

cycle costs shall be calculated over the effective remaining term of the lease;

(8) the term “renewable energy sources” includes, but is not limited to, sources such as agriculture and urban waste, geothermal energy, solar energy, and wind energy; and

(9) the term “Secretary” means the Secretary of Energy.

(Pub. L. 95–619, title V, § 551, formerly § 549, Nov. 9, 1978, 92 Stat. 3280; Pub. L. 100–615, § 2(a), Nov. 5, 1988, 102 Stat. 3188; renumbered § 551, Pub. L. 102–486, title I, § 152(h)(1), Oct. 24, 1992, 106 Stat. 2848; amended Pub. L. 105–388, § 5(c)(5), Nov. 13, 1998, 112 Stat. 3479.)

#### PRIOR PROVISIONS

A prior section 551 of Pub. L. 95–619 was classified to section 8261 of this title prior to the general amendment of this part by Pub. L. 100–615.

#### AMENDMENTS

1998—Par. (8). Pub. L. 105–388 substituted “geothermal” for “goothermal”.

1988—Pub. L. 100–615 amended section generally, substituting provisions relating to definitions for Federal energy management for former provision relating to budget treatment of energy conserving improvements by Federal agencies.

### § 8259a. Energy and water savings measures in congressional buildings

#### (a) In general

The Architect of the Capitol—

(1) shall develop, update, and implement a cost-effective energy conservation and management plan (referred to in this section as the “plan”) for all facilities administered by Congress (referred to in this section as “congressional buildings”) to meet the energy performance requirements for Federal buildings established under section 8253(a)(1) of this title; and

(2) shall submit the plan to Congress, not later than 180 days after August 8, 2005.

#### (b) Plan requirements

The plan shall include—

(1) a description of the life cycle cost analysis used to determine the cost-effectiveness of proposed energy efficiency projects;

(2) a schedule of energy surveys to ensure complete surveys of all congressional buildings every 5 years to determine the cost and payback period of energy and water conservation measures;

(3) a strategy for installation of life cycle cost-effective energy and water conservation measures;

(4) the results of a study of the costs and benefits of installation of submetering in congressional buildings; and

(5) information packages and “how-to” guides for each Member and employing authority of Congress that detail simple, cost-effective methods to save energy and taxpayer dollars in the workplace.

#### (c) Annual report

The Architect of the Capitol shall submit to Congress annually a report on congressional energy management and conservation programs required under this section that describes in detail—

(1) energy expenditures and savings estimates for each facility;

(2) energy management and conservation projects; and

(3) future priorities to ensure compliance with this section.

(Pub. L. 95–619, title V, § 552, as added Pub. L. 109–58, title I, § 101(a), Aug. 8, 2005, 119 Stat. 605.)

### § 8259b. Federal procurement of energy efficient products

#### (a) Definitions

In this section:

##### (1) Agency

The term “agency” has the meaning given that term in section 7902(a) of title 5.

##### (2) Energy Star product

The term “Energy Star product” means a product that is rated for energy efficiency under an Energy Star program.

##### (3) Energy Star program

The term “Energy Star program” means the program established by section 6294a of this title.

##### (4) FEMP designated product

The term “FEMP designated product” means a product that is designated under the Federal Energy Management Program of the Department of Energy as being among the highest 25 percent of equivalent products for energy efficiency.

##### (5) Product

The term “product” does not include any energy consuming product or system designed or procured for combat or combat-related missions.

#### (b) Procurement of energy efficient products

##### (1) Requirement

To meet the requirements of an agency for an energy consuming product in a product category covered by the Energy Star program or the Federal Energy Management Program for designated products, the head of the agency shall, except as provided in paragraph (2), procure—

- (A) an Energy Star product; or
- (B) a FEMP designated product.

##### (2) Exceptions

The head of an agency is not required to procure an Energy Star product or FEMP designated product under paragraph (1) if the head of the agency finds in writing that—

(A) an Energy Star product or FEMP designated product is not cost-effective over the life of the product taking energy cost savings into account; or

(B) no Energy Star product or FEMP designated product is reasonably available that meets the functional requirements of the agency.

##### (3) Procurement planning

The head of an agency shall incorporate into the specifications for all procurements involving energy consuming products and systems,