

time, and other factors, including information required on labels mandated by the Federal Trade Commission;

“(B) provide the results of the market assessment to the Federal Trade Commission for consideration in the rulemaking described in section 324(a)(2)(C)(iii) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)(C)(iii)); and

“(C) in cooperation with industry trade associations, lighting industry members, utilities, and other interested parties, carry out a proactive national program of consumer awareness, information, and education that broadly uses the media and other effective communication techniques over an extended period of time to help consumers understand the lamp labels and make energy-efficient lighting choices that meet the needs of consumers.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2009 through 2012.”

§ 6294a. Energy Star program

(a) In general

There is established within the Department of Energy and the Environmental Protection Agency a voluntary program to identify and promote energy-efficient products and buildings in order to reduce energy consumption, improve energy security, and reduce pollution through voluntary labeling of, or other forms of communication about, products and buildings that meet the highest energy conservation standards.

(b) Division of responsibilities

Responsibilities under the program shall be divided between the Department of Energy and the Environmental Protection Agency in accordance with the terms of applicable agreements between those agencies.

(c) Duties

The Administrator and the Secretary shall—

(1) promote Energy Star compliant technologies as the preferred technologies in the marketplace for—

- (A) achieving energy efficiency; and
- (B) reducing pollution;

(2) work to enhance public awareness of the Energy Star label, including by providing special outreach to small businesses;

(3) preserve the integrity of the Energy Star label;

(4) regularly update Energy Star product criteria for product categories;

(5) solicit comments from interested parties prior to establishing or revising an Energy Star product category, specification, or criterion (or prior to effective dates for any such product category, specification, or criterion);

(6) on adoption of a new or revised product category, specification, or criterion, provide reasonable notice to interested parties of any changes (including effective dates) in product categories, specifications, or criteria, along with—

- (A) an explanation of the changes; and
- (B) as appropriate, responses to comments submitted by interested parties; and

(7) provide appropriate lead time (which shall be 270 days, unless the Agency or Department specifies otherwise) prior to the applicable effective date for a new or a significant re-

vision to a product category, specification, or criterion, taking into account the timing requirements of the manufacturing, product marketing, and distribution process for the specific product addressed.

(d) Deadlines

The Secretary shall establish new qualifying levels—

(1) not later than January 1, 2006, for clothes washers and dishwashers, effective beginning January 1, 2007; and

(2) not later than January 1, 2008, for clothes washers, effective beginning July 1, 2009.

(Pub. L. 94-163, title III, § 324A, as added Pub. L. 109-58, title I, § 131(a), Aug. 8, 2005, 119 Stat. 620; amended Pub. L. 110-140, title III, § 311(b), Dec. 19, 2007, 121 Stat. 1564.)

Editorial Notes

AMENDMENTS

2007—Subsec. (d)(2). Pub. L. 110-140 substituted “July 1, 2009” for “January 1, 2010”.

Statutory Notes and Related Subsidiaries

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.

§ 6294b. WaterSense program

(a) Establishment of WaterSense program

(1) In general

There is established within the Environmental Protection Agency a voluntary program, to be known as the WaterSense program, to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services in order to, through voluntary labeling of, or other forms of communications regarding, such products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

- (A) reduce water use;
- (B) reduce the strain on public water systems, community water systems, and wastewater and stormwater infrastructure;
- (C) conserve energy used to pump, heat, transport, and treat water; and
- (D) preserve water resources for future generations.

(2) Inclusions

Categories of products, buildings, landscapes, facilities, processes, and services that may be included under the program include—

- (A) irrigation technologies and services;
- (B) point-of-use water treatment devices;
- (C) plumbing products;
- (D) water reuse and recycling technologies;
- (E) landscaping and gardening products, including moisture control or water enhancing technologies;
- (F) xeriscaping and other landscape conversions that reduce water use;
- (G) whole house humidifiers; and