

agency under subsection (a) shall be priced to recover the fuel and variable operation and maintenance costs of the facility generating the energy that are attributable to that sale, plus an amount equal to one-half the difference between—

- (1) the costs of producing the electric energy by coal generation; and
- (2) the costs of producing electric energy by the oil or gas generation being displaced.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1289.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
17902 .....	40:795a.	Pub. L. 96-571, §3, Dec. 22, 1980, 94 Stat. 3341.

In subsection (a), the words “to be sold” are added for clarity. In clause (4), the words “below the level of consumption that” are substituted for “below that consumption which” for clarity.

In subsection (b), before clause (1), the words “fuel and variable operation and maintenance costs of the facility generating the energy that are attributable to that sale” are substituted for “fuel costs and variable operation and maintenance costs of the Federal generating facility concerned which costs are attributable to such sale” for clarity.

§ 17903. Purchase of electric power

For purposes of economy, efficiency, and conserving oil and natural gas, the head of a federal agency, when practicable and consistent with other laws and requirements applicable to that agency, shall endeavor to purchase electric energy from a non-federal person for consumption in Alaska by a facility of that agency when (taking into account the remaining useful life of any facility available to that agency to generate electric energy for that agency and the cost of maintaining the facility on a standby basis) the purchase will result in—

- (1) a savings to other consumers of electric energy sold by that non-federal person without increasing the cost incurred by any federal agency for electric energy; or
- (2) a cost savings to the federal agency purchasing the electric energy without increasing costs to other consumers of electric energy.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1289.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
17903 .....	40:795b.	Pub. L. 96-571, §4, Dec. 22, 1980, 94 Stat. 3342.

In this section, before clause (1), the words “electric energy” are substituted for “electric power” for consistency in the revised section.

§ 17904. Implementation powers and limitations

(a) ACCOMMODATION OF NEEDS FOR ELECTRIC ENERGY.—This chapter does not require or authorize a federal agency to construct a new electric generating facility or related facility, to modify an existing facility, or to employ reserve or standby equipment to accommodate the needs of a non-federal person for electric energy.

(b) AVAILABILITY OF REVENUE FROM SALES.—Revenue received by a federal agency pursuant

to section 17902 of this title from the sale of electric energy generated from a facility of that agency is available to the agency without fiscal year limitation to purchase fuel and for operation, maintenance, and other costs associated with that facility.

(c) EXERCISE OF AUTHORITIES.—The authority under this chapter shall be exercised for those periods and pursuant to terms and conditions that the head of the federal agency concerned decides are necessary consistent with—

- (1) this chapter; and
- (2) responsibilities of the head of the federal agency under other law.

(d) NEGOTIATION AND EXECUTION OF CONTRACTS AND OTHER AGREEMENTS.—A contract or other agreement executed under this chapter shall be negotiated and executed by the head of the federal agency selling or purchasing electric energy under this chapter.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1290.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
17904 .....	40:795c.	Pub. L. 96-571, §5, Dec. 22, 1980, 94 Stat. 3342.

In subsection (a), the words “federal agency” are substituted for “department, agency, or instrumentality of the United States Government” because of the definition of “federal agency” in section 17901 of this title.

In subsection (d), the words “notwithstanding any other provision of law” are omitted as unnecessary.

CHAPTER 181—TELECOMMUNICATIONS ACCESSIBILITY FOR HEARING-IMPAIRED AND SPEECH-IMPAIRED INDIVIDUALS

Sec.

- 18101. Definitions.
- 18102. Federal telecommunications system.
- 18103. Research and development.
- 18104. TTY installation by Congress.

§ 18101. Definitions

In this chapter—

(1) FEDERAL AGENCY.—The term “federal agency” has the same meaning given that term in section 102 of this title.

(2) TTY.—The term “TTY” means a text-telephone used in the transmission of coded signals through the nationwide telecommunications system.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1290.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
18101 .....	40:762.	Pub. L. 100-542, §2, Oct. 28, 1988, 102 Stat. 2721.

§ 18102. Federal telecommunications system

(a) REGULATIONS TO ENSURE ACCESSIBILITY.—The Administrator of General Services, after consultation with the Architectural and Transportation Barriers Compliance Board, the Inter-agency Committee on Computer Support of Handicapped Employees, the Federal Communications Commission, and affected federal agencies, shall prescribe regulations to ensure

that the federal telecommunications system is fully accessible to hearing-impaired and speech-impaired individuals, including federal employees, for communications with and within federal agencies.

(b) **FEDERAL RELAY SYSTEM.**—The Administrator shall provide for the continuation of the existing federal relay system for users of TTY’s.

(c) **DIRECTORY.**—The Administrator shall assemble, publish, and maintain a directory of TTY’s and other devices used by federal agencies to comply with regulations prescribed under subsection (a).

(d) **PUBLICATION OF ACCESS NUMBERS.**—The Administrator shall publish access numbers of TTY’s and such other devices in federal agency directories.

(e) **LOGO.**—After consultation with the Board, the Administrator shall adopt the design of a standard logo to signify the presence of a TTY or other device used by a federal agency to comply with regulations prescribed under subsection (a).

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1290.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
18102(a) .....	40:762a(a).	Pub. L. 100–542, § 3, Oct. 28, 1988, 102 Stat. 2721.
18102(b) .....	40:762a(b)(1).	
18102(c), (d) .....	40:762a(b)(2)–(5), (c).	
18102(e) .....	40:762a(b)(6).	

In subsection (a), the words “prescribe regulations to ensure” are substituted for “by regulation, take such actions in accordance with this section as may be necessary to assure” to eliminate unnecessary words.

In subsection (c), the text of 40:762a(b)(2)–(4) and (c) is omitted as executed and obsolete. The words “In carrying out subsection (a) of this section” are omitted as unnecessary.

**§ 18103. Research and development**

(a) **SUPPORT FOR RESEARCH.**—The Administrator of General Services, in consultation with the Federal Communications Commission, shall seek to promote research by federal agencies, state agencies, and private entities to reduce the cost and improve the capabilities of telecommunications devices and systems that provide accessibility to hearing-impaired and speech-impaired individuals.

(b) **PLANNING TO ASSIMILATE TECHNOLOGICAL DEVELOPMENTS.**—In planning future alterations to and modifications of the federal telecommunications system, the Administrator shall take into account—

(1) modifications that the Administrator determines are necessary to achieve the objectives of section 18102(a) of this title; and

(2) technological improvements in telecommunications devices and systems that provide accessibility to hearing-impaired and speech-impaired individuals.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1291.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
18103 .....	40:762b.	Pub. L. 100–542, § 4, Oct. 28, 1988, 102 Stat. 2722.

Subsection (b)(1) is substituted for “results of the analysis required by section 762a(b)(3) of this title” because 40:762a(b)(3), which is omitted as executed and obsolete (see the revision note for section 18102(b) of the revised title), provided for an analysis and report regarding modifications that the Administrator determined were necessary to achieve the objectives of 40:762a(a), which is restated in section 18102(a) of the revised title.

**§ 18104. TTY installation by Congress**

Each House of Congress shall establish a policy under which Members of the House of Representatives and the Senate may obtain TTY’s for use in communicating with hearing-impaired and speech-impaired individuals, and for the use of hearing-impaired and speech-impaired employees.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1291.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
18104 .....	40:762d.	Pub. L. 100–542, § 6, Oct. 28, 1988, 102 Stat. 2722.

The words “As soon as practicable” and “as the case may be” are omitted as unnecessary.

**CHAPTER 183—NATIONAL CAPITAL AREA INTEREST ARBITRATION STANDARDS**

Sec.	
18301.	Findings and purposes.
18302.	Definitions.
18303.	Standards for arbitrators.
18304.	Procedures for enforcement of awards.

**§ 18301. Findings and purposes**

(a) **FINDINGS.**—Congress finds that—

(1) affordable public transportation is essential to the economic vitality of the national capital area and is an essential component of regional efforts to improve air quality to meet environmental requirements and to improve the health of both residents of and visitors to the national capital area as well as to preserve the beauty and dignity of the Nation’s capital;

(2) use of mass transit by both residents of and visitors to the national capital area is substantially affected by the prices charged for mass transit services, prices that are substantially affected by labor costs, since more than two-thirds of operating costs are attributable to labor costs;

(3) labor costs incurred in providing mass transit in the national capital area have increased at an alarming rate and wages and benefits of operators and mechanics currently are among the highest in the Nation;

(4) higher operating costs incurred for public transit in the national capital area cannot be offset by increasing costs to patrons, since this often discourages ridership and thus undermines the public interest in promoting the use of public transit;

(5) spiraling labor costs cannot be offset by the governmental entities that are responsible for subsidy payments for public transit services since local governments generally, and the District of Columbia government in particular, are operating under severe fiscal constraints;