

year to achieve the purposes of such working group and of this section and describing the exports of renewable energy technology that have occurred as a result of such agency actions, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, the 6th item on page 175 of House Document No. 103-7.

AMENDMENTS

2003—Subsec. (h). Pub. L. 108-7 amended subsec. (h) generally. Prior to amendment, subsec. (h) read as follows: “There are authorized to be appropriated to the Secretary for purposes of carrying out the programs under subsections (d) and (e) of this section \$10,000,000, to be divided equitably between the interagency working subgroups based on program requirements, for each of the fiscal years 1993 and 1994, and such sums as may be necessary for fiscal year 1995 to carry out the purposes of this subtitle. There are authorized to be appropriated for fiscal year 1997 such sums as may be necessary to carry out this part. There are authorized to be appropriated for fiscal years 2000 through 2003, such sums as may be necessary.”

2000—Subsec. (h). Pub. L. 106-469 inserted at end “There are authorized to be appropriated for fiscal years 2000 through 2003, such sums as may be necessary.”

1996—Subsec. (h). Pub. L. 104-306 inserted at end “There are authorized to be appropriated for fiscal year 1997 such sums as may be necessary to carry out this part.”

1992—Subsec. (d). Pub. L. 102-486, §1207(a), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows:

“(1) There shall be established an interagency working group which, in consultation with the representative industry groups and relevant agency heads, shall make recommendations to coordinate the actions and programs of the Federal Government affecting commerce in renewable energy products and related services. The Secretary of Energy shall be the chairman of such group. The heads of appropriate agencies may detail such personnel and may furnish such services to such working group, with or without reimbursement, as may be necessary to carry out its functions.

“(2) The interagency group shall establish a program to inform other countries of the benefits of policies that would allow small facilities which produce renewable energy to compete effectively with producers of energy from nonrenewable sources.”

Subsec. (d)(4). Pub. L. 102-486, §1208, added par. (4).

Subsec. (f)(1). Pub. L. 102-486, §1207(b), inserted “and energy efficiency” after “renewable energy” wherever appearing.

Subsec. (g). Pub. L. 102-486, §1207(c), struck out subsec. (g) which read as follows: “For purposes of this section, the term ‘renewable energy’ includes energy efficiency to the extent it is a part of a renewable energy system or technology.”

Subsec. (h). Pub. L. 102-486, §1207(d), amended subsec. (h) generally. Prior to amendment, subsec. (h) read as follows: “There are authorized to be appropriated to the Secretary for activities of the interagency working group established under subsection (d) of this section not to exceed—

“(1) \$3,000,000 for fiscal year 1991;

“(2) \$3,300,000 for fiscal year 1992; and

“(3) \$3,600,000 for fiscal year 1993.”

1989—Subsec. (c)(2)(D)(i). Pub. L. 101-218, §7(a)(1), inserted “and to potential end users, including other industry sectors in foreign countries such as health care, rural development, communications, and refrigeration, and others,” after “commerce.”

Subsec. (c)(2)(D)(ii). Pub. L. 101-218, §7(a)(2), substituted “export and export financing opportunities” for “export opportunities”.

Subsec. (d). Pub. L. 101-218, §7(b), designated existing provisions as par. (1) and added par. (2).

Subsecs. (e) to (h). Pub. L. 101-218, §7(c), added subsecs. (e) to (h).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 98-370, §3, July 18, 1984, 98 Stat. 1212, provided that: “The amendments made by this Act [enacting this section and a provision set out as a note under section 6201 of this title] shall take effect on the date of the enactment of this Act [July 18, 1984].”

PART C—SUMMER FILL AND FUEL BUDGETING PROGRAMS

Editorial Notes

CODIFICATION

Pub. L. 109-58, title III, §301(b)(1), Aug. 8, 2005, 119 Stat. 683, added part heading.

PRIOR PROVISIONS

A prior part C, consisting of sections 6281 and 6282, was repealed by Pub. L. 106-469, title I, §104(3), Nov. 9, 2000, 114 Stat. 2033.

Section 6281, Pub. L. 94-163, title II, §271, as added Pub. L. 97-229, §3(a), Aug. 3, 1982, 96 Stat. 248, related to congressional findings, policy, and purpose.

Section 6282, Pub. L. 94-163, title II, §272, as added Pub. L. 97-229, §3(a), Aug. 3, 1982, 96 Stat. 249, related to preparation for petroleum supply interruptions.

§ 6283. Summer fill and fuel budgeting programs

(a) Definitions

In this section:

(1) Budget contract

The term “budget contract” means a contract between a retailer and a consumer under which the heating expenses of the consumer are spread evenly over a period of months.

(2) Fixed-price contract

The term “fixed-price contract” means a contract between a retailer and a consumer under which the retailer charges the consumer a set price for propane, kerosene, or heating oil without regard to market price fluctuations.

(3) Price cap contract

The term “price cap contract” means a contract between a retailer and a consumer under which the retailer charges the consumer the market price for propane, kerosene, or heating oil, but the cost of the propane, kerosene, or heating oil may exceed a maximum amount stated in the contract.

(b) Assistance

At the request of the chief executive officer of a State, the Secretary shall provide information, technical assistance, and funding—

(1) to develop education and outreach programs to encourage consumers to fill their storage facilities for propane, kerosene, and heating oil during the summer months; and

(2) to promote the use of budget contracts, price cap contracts, fixed-price contracts, and other advantageous financial arrangements,

to avoid severe seasonal price increases for and supply shortages of those products.

(c) Preference

In implementing this section, the Secretary shall give preference to States that contribute public funds or leverage private funds to develop State summer fill and fuel budgeting programs.

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

- (1) \$25,000,000 for fiscal year 2001; and
- (2) such sums as are necessary for each fiscal year thereafter.

(Pub. L. 94-163, title II, §273, as added Pub. L. 106-469, title VI, §602(a), Nov. 9, 2000, 114 Stat. 2040; amended Pub. L. 109-58, title III, §301(b)(2), Aug. 8, 2005, 119 Stat. 683.)

Editorial Notes

AMENDMENTS

2005—Subsec. (e). Pub. L. 109-58 struck out heading and text of subsec. (e). Text read as follows: "Section 6285 of this title does not apply to this section."

PART D—EXPIRATION

§ 6285. Repealed. Pub. L. 109-58, title III, § 301(b)(3), Aug. 8, 2005, 119 Stat. 683

Section, Pub. L. 94-163, title II, §281, as added Pub. L. 99-58, title I, §104(a), July 2, 1985, 99 Stat. 104; amended Pub. L. 100-373, §1, July 19, 1988, 102 Stat. 878; Pub. L. 101-262, §2(c), Mar. 31, 1990, 104 Stat. 124; Pub. L. 101-360, §2(c), Aug. 10, 1990, 104 Stat. 421; Pub. L. 101-383, §2(3), Sept. 15, 1990, 104 Stat. 727; Pub. L. 103-406, title I, §103, Oct. 22, 1994, 108 Stat. 4209; Pub. L. 104-306, §1(4), Oct. 14, 1996, 110 Stat. 3810; Pub. L. 105-177, §1(5), June 1, 1998, 112 Stat. 106; Pub. L. 106-64, §1(3), Oct. 5, 1999, 113 Stat. 511; Pub. L. 106-469, title I, §104(4), Nov. 9, 2000, 114 Stat. 2033; Pub. L. 108-7, div. F, title III, §339(b)(2), Feb. 20, 2003, 117 Stat. 279, provided for the expiration of all authority under this subchapter at midnight Sept. 30, 2008.

SUBCHAPTER III—IMPROVING ENERGY EFFICIENCY

PART A—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS OTHER THAN AUTOMOBILES

Editorial Notes

CODIFICATION

This part was, in the original, designated part B and has been redesignated as part A for purposes of codification.

§ 6291. Definitions

For purposes of this part:

(1) The term "consumer product" means any article (other than an automobile, as defined in section 32901(a)(3) of title 49) of a type—

(A) which in operation consumes, or is designed to consume, energy or, with respect to showerheads, faucets, water closets, and urinals, water; and

(B) which, to any significant extent, is distributed in commerce for personal use or consumption by individuals;

without regard to whether such article of such type is in fact distributed in commerce for personal use or consumption by an individual, except that such term includes fluorescent lamp ballasts, general service fluorescent lamps, incandescent reflector lamps, showerheads, faucets, water closets, and urinals distributed in commerce for personal or commercial use or consumption.

(2) The term "covered product" means a consumer product of a type specified in section 6292 of this title.

(3) The term "energy" means electricity, or fossil fuels. The Secretary may, by rule, include other fuels within the meaning of the term "energy" if he determines that such inclusion is necessary or appropriate to carry out the purposes of this chapter.

(4) The term "energy use" means the quantity of energy directly consumed by a consumer product at point of use, determined in accordance with test procedures under section 6293 of this title.

(5) The term "energy efficiency" means the ratio of the useful output of services from a consumer product to the energy use of such product, determined in accordance with test procedures under section 6293 of this title.

(6) The term "energy conservation standard" means—

(A) a performance standard which prescribes a minimum level of energy efficiency or a maximum quantity of energy use, or, in the case of showerheads, faucets, water closets, and urinals, water use, for a covered product, determined in accordance with test procedures prescribed under section 6293 of this title; or

(B) a design requirement for the products specified in paragraphs (6), (7), (8), (10), (15), (16), (17), and (20) of section 6292(a) of this title; and

includes any other requirements which the Secretary may prescribe under section 6295(r) of this title.

(7) The term "estimated annual operating cost" means the aggregate retail cost of the energy which is likely to be consumed annually, and in the case of showerheads, faucets, water closets, and urinals, the aggregate retail cost of water and wastewater treatment services likely to be incurred annually, in representative use of a consumer product, determined in accordance with section 6293 of this title.

(8) The term "measure of energy consumption" means energy use, energy efficiency, estimated annual operating cost, or other measure of energy consumption.

(9) The term "class of covered products" means a group of covered products, the functions or intended uses of which are similar (as determined by the Secretary).

(10) The term "manufacture" means to manufacture, produce, assemble or import.

(11) The terms "import" and "importation" mean to import into the customs territory of the United States.

(12) The term "manufacturer" means any person who manufactures a consumer product.

(13) The term "retailer" means a person to whom a consumer product is delivered or sold, if such delivery or sale is for purposes of sale or distribution in commerce to purchasers who buy such product for purposes other than resale.

(14) The term "distributor" means a person (other than a manufacturer or retailer) to whom a consumer product is delivered or sold for purposes of distribution in commerce.

(15)(A) The term "private labeler" means an owner of a brand or trademark on the label of a consumer product which bears a private label.