



Adopted Policy Resolution 06.2024

Supporting Fuels for Federal Buildings

Sponsor

Representative William E. "Bill" Sandifer, III, South Carolina

WHEREAS, under the Energy Independence and Security Act (EISA) of 2007, Congress directed the U.S. Department of Energy (DOE) to establish energy efficiency performance standards for both new federal buildings and federal buildings undergoing major renovations by December 19, 2008; and

WHEREAS, Congress directed that the standards "shall be designed so that the fossil fuel-generated energy consumption of the buildings is reduced"; and

WHEREAS, on April 24, 2024, nearly sixteen years after the Congressionally mandated deadline, DOE announced a final rule, "*Clean Energy for New Federal Buildings and Major Renovations of Federal Buildings*" purporting to implement the standards required under EISA; and

WHEREAS, the final rule evaluates the reduction of energy use on a site only basis as opposed to evaluating source energy, despite the fact that in prior proposals in this proceeding DOE proposed to use source energy and DOE supports the use of source energy in other contexts; and

WHEREAS, the use of site energy in the rule arbitrarily narrows the statutory use of the term "fossil fuel-generated energy consumption" to mean onsite fossil fuel-energy consumption; and

WHEREAS, the use of site energy ignores the efficiency loss and emissions associated with energy generated offsite; and

WHEREAS, the final rule would prohibit the direct use of natural gas in new or newly renovated federal buildings; and

WHEREAS, DOE’s own projections state the rule will lead to an increase in energy use, emissions, and costs³; and

WHEREAS, according to DOE natural gas is 3.3 times more affordable than electricity to heat buildings⁴; and

WHEREAS, there are more than 3,700 federal buildings across SSEB member states according to the U.S. General Services Administration; and

WHEREAS, the federal government’s vast real estate portfolio creates significant purchasing power and the ability to influence the sale of gas-powered appliances; and

WHEREAS, the electrification of federal buildings could increase not only the operating costs of federal buildings but also increase the cost of natural gas for Southern consumers; and

WHEREAS, 13 SSEB member states have enacted legislation supporting access to natural gas.

THEREFORE, BE IT RESOLVED, the Southern States Energy Board reiterates its support for an “all of the above” approach to energy end-use options; and

BE IT FURTHER RESOLVED, the Southern States Energy Board encourages DOE to maintain the use of site energy as the appropriate energy use metric; and

³ *Clean Energy for New Federal Buildings and Major Renovations of Federal Buildings*, 89 Fed. Reg. 35384 at 35398; *Id.* at 35400, (Table V-3 Incremental Construction First Costs); *Id.* at 35408 (Table 10 illustrates DOE’s estimate of cumulative emissions changes expected to result from the rulemaking), <https://www.federalregister.gov/d/2024-08196>.

⁴ *Representative Average Unit Costs of Energy*, 88 Fed. Reg. 58, 576 (Aug. 28, 2023), <https://www.federalregister.gov/d/2023-18532>.

BE IT FURTHER RESOLVED, the Southern States Energy Board requests DOE reconsider implementation of its rule as it is not only inconsistent with EISA but will reduce efficiency while also increasing energy use, costs, and emissions.