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Public Policy and ASHRAE

By **Chuck Miró**, Director of Government Affairs

Engineers contribute to the policy-making process by providing government decision makers with technical information needed to make the most informed decisions on technical and related issues. Few members of Congress have backgrounds in engineering and science, so they and their staffs depend on organizations with expertise in specific areas.

Through the Washington office, ASHRAE conducts programs to facilitate participation in the public policy process through presentation of non-partisan analysis, study, or research; informal briefings for government personnel; formal comments on proposed legislation and regulations; and testimony before government bodies.

The Washington office also works to provide timely news of interest to ASHRAE members on developments in Washington that may have an effect on the HVAC&R industry. This monthly column is part of this effort.

Federal Appropriations

While passage of a comprehensive energy-policy bill appears unlikely this year, the energy appropriations bill may have a better chance of passing both chambers of Congress. On June 17, the House passed the Interior Appropriations bill, which includes funding for the U.S. Department of Energy. Overall, the bill provides \$22.5 billion, a half-billion increase over current levels, but \$670 million less than the president had requested.

The bill includes more than \$656 million for DOE energy efficiency programs. In the building technologies section of the bill, funding is restored for the thermal insulation and buildings materials research program. However, funding for residential buildings integration R&D was cut in half from the amount proposed in President Bush's budget. Funding for appliance standards was cut by \$2.6 million from last year's appropriated funds, while funding was increased by \$500,000 for technical work on residential and commercial building codes.

Antitrust Protection for SDOs

On June 22, President Bush signed into law the Standards Development Organization Advancement Act of 2004, which provides limited antitrust protections to private, standards-developing organizations.

The law amends the National Cooperative Research and Production Act of 1993 to provide that the conduct of a standards development organization (SDO) while engaged in a standards

development activity shall be subject to a rule of reason standard in any action under the antitrust laws.

Essentially, the Act provides a safe harbor for standards developers from the treble damages liability in the U.S. antitrust laws for those organizations that wish to file a notice describing the scope of their activity with the U.S. Justice Department and Federal Trade Commission.



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LEED® May Get Boost

In early July, Sen. Jim Jeffords (Ind.-Vermont), introduced legislation to promote the development and construction of federal buildings and public schools that would comply with standards established by the U.S. Green Building Council (USGBC).

With \$35 million in funding over five years, the "High-Performance Green Buildings Act" would establish a central coordinating office within the U.S. General Services Administration (GSA) to coordinate green building programs throughout the federal government, and assist with planning, budgeting and implementation of research and development programs, and recommend language for standards that federal agencies can use in the acquisition process.

A steering committee would be established with representatives from state and local government, non-governmental organizations (the USGBC, the American Council for an Energy-Efficient Economy and the Rocky Mountain Institute were the only organizations specifically named in the legislation) and other sectors of the building industry.

Among the duties of this steering committee is to evaluate current high-performance green-building standards and recommend improved, higher or supplementary rating standards, as necessary.

At this point, the legislation is unlikely to reach the full Senate this year.

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