

(b) Omitted**(c) Periodic review**

The Secretary shall periodically, but not less than once every 5 years, review the Federal building energy standards established under this section and shall, if significant energy savings would result, upgrade such standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.

(d) Interim standards

Interim energy performance standards for new Federal buildings issued by the Secretary under this subchapter as it existed before October 24, 1992, shall remain in effect until the standards established under subsection (a) become effective.

(Pub. L. 94-385, title III, §305, as added Pub. L. 102-486, title I, §101(a)(2), Oct. 24, 1992, 106 Stat. 2784; amended Pub. L. 109-58, title I, §109, Aug. 8, 2005, 119 Stat. 614; Pub. L. 110-140, title IV, §433(a), title V, §523, Dec. 19, 2007, 121 Stat. 1612, 1662.)

CODIFICATION

Subsec. (b) of this section, which required the Secretary to identify and describe, in the annual report required under section 6837 of this title, the basis for any substantive difference between the Federal building energy standards established under this section and the appropriate voluntary building energy code, was omitted because of termination of the annual report. See Codification note set out under section 6837 of this title.

PRIOR PROVISIONS

A prior section 6834, Pub. L. 94-385, title III, §305, Aug. 14, 1976, 90 Stat. 1147, related to availability or approval of Federal financial assistance for new construction, prior to repeal by Pub. L. 97-35, title X, §1041(b), Aug. 13, 1981, 95 Stat. 621.

AMENDMENTS

2007—Subsec. (a)(3)(A)(iii). Pub. L. 110-140, §523, added cl. (iii).

Subsec. (a)(3)(D). Pub. L. 110-140, §433(a), added subpar. (D).

2005—Subsec. (a)(2)(A). Pub. L. 109-58, §109(1), substituted “the 2004 International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1-2004” for “CABO Model Energy Code, 1992 (in the case of residential buildings) or ASHRAE Standard 90.1-1989”.

Subsec. (a)(3). Pub. L. 109-58, §109(2), added par. (3).

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.

REVISION OF FEDERAL ACQUISITION REGULATION;
ISSUANCE OF GUIDANCE

Pub. L. 110-140, title IV, §433(c), (d), Dec. 19, 2007, 121 Stat. 1614, provided that:

“(c) REVISION OF FEDERAL ACQUISITION REGULATION.—Not later than 2 years after the date of the enactment of this Act [Dec. 19, 2007], the Federal Acquisition Regulation shall be revised to require Federal officers and employees to comply with this section [amending this section and section 6832 of this title] and the amendments made by this section in the acquisition, construction, or major renovation of any facility. The

members of the Federal Acquisition Regulatory Council (established under section 25 of the Office of Federal Procurement Policy Act ([former] 41 U.S.C. 421) [see 41 U.S.C. 1302]) shall consult with the Federal Director and the Commercial Director before promulgating regulations to carry out this subsection.

“(d) GUIDANCE.—Not later than 90 days after the date of promulgation of the revised regulations under subsection (c), the Administrator for Federal Procurement Policy shall issue guidance to all Federal procurement executives providing direction and instructions to renegotiate the design of proposed facilities and major renovations for existing facilities to incorporate improvements that are consistent with this section.”

[For definitions of “Federal Director” and “Commercial Director” as used in section 433(c) of Pub. L. 110-140, set out above, see section 17061 of this title.]

§ 6835. Federal compliance**(a) Procedures**

(1) The head of each Federal agency shall adopt procedures necessary to assure that new Federal buildings meet or exceed the Federal building energy standards established under section 6834 of this title.

(2) The Federal building energy standards established under section 6834 of this title shall apply to new buildings under the jurisdiction of the Architect of the Capitol. The Architect shall adopt procedures necessary to assure that such buildings meet or exceed such standards.

(b) Construction of new buildings

The head of a Federal agency may expend Federal funds for the construction of a new Federal building only if the building meets or exceeds the appropriate Federal building energy standards established under section 6834 of this title.

(Pub. L. 94-385, title III, §306, as added Pub. L. 102-486, title I, §101(a)(2), Oct. 24, 1992, 106 Stat. 2785.)

PRIOR PROVISIONS

A prior section 6835, Pub. L. 94-385, title III, §306, Aug. 14, 1976, 90 Stat. 1148; Pub. L. 96-399, title III, §326(d), Oct. 8, 1980, 94 Stat. 1650; Pub. L. 97-35, title X, §1041(d), Aug. 13, 1981, 95 Stat. 621, related to compliance with final performance standards by Federal agencies, prior to repeal by Pub. L. 102-486, title I, §101(a)(2), Oct. 24, 1992, 106 Stat. 2783.

§ 6836. Support for voluntary building energy codes**(a) In general**

Not later than 1 year after October 24, 1992, the Secretary, after consulting with the Secretary of Housing and Urban Development, the Secretary of Veterans Affairs, other appropriate Federal agencies, CABO, ASHRAE, the National Conference of States on Building Codes and Standards, and any other appropriate building codes and standards organization, shall support the upgrading of voluntary building energy codes for new residential and commercial buildings. Such support shall include—

(1) a compilation of data and other information regarding building energy efficiency standards and codes in the possession of the Federal Government, State and local governments, and industry organizations;

(2) assistance in improving the technical basis for such standards and codes;