use of standard protocols and interoperability standards to provide conformity in energy management, load control and smart building and grid management. The HPBC also supports Federal Government engagement with the private sector and standards development organizations to best track technology developments in the changing grid environment. We welcome any and all government efforts to develop effective countermeasures to building IoT and control systems frailties emerging from the Solar Winds cyber intrusion.

Employ Resilient/Sustainable Construction Standards for Federal Infrastructure Investment. Requiring that federally assisted infrastructure investments adhere to resilient/sustainable construction standards available in the marketplace ensures federal spending on infrastructure with 75-year or greater life spans is resilient, energy efficient, and built to last. This position was supported by the FEMA-led 2019 [National Mitigation Investment Strategy](#) and report language in the House-passed FY21 [E&W](#) and [THUD](#) appropriations bills. Currently, programs such as HUD's Community Development Block Grants have no minimum building requirements while the Housing Trust Fund and Public Housing Capital Fund reference energy codes and standards that are over 10 years old.

Modernize Construction Practices to Promote Affordable, High-Performance Buildings. Transition construction regulation from paper-based to digital systems and develop software to expedite permit processing for resilient and energy efficient projects through dedicated funding under FEMA's BRIC grant program, expansion of FEMA's [existing efforts](#) to support code and standard implementation post disaster, and approving states' outstanding hazard mitigation grant request, consistent with sec. 203 of the House-passed Heroes Act ([H.R. 8406](#)).

Save Taxpayer Dollars by Increasing Efficiency and Performance of Federal Buildings

Set Resource Efficiency Goals for and Improve Building Performance Requirements of the Federal Government. Set energy intensity reduction targets, and water savings targets, and codify requirements for agency-established goals. Require new federal buildings to be net zero ready where feasible or to exceed the most recent code by 30% when making major modifications and require more common and routine building alterations to comply with the most recent energy codes and standards (consistent with the All-of-the-Above Federal Building Energy Conservation Act, [S. 1245](#)). Require federal building projects to reduce embodied energy in the design and construction process.

Reform the Federal Buildings Personnel Act (PL 111-308) and support research relative to the impact of workforce training on building performance. The Coalition supports effective implementation of this law, including enhancing accountability for its implementation and other reform measures contained in GAO's October 2015 report.

Improve Federal Leased Space Performance. Require the GSA Administrator to submit and publish a report on its implementation of the Better Buildings Act of 2015 and expand and strengthen requirements for leases in terms of energy efficiency and performance.

Extend Flood Risk Standards for Non-Defense Buildings and Infrastructure. Implement appropriate floodplain management practices which ensures that public projects increase resilience from flooding and update federal construction standards under NFIP, which has been supposed [by CBO](#) and the FEMA-led 2019 [National Mitigation Investment Strategy](#).

Improve Indoor Environmental Quality and Promote Healthy Buildings. The health and well-being of federal workers is impacted by building performance. The HPBC supports regular maintenance in federal building as well as adequate ventilation, filtration, and air-cleaning to minimize viral transmission risks and indoor pollution. These measures can improve worker performance and productivity and save costs to the taxpayer. The HPBC supports legislation that would provide authority to GSA as well as to EPA to ensure that building occupants can work productively in a healthy indoor environment.

Encourage High Performance Homes and Commercial Buildings

Pass Enhanced Provisions That Incorporate Energy Efficiency Improvements in the Underwriting for Home Mortgages (SAVE Act sec. 424 of the Energy Savings and Industrial Competitiveness Act, S. 2137/ H.R. 3962). Such efforts would allow lenders to consider a home's energy efficiency and expected monthly energy bills when determining the homeowner's ability to afford monthly mortgage payments.

Support Adoption and Effective Implementation of Current Resilient, Sustainable, and Energy Conserving Building Standards and Codes. Support funding for Federal programs that assist states and local governments with adopting, implementing, and training on up to date resilient, sustainable, and energy conserving codes and standards.

Promote Inclusive/Universal Design through Federal Legislation & Regulation. Government promotion of inclusive and universal design, generally defined as the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability, is a cornerstone of high-performance building. The Coalition supports government promotion of universal design and believes that all buildings and services, especially those receiving federal and state funding, should be designed and constructed, or reconstructed/renovated, according to principles of accessibility and universal design.

Direct EPA and DOE to Conduct Demand-Side Water Research. The design of premise plumbing systems in the U.S. is based in part on decades-old data. However, many important factors affecting these systems have changed and new technical information is needed to ensure that systems are designed, installed, and operated to maximize functionality, water efficiency, water quality (legionella, lead, and PFAs), water reuse and energy efficiency.

Protect Occupants by Supporting Healthy Buildings. Support policies that reduce the risk of transmission of SARS-CoV-2 and other pathogens through building systems, including through the implementation of standards and guidelines for HVAC and water systems. Where federal funding is provided to accomplish these objectives, technical standards and guidance should be followed to ensure sound investments are made. Given schools in particular require resources in this area, the HPBC supports passage of the "Keeping Schools Safe Act" (S. 4782), which will improve indoor air quality using proven technologies.

Leverage Tax Incentives and Provide Market Certainty

The HPBC supports tax proposals that provide for market-based approaches and incentives that result in higher performing buildings.

Reauthorize and Extend §25C for Homeowners. The Residential Energy-Efficiency Tax Credit (§25C), which expires at the end of 2021, provides a credit to homeowners for qualified energy efficient improvements to their home's windows, doors, HVAC systems, hot water heaters and insulation. The Home Energy Savings Act (H.R. 4506/S. 2588 from the 116th Congress) would extend the credit, establish higher goals for efficiency upgrades, and the increase the incentive's value.

Reauthorize and Extend §45L for Home Builders. The “Energy Efficient New Home Tax Credit” (§45L), which expires at the end of 2021, gives a credit to home builders for the construction of energy efficient homes. The New Home Energy Efficiency Act (H.R. 4646/S. 2595 from the 116th Congress) would extend the credit, establish higher efficiency requirements, and increase the incentive’s value.

Renewable Energy in §48 and §25D. Eliminate the ramp down of the 30 percent Investment Tax Credit (ITC) for still maturing technologies like solar thermal, fiber optic solar, qualified fuel cell and small wind, and the 10 percent ITC for qualified microturbine, combined heat and power system, and thermal energy property.

Ensure the Equal Treatment of Water Efficiency Rebates Under Tax Law. Rebates from energy utilities are tax-exempt, but not rebates from water utilities. With the rapid growth of water-saving programs, millions of Americans face an unexpected tax bill once these rebates are reported to the IRS.

Incentivize Resilient Construction and Retrofits through tax credits for builders, building owners, and homeowners.

Support the Use of Voluntary Consensus Standards

Support the Effective Implementation of OMB Circular No. A-119. Federal law and policy require federal agencies to use private sector voluntary consensus standards and conformity assessment programs except where “inconsistent with law or otherwise impractical.” This applies to both regulatory activities and procurement. Congress should ensure that federal agencies continue to leverage private sector testing, inspection, and certification, including supporting federal participation and expertise in informing the code and standard development process through basic and applied research and code and standards recommendations.

Copyright Protection for Codes and Standards Must be Maintained. The private sector-led system for development of standards protects public health, safety, and security by creating standards lauded for their quality and relevance. Federal law and policy specifically recognize that reliance on voluntary consensus standards reduces costs to the government, while encouraging long-term growth for U.S. enterprises and promoting efficiency, economic competition, and trade. Codes and standards are works of authorship that, under both U.S. and international law, merit copyright protection, which is critical to the continuation of a private sector-led system for the creation and maintenance of codes and standards.

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