

**AMENDMENT TO ENERGY EFFICIENCY TITLE  
OFFERED BY MS. BALDWIN OF WISCONSIN**

At the end of subtitle A, add the following new section:

1 **SEC. 112. STANDBY MODE.**

2 (a) **REQUIREMENT.**—Section 325 of the Energy Pol-  
3 icy and Conservation Act (42 U.S.C. 6295) is amended  
4 by adding at the end the following new subsection:

5 “(ii) **STANDBY MODE.**—

6 “(1) **REQUIREMENT.**—Except as provided in  
7 paragraph (2), consumer products manufactured  
8 after the date which is 3 years after a final rule is  
9 adopted under paragraph (3) shall, when in standby  
10 mode, operate with not more than 1 watt of electric  
11 power.

12 “(2) **EXCEPTIONS.**—

13 “(A) **EXTENSIONS.**—The Secretary may  
14 provide a single extension of up to 2 years for  
15 compliance with paragraph (1) with respect to  
16 a consumer product if the Secretary finds that  
17 such extension is appropriate.

18 “(B) **EXEMPTIONS.**—The Secretary may  
19 provide an exemption from the requirement

1 under paragraph (1) for a consumer product,  
2 after public notice and opportunity for com-  
3 ment, if the Secretary finds that—

4 “(i) achieving the requirement is not  
5 technologically feasible and economically  
6 justified for that consumer product; or

7 “(ii) such an exemption is warranted  
8 for medical or military reasons.

9 “(3) RULE.—Not later than 18 months after  
10 the date of enactment of this subsection, the Sec-  
11 retary shall prescribe, by rule, test procedures and  
12 energy conservation standards to implement the re-  
13 quirement under paragraph (1).

14 “(4) EFFECT ON OTHER LAW; ENFORCE-  
15 MENT.—For purposes of sections 324, 326, 327,  
16 331, 332, 333, and 334 consumer products subject  
17 to the requirement under paragraph (1) shall be  
18 considered covered products.”.

19 (b) REPEAL.—

20 (1) IN GENERAL.—Section 325(u) of the En-  
21 ergy Policy and Conservation Act (42 U.S.C.  
22 6295(u)) is amended—

23 (A) by striking paragraph (2); and

1                   (B) by redesignating paragraphs (3)  
2                   through (5) as paragraphs (2) through (4), re-  
3                   spectively.

4                   (2) EFFECTIVE DATE.—The amendments made  
5                   by paragraph (1) shall take effect on the date de-  
6                   scribed in section 325(ii)(I) of the Energy Policy  
7                   and Conservation Act, as added by subsection (a) of  
8                   this section.

**AMENDMENT TO ENERGY EFFICIENCY TITLE  
OFFERED BY MS. BALDWIN OF WISCONSIN**

At the end of subtitle A, add the following new section:

1 **SEC. 112. STANDBY MODE.**

2 (a) **CONSUMER APPLIANCE REQUIREMENT.**—Section  
3 325 of the Energy Policy and Conservation Act (42 U.S.C.  
4 6295) is amended by adding at the end the following new  
5 subsection:

6 “(ii) **STANDBY MODE.**—

7 “(1) **REQUIREMENT.**—Except as provided in  
8 paragraph (2), any final rule adopted after July 1,  
9 2012, to set a new or revised energy efficiency  
10 standard for a covered product shall specify that a  
11 covered product manufactured on or after the effective  
12 date of such new or revised standard shall, when  
13 in standby mode, operate with not more than 1 watt  
14 of electric power.

15 “(2) **EXCEPTIONS.**—

16 “(A) **EXTENSIONS.**—The Secretary may  
17 provide a single extension of up to 2 years for  
18 compliance with paragraph (1) with respect to

1 a covered product if the Secretary finds that  
2 such extension is appropriate.

3 “(B) EXEMPTIONS.—The Secretary may  
4 provide an exemption from the requirement  
5 under paragraph (1) for a covered product,  
6 after public notice and opportunity for com-  
7 ment, if the Secretary finds that—

8 “(i) achieving the requirement is not  
9 technologically feasible and economically  
10 justified for that covered product; or

11 “(ii) such an exemption is warranted  
12 for medical or military reasons.

13 Any exemption provided under this subpara-  
14 graph shall be reviewed at least once every 5  
15 years.”.

16 (b) CONSUMER APPLIANCE TEST PROCEDURES.—  
17 Section 323(b) of the Energy Policy and Conservation Act  
18 (42 U.S.C. 6293(b)) is amended by adding at the end the  
19 following new paragraph:

20 “(17) Not later than July 1, 2009, the Secretary  
21 shall issue a final rule establishing test procedures for  
22 standby power consumption for all covered products, ex-  
23 cept for products for which the current test procedure al-  
24 ready measures standby power consumption.”.

25 (c) REPEAL.—

1           (1) IN GENERAL.—Section 325(u) of the En-  
2           ergy Policy and Conservation Act (42 U.S.C.  
3           6295(u)) is amended—

4                   (A) by striking paragraph (2); and

5                   (B) by redesignating paragraphs (3)  
6           through (5) as paragraphs (2) through (4), re-  
7           spectively.

8           (2) EFFECTIVE DATE.—The amendments made  
9           by paragraph (1) shall take effect on the date de-  
10          scribed in section 325(ii)(I) of the Energy Policy  
11          and Conservation Act as, added by subsection (a) of  
12          this section.

13          (d) INDUSTRIAL EQUIPMENT REQUIREMENT.—Sec-  
14          tion 342 of the Energy Policy and Conservation Act (42  
15          U.S.C. 6313) is amended by adding at the end the fol-  
16          lowing new subsection:

17               “(f) STANDBY POWER.—

18                   “(1) REQUIREMENT.—Except as provided in  
19           paragraph (2), any final rule adopted after July 1,  
20           2012, to set a new or revised energy efficiency  
21           standard for covered equipment shall specify that  
22           covered equipment manufactured on or after the ef-  
23           fective date of such new or revised standard shall,  
24           when in standby mode, operate with not more than  
25           1 watt of electric power.

1           “(2) EXCEPTIONS.—

2                   “(A) EXTENSIONS.—The Secretary may  
3           provide a single extension of up to 5 years for  
4           compliance with paragraph (1) with respect to  
5           a covered equipment if the Secretary finds that  
6           such extension is appropriate.

7                   “(B) EXEMPTIONS.—The Secretary may  
8           provide an exemption from the requirement  
9           under paragraph (1) for covered equipment,  
10          after public notice and opportunity for com-  
11          ment, if the Secretary finds that—

12                   “(i) achieving the requirement is not  
13           technologically feasible and economically  
14           justified for that covered equipment; or

15                   “(ii) such an exemption is warranted  
16           for medical or military reasons.

17          Any exemption provided under this subpara-  
18          graph shall be reviewed at least once every 5  
19          years.”.

20          (e) INDUSTRIAL EQUIPMENT TEST PROCEDURES.—  
21          Section 343(a) of the Energy Policy and Conservation Act  
22          (42 U.S.C. 6314(a)) is amended by adding at the end the  
23          following new paragraph:

24                   “(9) Not later than July 1, 2009, the Secretary shall  
25          issue a final rule establishing test procedures for standby

- 1 power consumption for all covered equipment, except for
- 2 equipment for which the current test procedure already
- 3 measures standby power consumption.”.