

Union Calendar No.

113TH CONGRESS
2^D SESSION

H. R. 5057

[Report No. 113-]

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2014

Mr. GARDNER (for himself and Mr. TONKO) introduced the following bill;
which was referred to the Committee on Energy and Commerce

JULY --, 2014

Committed to the Committee of the Whole House on the State of the Union,
and ordered to be printed

A BILL

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “EPS Service Parts
5 Act of 2014”.

6 **SEC. 2. EXEMPT SUPPLIES.**

7 Section 325(u) of the Energy Policy and Conserva-
8 tion Act (42 U.S.C. 6295(u)) is amended by adding at
9 the end the following:

10 “(5) EXEMPT SUPPLIES.—

11 “(A) FEBRUARY 10, 2014, RULE.—

12 “(i) IN GENERAL.—An external power
13 supply shall not be subject to the final rule
14 entitled ‘Energy Conservation Program:
15 Energy Conservation Standards for Exter-
16 nal Power Supplies’, published at 79 Fed.
17 Reg. 7845 (February 10, 2014), if the ex-
18 ternal power supply—

19 “(I) is manufactured during the
20 period beginning on February 10,
21 2016, and ending on February 10,
22 2020;

23 “(II) is marked in accordance
24 with the External Power Supply
25 International Efficiency Marking Pro-

1 tocol, as in effect on February 10,
2 2016;

3 “(III) meets, where applicable,
4 the standards under paragraph
5 (3)(A), and has been certified to the
6 Secretary as meeting International
7 Efficiency Level IV or higher of the
8 External Power Supply International
9 Efficiency Marking Protocol, as in ef-
10 fect on February 10, 2016; and

11 “(IV) is made available by the
12 manufacturer as a service part or a
13 spare part for an end-use product
14 that—

15 “(aa) constitutes the pri-
16 mary load; and

17 “(bb) was manufactured be-
18 fore February 10, 2016.

19 “(ii) REPORTING.—The Secretary
20 may require manufacturers of products ex-
21 empted pursuant to clause (i) to report an-
22 nual total units shipped as service and
23 spare parts that are not International Effi-
24 ciency Level VI or higher.

1 “(iii) LIMITATION OF EXEMPTION.—

2 The Secretary may issue a rule, after pro-
3 viding public notice and opportunity for
4 public comment, to limit the applicability
5 of the exemption established under clause
6 (i) if the Secretary determines that the ex-
7 emption is resulting in a significant reduc-
8 tion of the energy savings that would oth-
9 erwise result from the final rule described
10 in such clause.

11 “(B) AMENDED STANDARDS.—

12 “(i) IN GENERAL.—The Secretary
13 may exempt an external power supply from
14 any amended standard under this sub-
15 section if the external power supply—

16 “(I) is manufactured within four
17 years of the compliance date of the
18 amended standard;

19 “(II) complies with applicable
20 marking requirements adopted by the
21 Secretary prior to the amendment;

22 “(III) meets the standards that
23 were in effect prior to the amendment;
24 and

1 “(IV) is made available by the
2 manufacturer as a service part or a
3 spare part for an end-use product
4 that—

5 “(aa) constitutes the pri-
6 mary load; and

7 “(bb) was manufactured be-
8 fore the compliance date of the
9 amended standard.

10 “(ii) REPORTING.—The Secretary
11 may require manufacturers of a product
12 exempted pursuant to clause (i) to report
13 annual total units shipped as service and
14 spare parts that do not meet the amended
15 standard.”.