

**Suspend the Rules and Pass the Bill, H.R. 5057, with An Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5057

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

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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

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## 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”.

1 **SEC. 2. EXEMPT SUPPLIES.**

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

5 “(5) EXEMPT SUPPLIES.—

6 “(A) FEBRUARY 10, 2014, RULE.—

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

14 “(I) is manufactured during the  
15 period beginning on February 10,  
16 2016, and ending on February 10,  
17 2020;

18 “(II) is marked in accordance  
19 with the External Power Supply  
20 International Efficiency Marking Pro-  
21 tocol, as in effect on February 10,  
22 2016;

23 “(III) meets, where applicable,  
24 the standards under paragraph  
25 (3)(A), and has been certified to the  
26 Secretary as meeting International

1 Efficiency Level IV or higher of the  
2 External Power Supply International  
3 Efficiency Marking Protocol, as in ef-  
4 fect on February 10, 2016; and

5 “(IV) is made available by the  
6 manufacturer as a service part or a  
7 spare part for an end-use product  
8 that—

9 “(aa) constitutes the pri-  
10 mary load; and

11 “(bb) was manufactured be-  
12 fore February 10, 2016.

13 “(ii) REPORTING.—The Secretary  
14 may require manufacturers of products ex-  
15 empted pursuant to clause (i) to report an-  
16 nual total units shipped as service and  
17 spare parts that fall below International  
18 Efficiency Level VI.

19 “(iii) LIMITATION OF EXEMPTION.—  
20 The Secretary may issue a rule, after pro-  
21 viding public notice and opportunity for  
22 public comment, to limit the applicability  
23 of the exemption established under clause  
24 (i) if the Secretary determines that the ex-  
25 emption is resulting in a significant reduc-

1                   tion of the energy savings that would oth-  
2                   erwise result from the final rule described  
3                   in such clause.

4                   “(B) AMENDED STANDARDS.—

5                   “ (i) IN GENERAL.—The Secretary  
6                   may exempt an external power supply from  
7                   any amended standard under this sub-  
8                   section if the external power supply—

9                   “ (I) is manufactured within four  
10                  years of the compliance date of the  
11                  amended standard;

12                  “ (II) complies with applicable  
13                  marking requirements adopted by the  
14                  Secretary prior to the amendment;

15                  “ (III) meets the standards that  
16                  were in effect prior to the amendment;  
17                  and

18                  “ (IV) is made available by the  
19                  manufacturer as a service part or a  
20                  spare part for an end-use product  
21                  that—

22                  “ (aa) constitutes the pri-  
23                  mary load; and

1                                   “(bb) was manufactured be-  
2                                   fore the compliance date of the  
3                                   amended standard.

4                                   “(ii) REPORTING.—The Secretary  
5                                   may require manufacturers of a product  
6                                   exempted pursuant to clause (i) to report  
7                                   annual total units shipped as service and  
8                                   spare parts that do not meet the amended  
9                                   standard.”.