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 man-
agement plan (referred to in this section as the
"plan") for all facilities administered by
Congress (referred to in this section as "con-
gressional buildings") to meet the energy per-
formance 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 analy-
sis used to determine the cost-effectiveness of
proposed energy efficiency projects;
(2) a schedule of energy surveys to ensure
complete surveys of all congressional build-
ings every 5 years to determine the cost and
payback period of energy and water conserva-
tion 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 con-
gressional buildings; and
(5) information packages and "how-to"
guides for each Member and employing au-
dority of Congress that detail simple, cost-ef-
fective 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 en-
ergy management and conservation programs
required under this section that describes in de-
tail—
(1) energy expenditures and savings esti-
mates 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.

§ 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 Depart-
ment of Energy as being among the
highest 25 percent of equivalent products for
energy efficiency.

(5) Product
The term “product” does not include any en-
ergy consuming product or system designed or
procured for combat or combat-related mis-
sions.

(b) Procurement of energy efficient products

(1) Requirement
To meet the requirements of an agency for
an energy consuming product in a product cat-
egory 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), pro-
cure—
(A) an Energy Star product; or
(B) a FEMP designated product.

(2) Exceptions
The head of an agency is not required to pro-
cure an Energy Star product or FEMP des-
ignated product under paragraph (1) if the
head of the agency finds in writing that—
(A) an Energy Star product or FEMP des-
ignated product is not cost-effective over the
life of the product taking energy cost sav-
ings into account; or
(B) no Energy Star product or FEMP des-
ignated 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 involv-
ing energy consuming products and systems,
including guide specifications, project speci-
ications, and construction, renovation, and
services contracts that include provision of
energy consuming products and systems, and
into the factors for the evaluation of offers re-
ceived for the procurement, criteria for energy
efficiency that are consistent with the criteria
used for rating Energy Star products and for
rating FEMP designated products.

(c) Listing of energy efficient products in Fed-
eral catalogs
Energy Star products and FEMP designated
products shall be clearly identified and pro-
nently displayed in any inventory or listing of
products by the General Services Administra-
tion or the Defense Logistics Agency. The Gen-
eral Services Administration or the Defense Lo-
gistics Agency shall list in their catalogues, rep-
resent as available, and supply only Energy Star
products or FEMP designated products for all
product categories covered by the Energy Star
program or the Federal Energy Management