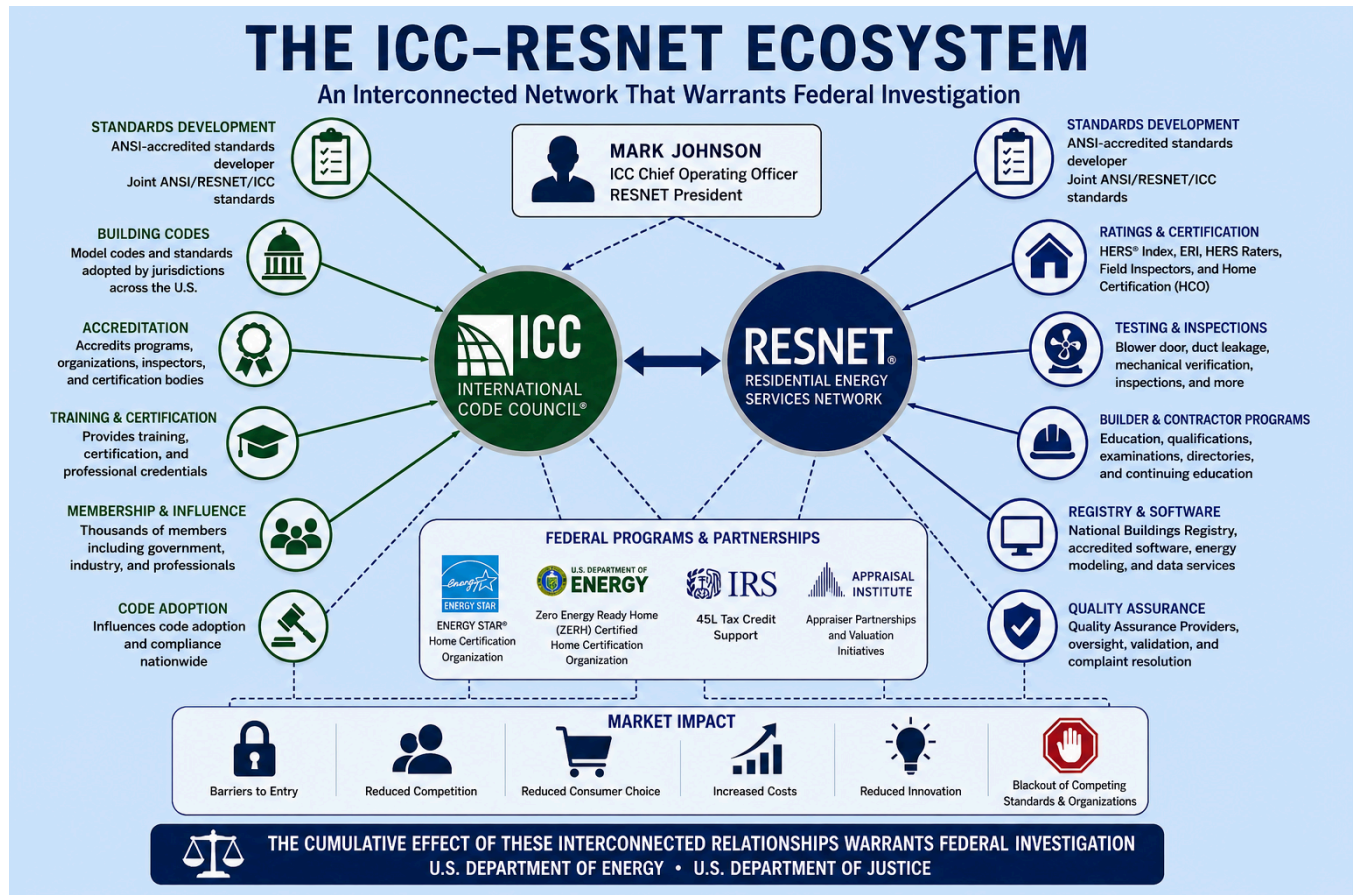


RESIDENTIAL ENERGY SERVICES NETWORK, INC. (RESNET)

Federal Funding Record, FY2009–FY2022

Shared Leadership And ICC Accreditation Ties Through Federal Funding



About RESNET

The Residential Energy Services Network, Inc. (RESNET) is a private, non-profit membership organization that administers the HERS (Home Energy Rating System) Index — the residential energy-efficiency rating standard used nationally. Unlike ICC, RESNET's revenue is driven overwhelmingly by contributions rather than program or membership fees: per its FY2024 IRS Form 990, contributions totaled \$3,634,859 (84.3%) of its \$4,313,671 in total revenue.

Purpose of Report

This report documents the federal funding RESNET has received based on prime award records reported to USASpending.gov, and identifies the leadership tie connecting RESNET to the International Code Council (ICC) — part of a broader effort to show how ICC's influence extends across affiliated standards and certification organizations.

Shared Leadership Between RESNET and ICC

RESNET and ICC are connected through overlapping leadership. This role overlap is confirmed directly by ICC's own official announcement of Mark Johnson's appointment to the RESNET board presidency:

Individual	ICC Role	RESNET Role
Mark Johnson	Chief Operating Officer of ICC (previously Executive Vice President of Content and Services; with ICC/predecessor ICBO for over 30 years)	President, RESNET Board of Directors (appointed 2023, term through Dec. 31, 2026); RESNET board member since 2017; helped develop the ICC–RESNET memorandum of understanding

Separately, International Accreditation Service (IAS) — an ICC “Family of Solutions” entity — accredits RESNET's HERS Rater certification and standards programs, per RESNET/IAS materials.

Who Funds RESNET

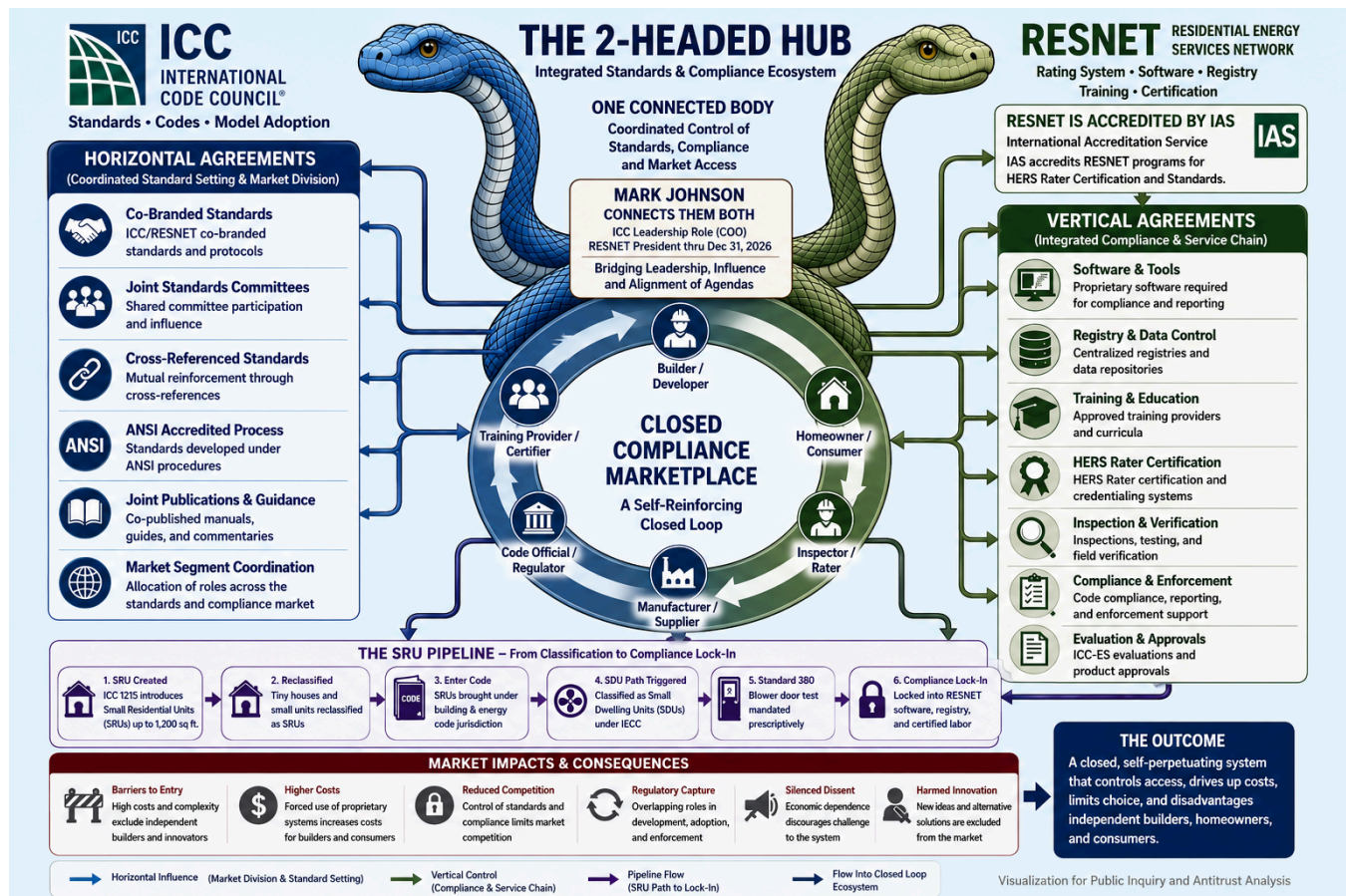
Funding Agency	Total (2009–present)
Environmental Protection Agency	\$276,200
Department of Energy	\$30,000
TOTAL	\$306,200

Fiscal Year	Federal Obligations	Share of Total
FY2009	\$20,000	6.5%
FY2011	\$30,000	9.8%
FY2012	\$75,000	24.5%
FY2013	\$15,000	4.9%
FY2014	\$20,000	6.5%
FY2015	\$70,000	22.9%
FY2016	\$0	0.0%
FY2017	\$90,000	29.4%
FY2018	-\$40,000	-13.1%
FY2020	\$22,000	7.2%
FY2021	-\$7,500	-2.4%
FY2022	\$11,700	3.8%
TOTAL, FY2009–FY2022*	\$306,200	100.0%

Funding Timeline, FY2009–FY2022

**Figures reflect net obligations by fiscal year, including deobligations (negative values in FY2018 and FY2021). No RESNET contract or grant transactions dated after FY2022 were found in the USASpending.gov data*

reviewed. A separate \$166,600 Paycheck Protection Program (PPP) loan was issued to RESNET by the Small Business Administration in FY2020 as COVID-19 relief; as a loan rather than program funding, it is not included in the totals above.



The "2-Headed Hub" Structural Blueprint

The relationship between the International Code Council (ICC) and the Residential Energy Services Network (RESNET) functions as a horizontally and vertically integrated ecosystem. While legally separate entities, they coordinate to form a singular, self-reinforcing compliance loop:

- **Dual ANSI-Accredited Status:** Both the ICC and RESNET are officially recognized as American National Standards Institute (ANSI) accredited standard developers. This shared designation grants both organizations equal federal and industry legitimacy to publish official technical standards under approved consensus procedures.
- **Co-Branded Standards:** Rather than operating independently, the two ANSI developers engage in Horizontal Agreements to publish co-branded standards and protocols (such as the ANSI/RESNET/ICC 301 and 380 standards). This directly blends their institutional authority into a unified regulatory product.
- **Reciprocal Proprietary Referencing:** The organizations continuously cross-reference each other's proprietary benchmarks. The ICC writes model safety codes that mandate the use of RESNET's systems, while RESNET builds its training and software around clearing ICC thresholds.
- **Interlocking Personnel & Leadership:** The organizations share operational management. A single individual holding concurrent leadership roles allows direct bridging and alignment of regulatory and operational agendas between both standard developers.

- *The Subsidiary Accreditation Connection: The International Accreditation Service (IAS)—the formal entity responsible for accrediting RESNET's rating infrastructure and HERS training programs—is a wholly-owned subsidiary of the ICC.*

Market Dominance And Allocation

The combination of public regulatory rule-making and private code referencing raises distinct market performance concerns:

- *Closed Compliance Marketplace: When co-branded and cross-referenced code provisions require specific, branded certification paths, six key industry sectors (Builders, Consumers, Raters, Manufacturers, Regulators, and Certifiers) are funneled into a single, inescapable pipeline.*
- *Artificial Barriers to Entry: By setting complex technical rules that point exclusively to partner networks, the framework increases compliance friction. This forces out independent, small-scale, or affordable housing innovators (such as Small Residential Units / Tiny Homes).*
- *Proprietary Software Tying: Builders and property owners cannot select open-source or cheaper alternative performance tracking tools. The integration legally ties building approval to the purchase of specific, proprietary verification databases and certified labor.*
- *Suppression of Technical Innovation: Alternative green-building materials, testing procedures, or software solutions are systematically blocked from entry if they sit outside the prescribed ecosystem, reducing open market choice.*

The Litigation Blueprint Against Competitors

To maintain this closed system, a consistent pattern of legal enforcement leveraging intellectual property assets is deployed to isolate or eliminate outside competition:

1. *ICC-ES Product Evaluation Reports & Trademarking*
 - *The Enforcement Action: The ICC Evaluation Service (ICC-ES) issues technical reports confirming building product safety. The ICC asserts strict copyright ownership over the exact text, compiling format, and layout of these evaluation documents. Additionally, the ICC protects and enforces registered trademarks over the "ICC-ES" brand and report markings.*
 - *The Target: Independent technology startups, data aggregation platforms, or competitive testing firms that attempt to index, digitize, or compile these reports for easy consumer cross-referencing face parallel Copyright Infringement, Trademark Infringement, and Computer Fraud lawsuits. This suppresses the development of third-party software that would help builders source cheaper, non-ICC alternative products.*
2. *RESNET Trademark Enforcement*
 - *The Enforcement Action: RESNET aggressively protects federal registered trademarks over common industry acronyms.*
 - *The Target: When alternative or independent software providers develop energy auditing programs and market them using descriptive terms to showcase code-compliance equivalence, RESNET initiates federal Trademark Infringement and Unfair Competition lawsuits. The threat of expensive, prolonged litigation financially strains smaller tech competitors before they can gain commercial traction.*

History of HERS as a Generic Public Domain Term

The pattern of treating the compliance vocabulary as a private corporate asset stands in direct contrast to the historical public-domain record of the acronym:

- *1980s Federal Inception: Following national energy crises, the U.S. Department of Energy (DOE) along with the National Renewable Energy Laboratory (NREL) conceptualized, funded, and standardized*

"Home Energy Rating Systems" (acronymized as HERS) as a generic, descriptive mathematical category—comparable to the automotive industry's "MPG" (Miles Per Gallon).

- *The 1992 Energy Policy Act (EPAct): The generic nature of the classification was formally codified into federal law under the Energy Policy Act of 1992. The statute directed the DOE to formulate voluntary guidelines for "home energy rating systems" to expand public access to energy-efficient mortgages, using the term strictly as an open public baseline.*
- *Public Domain Displacement: Historically, individual states launched completely independent public HERS frameworks (such as California's public HERS regulations under Title 24). The antitrust concern highlights that a term created with federal public funds as an open classification has been privatized via trademark registration and written into building laws, preventing competing software platforms from accurately describing their functional compatibility to the public.*

ANSI: Embedded Trademark Guidelines

The primary concern relating to the use of a mark in a standard is whether it would appear as if the standard is endorsing one particular proprietary product or service over competing ones.

As a general rule, standards should provide a description of features from which competing and interoperable implementations can be developed. The appearance that a standard endorses any particular products, services or companies should be avoided. Therefore, proper names, trademarks, service marks or certification marks of specific companies, products or services should not be included in the text of a standard or in an appendix (or the equivalent) if it appears that they might cause this effect. This principle supports open competition and prevents standards from being used to create undue market advantages for specific players. In the context of HERS and related energy rating frameworks, we urge the Department of Energy to ensure that implementation guidelines and referenced standards adhere to these best practices and maintain neutrality among competing solutions.

[ANSI Guidelines on Embedded Trademarks](#)

Summary Findings

The structural records outline an ecosystem where the ICC and RESNET operate as dual ANSI-accredited developers that co-brand standards and cross-reference each other's proprietary systems, while the ICC's subsidiary (IAS) provides the necessary accreditation backing. This creates a closed loop that excludes competitive alternatives. The framework is legally insulated by parallel litigation patterns: the ICC uses copyright and trademark claims to block third-party utilization of competitive evaluation reports while RESNET utilizes trademark claims to block competitors from using the 40-year-old, generic public term "HERS" to market alternative compliance tools. The federal funding is supporting this framework and is creating a closed marketplace.

Sources

[DOE Petition To Investigate ICC RESNET Ecosystem](#)

[USAspending.gov](#)

[ANSI Guidelines on Embedded Trademarks](#)

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