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## MEMO

**To:** U.S. Department of Energy  
**From:** Jim Tobin, Senior Vice President  
National Association of Home Builders (NAHB)  
**Date:** September 30, 2013  
**Subject:** **Ex Parte Memorandum**

On September 24<sup>th</sup> representatives from the National Association of Home Builders (NAHB) met with David Danielson, Assistant Secretary for Energy Efficiency and Renewable Energy at the Department of Energy (DOE), and other DOE staff to discuss proposals for the 2015 International Energy Conservation Code (IECC). Attendees at the meeting included:

NAHB:

Jim Tobin (NAHB)  
Susan Asmus (NAHB)  
Billie Kaumaya (NAHB)  
Craig Drumheller (NAHB)  
Clayton Traylor (Leading Builders of America)

Department of Energy (DOE):

David Danielson  
Kathleen Hogan  
Kym Carey  
Jeremy Williams  
Kavita Vaidyanathan  
Daniel Cohen  
Jason Walsh

**DOE Policy Announcement (Re: Code Development)**

NAHB began the meeting with a discussion about DOE's April 19 Federal Register announcement (78 Fed. Reg. 23550 (April 19, 2013)), clarifying its role in code development. NAHB commended the Department for their commitment to increasing transparency. NAHB believes, however, that the policy was unclear regarding how DOE intends to exercise their right to vote during the 2015 IECC final action hearings in October. NAHB believes that DOE representatives should only vote on those proposals that were subject to public review and comment, and were published as final proposals on the DOE EnergyCodes.gov website. These are the proposals that have received

proper vetting, ensuring that all stakeholders have had the opportunity to weigh in.

In response, Dr. Kathleen Hogan indicated that DOE representatives would only vote on those proposals for which technical analyses had been conducted, including only the analyses that had already been posted to the DOE EnergyCodes.gov website. She added that DOE representatives would refrain from voting on all other proposals, noting that there would be no surprises regarding how DOE intended to vote.

### **Prescriptive vs. Performance Path**

NAHB presented research showing that the 2012 IECC Prescriptive path was not cost optimized. NAHB presented a graph (attached) indicating that an unrestricted Performance path could reduce construction cost by roughly \$3,000, while maintaining the same level of energy efficiency.

### **Energy Neutral Tradeoffs**

NAHB expressed its support for energy neutral tradeoffs to give more flexibility to the builder, and ultimately the home owner. NAHB believes that the most important proposals that will be heard at the ICC Public Comment Hearings in October are RE-166 Equipment Tradeoffs, RE-72 Building Tightness Tradeoffs, RE-116 Duct Tightness Testing. These proposals allow builders to construct an equally efficient home at a lower cost.

### **Energy Efficiency Financing**

NAHB representatives discussed the major barriers to increased energy efficiency in housing, the first being cost and the second being the lack of financing options. NAHB reported on the SAVE Act, a bill currently being considered in Congress that could help address the 2<sup>nd</sup> barrier by allowing lenders to account for energy savings in mortgages. NAHB noted that this bill, unfortunately has a score attached that needs to be offset with mandatory spending cuts. NAHB and DOE agreed to continue to work on this issue.

**Submitted by:**



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