

(vi) environmental health experts, including those with experience in children's health.

(2) Non-Federal members

The total number of non-Federal members on the Committee at any time shall not exceed 15.

(c) Meetings

The Federal Director shall establish a regular schedule of meetings for the Committee.

(d) Duties

The Committee shall provide advice and expertise for use by the Federal Director in carrying out the duties under this part, including such recommendations relating to Federal activities carried out under sections 434 through 436¹ as are agreed to by a majority of the members of the Committee.

(e) FACA exemption

The Committee shall not be subject to section 14 of the Federal Advisory Committee Act (5 U.S.C. App.).

(Pub. L. 110-140, title IV, § 494, Dec. 19, 2007, 121 Stat. 1654.)

REFERENCES IN TEXT

This part, referred to in subsec. (d), was in the original "this subtitle", meaning subtitle H (§§ 491-495) of title IV of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1649, which enacted this part and section 7628 of this title. For complete classification of subtitle H to the Code, see Tables.

Sections 434 through 436, referred to in subsec. (d), are sections 434 to 436 of Pub. L. 110-140, which enacted sections 17091 and 17092 of this title and amended section 8253 of this title.

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (e), is section 14 of Pub. L. 92-463, which is set out in the Appendix to Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17124. Advisory Committee on Energy Efficiency Finance

(a) Establishment

The Secretary, acting through the Assistant Secretary of Energy for Energy Efficiency and Renewable Energy, shall establish an Advisory Committee on Energy Efficiency Finance to provide advice and recommendations to the Department on energy efficiency finance and investment issues, options, ideas, and trends, and to assist the energy community in identifying practical ways of lowering costs and increasing investments in energy efficiency technologies.

(b) Membership

The advisory committee established under this section shall have a balanced membership that shall include members with expertise in—

- (1) availability of seed capital;
- (2) availability of venture capital;
- (3) availability of other sources of private equity;

(4) investment banking with respect to corporate finance;

(5) investment banking with respect to mergers and acquisitions;

(6) equity capital markets;

(7) debt capital markets;

(8) research analysis;

(9) sales and trading;

(10) commercial lending; and

(11) residential lending.

(c) Termination

The Advisory Committee on Energy Efficiency Finance shall terminate on the date that is 10 years after December 19, 2007.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to the Secretary for carrying out this section.

(Pub. L. 110-140, title IV, § 495, Dec. 19, 2007, 121 Stat. 1654.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

SUBCHAPTER IV—ENERGY SAVINGS IN GOVERNMENT AND PUBLIC INSTITUTIONS

PART A—ENERGY SAVINGS PERFORMANCE CONTRACTING

§ 17131. Training Federal contracting officers to negotiate energy efficiency contracts

(a) Program

The Secretary shall create and administer in the Federal Energy Management Program a training program to educate Federal contract negotiation and contract management personnel so that the contract officers are prepared to—

(1) negotiate energy savings performance contracts;

(2) conclude effective and timely contracts for energy efficiency services with all companies offering energy efficiency services; and

(3) review Federal contracts for all products and services for the potential energy efficiency opportunities and implications of the contracts.

(b) Schedule

Not later than 1 year after December 19, 2007, the Secretary shall plan, staff, announce, and begin training under the Federal Energy Management Program.

(c) Personnel to be trained

Personnel appropriate to receive training under the Federal Energy Management Program shall be selected by and sent for the training from—

(1) the Department of Defense;

(2) the Department of Veterans Affairs;

(3) the Department;

(4) the General Services Administration;

(5) the Department of Housing and Urban Development;

(6) the United States Postal Service; and

(7) all other Federal agencies and departments that enter contracts for buildings,

¹ See References in Text note below.

building services, electricity and electricity services, natural gas and natural gas services, heating and air conditioning services, building fuel purchases, and other types of procurement or service contracts determined by the Secretary, in carrying out the Federal Energy Management Program, to offer the potential for energy savings and greenhouse gas emission reductions if negotiated with taking into account those goals.

(d) Trainers

Training under the Federal Energy Management Program may be conducted by—

(1) attorneys or contract officers with experience in negotiating and managing contracts described in subsection (c)(7) from any agency, except that the Secretary shall reimburse the related salaries and expenses of the attorneys or contract officers from amounts made available for carrying out this section to the extent the attorneys or contract officers are not employees of the Department; and

(2) private experts hired by the Secretary for the purposes of this section, except that the Secretary may not hire experts who are simultaneously employed by any company under contract to provide energy efficiency services to the Federal Government.

(e) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this section \$750,000 for each of fiscal years 2008 through 2012.

(Pub. L. 110-140, title V, §517, Dec. 19, 2007, 121 Stat. 1659.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

PART B—ENERGY EFFICIENCY IN FEDERAL AGENCIES

§ 17141. Prohibition on incandescent lamps by Coast Guard

(a) Prohibition

Except as provided by subsection (b), on and after January 1, 2009, a general service incandescent lamp shall not be purchased or installed in a Coast Guard facility by or on behalf of the Coast Guard.

(b) Exception

A general service incandescent lamp may be purchased, installed, and used in a Coast Guard facility whenever the application of a general service incandescent lamp is—

(1) necessary due to purpose or design, including medical, security, and industrial applications;

(2) reasonable due to the architectural or historical value of a light fixture installed before January 1, 2009; or

(3) the Commandant of the Coast Guard determines that operational requirements necessitate the use of a general service incandescent lamp.

(c) Limitation

In this section, the term “facility” does not include a vessel or aircraft of the Coast Guard.

(Pub. L. 110-140, title V, §522, Dec. 19, 2007, 121 Stat. 1662.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17142. Procurement and acquisition of alternative fuels

No Federal agency shall enter into a contract for procurement of an alternative or synthetic fuel, including a fuel produced from nonconventional petroleum sources, for any mobility-related use, other than for research or testing, unless the contract specifies that the lifecycle greenhouse gas emissions associated with the production and combustion of the fuel supplied under the contract must, on an ongoing basis, be less than or equal to such emissions from the equivalent conventional fuel produced from conventional petroleum sources.

(Pub. L. 110-140, title V, §526, Dec. 19, 2007, 121 Stat. 1663.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

WAIVER AUTHORITY FOR ALTERNATIVE FUEL PROCUREMENT REQUIREMENT

Pub. L. 114-328, div. A, title III, §312, Dec. 23, 2016, 130 Stat. 2073, provided that:

“(a) IN GENERAL.—The Secretary of Defense may waive the requirement under section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142) if the Secretary determines it is in the national security interest of the United States.

“(b) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall notify the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] not later than 15 days after exercising the waiver authority under subsection (a).”

§ 17143. Government efficiency status reports

(a) In general

Each Federal agency subject to any of the requirements of this title¹ or the amendments made by this title¹ shall compile and submit to the Director of the Office of Management and Budget an annual Government efficiency status report on—

(1) compliance by the agency with each of the requirements of this title¹ and the amendments made by this title;¹

(2) the status of the implementation by the agency of initiatives to improve energy efficiency, reduce energy costs, and reduce emissions of greenhouse gases; and

(3) savings to the taxpayers of the United States resulting from mandated improvements under this title¹ and the amendments made by this title.¹

(b) Submission

The report shall be submitted—

(1) to the Director at such time as the Director requires;

¹ See References in Text note below.