

**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.”.