

AMENDMENT TO COMMITTEE PRINT #1
OFFERED BY MR. BARROW OF GEORGIA

Page 24, line 2, insert “based on the criteria in subsection (o) and the procedures in subsection (p)” after “standards”.

Page 24, line 20, through page 25, line 4, amend paragraph (4) to read as follows:

1 “(4) The Secretary shall promptly submit to the
2 Committee on Energy and Commerce of the House of
3 Representatives and the Committee on Energy and Nat-
4 ural Resources of the Senate—

5 “(A) a progress report every 180 days on com-
6 pliance with this section, including a specific plan to
7 remedy any failures to comply with deadlines for ac-
8 tion set forth in this section; and

9 “(B) all required reports to the Court or to any
10 party to the Consent Decree in State of New York
11 v Bodman, Consolidated Civil Actions No.05 Civ.
12 7807 and No.05 Civ. 7808.”.

Page 26, line 23, insert “based on the criteria and procedures in subparagraph (B)” after “standards”.

Page 27, line 18, through page 28, line 5, amend clause (iv) to read as follows:

1 “(iv) The Secretary shall promptly submit to
2 the House Committee on Energy and Commerce and
3 to the Senate Committee on Energy and Natural
4 Resources a progress report every 180 days on com-
5 pliance with this paragraph, including a specific plan
6 to remedy any failures to comply with deadlines for
7 action set forth in this paragraph.”.

Page 22, line 19, through page 23, line 11, amend section 108 to read as follows:

8 **SEC. 108. DEFINITION OF ENERGY CONSERVATION STAND-**
9 **ARD.**

10 Section 321 of the Energy Policy and Conservation
11 Act (42 U.S.C. 6291) is amended by striking paragraph
12 (6) and inserting the following:

13 “(6) ENERGY CONSERVATION STANDARD.—

14 “(A) IN GENERAL.—The term ‘energy con-
15 servation standard’ means 1 or more perform-
16 ance standards that—

17 “(i) for covered products (excluding
18 clothes washers, dishwashers, showerheads,
19 faucets, water closets, and urinals), pre-
20 scribe a minimum level of energy efficiency

1 or a maximum quantity of energy use, de-
2 termined in accordance with test proce-
3 dures prescribed under section 323;

4 “(ii) for showerheads, faucets, water
5 closets, and urinals, prescribe a minimum
6 level of water efficiency or a maximum
7 quantity of water use, determined in ac-
8 cordance with test procedures prescribed
9 under section 323; and

10 “(iii) for clothes washers and dish-
11 washers—

12 “(I) prescribe a minimum level of
13 energy efficiency or a maximum quan-
14 tity of energy use, determined in ac-
15 cordance with test procedures pre-
16 scribed under section 323; and

17 “(II) may include a minimum
18 level of water efficiency or a maximum
19 quantity of water use, determined in
20 accordance with those test procedures.

21 “(B) INCLUSIONS.—The term ‘energy con-
22 servation standard’ includes—

23 “(i) 1 or more design requirements, if
24 the requirements were established—

1 “(I) on or before the date of en-
2 actment of this subclause; or

3 “(II) as part of a consensus
4 agreement under section 325(hh); and

5 “(ii) any other requirements that the
6 Secretary may prescribe under section
7 325(r).

8 “(C) EXCLUSION.—The term ‘energy con-
9 servation standard’ does not include a perform-
10 ance standard for a component of a finished
11 covered product, unless regulation of the com-
12 ponent is authorized or established pursuant to
13 this title.”.