

(A) determined by the Secretary to be effective in increasing the efficiency of air conditioning and refrigeration equipment without having an adverse impact on air conditioning performance (including cooling capacity) or equipment useful life;

(B) determined by the Administrator of the Environmental Protection Agency to be environmentally safe; and

(C) shown to increase seasonal energy efficiency ratio (SEER) or energy efficiency ratio (EER) when tested by the National Institute of Standards and Technology according to Department of Energy test procedures without causing any adverse impact on the system, system components, the refrigerant or lubricant, or other materials in the system.

Results of testing described in subparagraph (C) shall be published in the Federal Register for public review and comment. For purposes of this section, a hardware device or primary refrigerant shall not be considered an additive.

(e) Federally-procured appliances with standby power

(1) Definition of eligible product

In this subsection, the term “eligible product” means a commercially available, off-the-shelf product that—

(A)(i) uses external standby power devices; or

(ii) contains an internal standby power function; and

(B) is included on the list compiled under paragraph (4).

(2) Federal purchasing requirement

Subject to paragraph (3), if an agency purchases an eligible product, the agency shall purchase—

(A) an eligible product that uses not more than 1 watt in the standby power consuming mode of the eligible product; or

(B) if an eligible product described in subparagraph (A) is not available, the eligible product with the lowest available standby power wattage in the standby power consuming mode of the eligible product.

(3) Limitation

The requirements of paragraph (2) shall apply to a purchase by an agency only if—

(A) the lower-wattage eligible product is—
(i) lifecycle cost-effective; and
(ii) practicable; and

(B) the utility and performance of the eligible product is not compromised by the lower wattage requirement.

(4) Eligible products

The Secretary, in consultation with the Secretary of Defense, the Administrator of the Environmental Protection Agency, and the Administrator of General Services, shall compile a publicly accessible list of cost-effective eligible products that shall be subject to the purchasing requirements of paragraph (2).

(f) Regulations

Not later than 180 days after August 8, 2005, the Secretary shall issue guidelines to carry out this section.

(Pub. L. 95–619, title V, §553, as added Pub. L. 109–58, title I, §104(a), Aug. 8, 2005, 119 Stat. 609; amended Pub. L. 110–140, title V, §§524, 525(a), Dec. 19, 2007, 121 Stat. 1662, 1663.)

AMENDMENTS

2007—Subsec. (b)(1). Pub. L. 110–140, §525(a)(1), inserted “in a product category covered by the Energy Star program or the Federal Energy Management Program for designated products” after “energy consuming product” in introductory provisions.

Subsec. (c). Pub. L. 110–140, §525(a)(2), in second sentence, inserted “list in their catalogues, represent as available, and” after “shall” and substituted “in which the head of the agency” for “where the agency”.

Subsecs. (e), (f). Pub. L. 110–140, §524, added subsec. (e) and redesignated former subsec. (e) as (f).

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

CATALOGUE LISTING DEADLINE

Pub. L. 110–140, title V, §525(b), Dec. 19, 2007, 121 Stat. 1663, provided that: “Not later than 9 months after the date of enactment of this Act [Dec. 19, 2007], the General Services Administration and the Defense Logistics Agency shall ensure that the requirement established by the amendment made by subsection (a)(2)(A) [amending this section] has been fully complied with.”

§§ 8260, 8261. Omitted

CODIFICATION

Sections 8260 and 8261 were omitted in the general amendment of this part by Pub. L. 100–615, §2(a), Nov. 5, 1988, 102 Stat. 3185.

Section 8260, Pub. L. 95–619, title V, §550, Nov. 9, 1978, 92 Stat. 3280, directed each Federal agency to periodically furnish Secretary with full and complete information on its activities under this part, and directed Secretary to annually submit to Congress a comprehensive report on all activities under this part and on progress made toward achievement of objectives of this part.

Section 8261, Pub. L. 95–619, title V, §551, Nov. 9, 1978, 92 Stat. 3280, authorized to be appropriated to Secretary not to exceed \$2,000,000 for fiscal year ending Sept. 30, 1979, to enable Secretary to perform analytical and administrative functions under this part.

§ 8262. Definitions

For purposes of this subtitle—¹

(1) the term “agency” means² has the meaning given such term in section 551(1) of title 5, except that such term does not include the United States Postal Service;

(2) the term “facility energy supervisor” means the employee with responsibility for the daily operations of a Federal facility, including the management, installation, operation, and maintenance of energy systems in Federal facilities which may include more than one building;

(3) the term “trained energy manager” means a person who has demonstrated proficiency, or who has completed a course of study in the areas of fundamentals of building energy systems, building energy codes and applicable professional standards, energy accounting and analysis, life-cycle cost meth-

¹ See References in Text note below.

² So in original. The word “means” probably should not appear.