

Comparison of House and Senate Bills

The House and Senate versions of legislation phasing down HFCs are substantively equivalent, with some differences in structure, organization, and style.

There are several minor differences that are mostly technical in nature, which are summarized below. But these differences are not likely to be material in terms of the type of program EPA would implement and administer under both versions of the bill.

House	Senate
<p>Section 1. Short Title</p> <ul style="list-style-type: none"> The American Innovation and Manufacturing Leadership Act (H.R. 5544) 	<p>Section 1. Short Title</p> <ul style="list-style-type: none"> The American Innovation and Manufacturing Act (S. 2754)
<p>Section 2. Definitions</p> <ul style="list-style-type: none"> The House bill does not include any findings. The Sense of Congress is found in Section 6 on the Management of Regulated Substances. The House bill adds definitions of the terms destroy, export, person, and United States. The definitions are consistent with the terms' usage in both bills. 	<p>Section 2. Findings; Sense of Congress</p> <ul style="list-style-type: none"> The findings recite the economic benefits of an HFC phase down, which are not included in the House bill. The Sense of Congress refers to servicing and training issues; this Sense of Congress is found in Section 6 of the House bill.
<p>Section 3. Listing of Regulated Substances</p> <ul style="list-style-type: none"> This section is effectively the same as Section 4 of the Senate bill, listing the exact same HFCs. 	<p>Section 3. Definitions</p> <ul style="list-style-type: none"> This section is effectively the same as the House bill, save for the House bill's addition of several definitions, as noted above.
<p>Section 4. Monitoring and Reporting Requirements</p> <ul style="list-style-type: none"> The House bill contains several additional reporting requirements for the baseline period of 2011 to 2013 but is otherwise effectively the same as the Senate bill. 	<p>Section 4. Listing of Regulated Substances</p> <ul style="list-style-type: none"> This section is effectively the same as Section 3 of the House bill.

<p>Section 5. Phasedown of Regulated Substances</p> <ul style="list-style-type: none"> • This section includes subsections on the baselines, phase down program, trading, schedule, essential use exceptions, and exports. • Some of these subsections were in separate sections in the Senate bill, which is why the House bill has fewer overall sections. • The subsection on trading is intended to cover both domestic and international transfers, which is why there is no equivalent to Section 11 of the Senate bill, which covered international trading. • The prohibition on exporting to countries not phasing down HFCs, found in Section 11 of the Senate bill, is in subsection 5(f) of the House bill. • Notwithstanding these organizational changes, it is substantively the same phase down program. 	<p>Section 5. Monitoring and Reporting Requirements</p> <ul style="list-style-type: none"> • This section is effectively the same as Section 4 of the House bill.
<p>Section 6. Management of Regulated Substances</p> <ul style="list-style-type: none"> • This section is more explicit than the equivalent Section 9 of the Senate bill in indicating it applies just to refrigerants and not to other uses of regulated substances, such as foams. 	<p>Section 6. Phase-Down of Production and Consumption of Regulated Substances</p> <ul style="list-style-type: none"> • This section is effectively the same as subsections (a) and (b) of Section 5 of the House bill.
<p>Section 7. Technology Transfer</p> <ul style="list-style-type: none"> • This section is effectively the same as the equivalent Section 10 of the Senate bill. 	<p>Section 7. Accelerated Schedule</p> <ul style="list-style-type: none"> • This section is effectively the same as subsection 5(d) of the House bill.
<p>Section 8. Rulemaking Authority</p> <ul style="list-style-type: none"> • This section is effectively the same as the equivalent Section 12 of the Senate bill. 	<p>Section 8. Exchange Authority</p> <ul style="list-style-type: none"> • This section is effectively the same as subsection 5(c) of the House bill.

<p>Section 9. Relationship to Other Laws</p> <ul style="list-style-type: none"> • The House bill does not include the reference to Section 614(b) of the Clean Air Act, preventing its use as an alternate source of (potential, though questionable) authority for HFCs in Title VI. • However, this is not relevant to EPA’s ability or authority to implement and administer an HFC phase down under the bill. 	<p>Section 9. Management of Regulated Substances</p> <ul style="list-style-type: none"> • This section is effectively the same as the equivalent section 6 of the House bill, save for being less explicit about not applying to other uses of HFCs outside of refrigerants.
	<p>Section 10. Technology Transitions</p> <ul style="list-style-type: none"> • This section is effectively the same as the equivalent section 7 of the House bill.
	<p>Section 11. International Cooperation</p> <ul style="list-style-type: none"> • The provisions of this section are effectively covered under subsections 5(c) and 5(f) of the House bill, including the prohibition on trade with countries that are not also phasing down HFCs.
	<p>Section 12. Relationship to Other Law</p> <ul style="list-style-type: none"> • This section is effectively the same as section 9 of the House bill, save for the inclusion of a provision preventing section 614(b) of the Clean Air Act from applying to HFCs.