

*One Hundred Tenth Congress
of the
United States of America
AT THE FIRST SESSION*

Begun and held at the City of Washington on Thursday,

the fourth day of January, two thousand and seven

An Act

To move the United States toward greater energy independence and security, to increase the production of clean renewable fuels, to protect consumers, to increase the efficiency of products, buildings, and vehicles, to promote research on and deploy greenhouse gas capture and storage options, and to improve the energy performance of the Federal Government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

(FD HB 6 - Lighting Energy Efficiency Section)

Document became public law 12/19/07

Subtitle B--Lighting Energy Efficiency

Sec. 321. Efficient light bulbs.

Sec. 322. Incandescent reflector lamp efficiency standards.

Sec. 323. Public building energy efficient and renewable energy systems.

Sec. 324. Metal halide lamp fixtures.

Sec. 325. Energy efficiency labeling for consumer electronic products.

Subtitle B--Lighting Energy Efficiency

SEC. 321. EFFICIENT LIGHT BULBS.

(a) Energy Efficiency Standards for General Service Incandescent Lamps-

(1) DEFINITION OF GENERAL SERVICE INCANDESCENT LAMP- Section 321(30) of the Energy Policy and Conservation Act (42 U.S.C. 6291(30)) is amended--

(A) by striking subparagraph (D) and inserting the following:

`(D) GENERAL SERVICE INCANDESCENT LAMP-

`(i) IN GENERAL- The term 'general service incandescent lamp' means a standard incandescent or halogen type lamp that--

`(I) is intended for general service applications;

`(II) has a medium screw base;

`(III) has a lumen range of not less than 310 lumens and not more than 2,600 lumens; and

`(IV) is capable of being operated at a voltage range at least partially within 110 and 130 volts.

- `(ii) EXCLUSIONS- The term `general service incandescent lamp' does not include the following incandescent lamps:
- `(I) An appliance lamp.
 - `(II) A black light lamp.
 - `(III) A bug lamp.
 - `(IV) A colored lamp.
 - `(V) An infrared lamp.
 - `(VI) A left-hand thread lamp.
 - `(VII) A marine lamp.
 - `(VIII) A marine signal service lamp.
 - `(IX) A mine service lamp.
 - `(X) A plant light lamp.
 - `(XI) A reflector lamp.
 - `(XII) A rough service lamp.
 - `(XIII) A shatter-resistant lamp (including a shatter-proof lamp and a shatter-protected lamp).
 - `(XIV) A sign service lamp.
 - `(XV) A silver bowl lamp.
 - `(XVI) A showcase lamp.
 - `(XVII) A 3-way incandescent lamp.
 - `(XVIII) A traffic signal lamp.
 - `(XIX) A vibration service lamp.
 - `(XX) A G shape lamp (as defined in ANSI C78.20-2003 and C79.1-2002 with a diameter of 5 inches or more.
 - `(XXI) A T shape lamp (as defined in ANSI C78.20-2003 and C79.1-2002) and that uses not more than 40 watts or has a length of more than 10 inches.
 - `(XXII) A B, BA, CA, F, G16-1/2, G-25, G30, S, or M-14 lamp (as defined in ANSI C79.1-2002 and ANSI C78.20-2003) of 40 watts or less.;
- and

(B) by adding at the end the following:

- `(T) APPLIANCE LAMP- The term `appliance lamp' means any lamp that--
- `(i) is specifically designed to operate in a household appliance, has a maximum wattage of 40 watts, and is sold at retail, including an oven lamp, refrigerator lamp, and vacuum cleaner lamp; and
 - `(ii) is designated and marketed for the intended application, with--
 - `(I) the designation on the lamp packaging; and
 - `(II) marketing materials that identify the lamp as being for appliance use.
- `(U) CANDELABRA BASE INCANDESCENT LAMP- The term `candelabra base incandescent lamp' means a lamp that uses candelabra screw base as described in ANSI C81.61-2006, Specifications for Electric Bases, common designations E11 and E12.
- `(V) INTERMEDIATE BASE INCANDESCENT LAMP- The term `intermediate base incandescent lamp' means a lamp that uses an intermediate screw base as described in ANSI C81.61-2006, Specifications for Electric Bases, common designation E17.
- `(W) MODIFIED SPECTRUM- The term `modified spectrum' means, with respect to an incandescent lamp, an incandescent lamp that--
- `(i) is not a colored incandescent lamp; and
 - `(ii) when operated at the rated voltage and wattage of the incandescent lamp--

- (I) has a color point with (x,y) chromaticity coordinates on the Commission Internationale de l'Eclairage (C.I.E.) 1931 chromaticity diagram that lies below the black-body locus; and
 - (II) has a color point with (x,y) chromaticity coordinates on the C.I.E. 1931 chromaticity diagram that lies at least 4 MacAdam steps (as referenced in IESNA LM16) distant from the color point of a clear lamp with the same filament and bulb shape, operated at the same rated voltage and wattage.
- (X) ROUGH SERVICE LAMP- The term 'rough service lamp' means a lamp that--
- (i) has a minimum of 5 supports with filament configurations that are C-7A, C-11, C-17, and C-22 as listed in Figure 6-12 of the 9th edition of the IESNA Lighting handbook, or similar configurations where lead wires are not counted as supports; and
 - (ii) is designated and marketed specifically for 'rough service' applications, with--
 - (I) the designation appearing on the lamp packaging; and
 - (II) marketing materials that identify the lamp as being for rough service.
- (Y) 3-way incandescent lamp- The term '3-way incandescent lamp' includes an incandescent lamp that--
- (i) employs 2 filaments, operated separately and in combination, to provide 3 light levels; and
 - (ii) is designated on the lamp packaging and marketing materials as being a 3-way incandescent lamp.
- (Z) SHATTER-RESISTANT LAMP, SHATTER-PROOF LAMP, OR SHATTER-PROTECTED LAMP- The terms 'shatter-resistant lamp', 'shatter-proof lamp', and 'shatter-protected lamp' mean a lamp that--
- (i) has a coating or equivalent technology that is compliant with NSF/ANSI 51 and is designed to contain the glass if the glass envelope of the lamp is broken; and
 - (ii) is designated and marketed for the intended application, with--
 - (I) the designation on the lamp packaging; and
 - (II) marketing materials that identify the lamp as being shatter-resistant, shatter-proof, or shatter-protected.
- (AA) VIBRATION SERVICE LAMP- The term 'vibration service lamp' means a lamp that--
- (i) has filament configurations that are C-5, C-7A, or C-9, as listed in Figure 6-12 of the 9th Edition of the IESNA Lighting Handbook or similar configurations;
 - (ii) has a maximum wattage of 60 watts;
 - (iii) is sold at retail in packages of 2 lamps or less; and
 - (iv) is designated and marketed specifically for vibration service or vibration-resistant applications, with--
 - (I) the designation appearing on the lamp packaging; and
 - (II) marketing materials that identify the lamp as being vibration service only.
- (BB) GENERAL SERVICE LAMP-
- (i) IN GENERAL- The term 'general service lamp' includes--
 - (I) general service incandescent lamps;
 - (II) compact fluorescent lamps;

`(III) general service light-emitting diode (LED or OLED) lamps; and
`(IV) any other lamps that the Secretary determines are used to satisfy lighting applications traditionally served by general service incandescent lamps.

`(ii) EXCLUSIONS- The term `general service lamp' does not include--
`(I) any lighting application or bulb shape described in any of subclauses (I) through (XXII) of subparagraph (D)(ii); or
`(II) any general service fluorescent lamp or incandescent reflector lamp.

`(CC) LIGHT-EMITTING DIODE; LED-

`(i) IN GENERAL- The terms `light-emitting diode' and `LED' means a p-n junction solid state device the radiated output of which is a function of the physical construction, material used, and exciting current of the device.

`(ii) OUTPUT- The output of a light-emitting diode may be in--
`(I) the infrared region;
`(II) the visible region; or
`(III) the ultraviolet region.

`(DD) ORGANIC LIGHT-EMITTING DIODE; OLED- The terms `organic light-emitting diode' and `OLED' mean a thin-film light-emitting device that typically consists of a series of organic layers between 2 electrical contacts (electrodes).

`(EE) COLORED INCANDESCENT LAMP- The term `colored incandescent lamp' means an incandescent lamp designated and marketed as a colored lamp that has--
`(i) a color rendering index of less than 50, as determined according to the test method given in C.I.E. publication 13.3-1995; or
`(ii) a correlated color temperature of less than 2,500K, or greater than 4,600K, where correlated temperature is computed according to the Journal of Optical Society of America, Vol. 58, pages 1528-1595 (1986).'

(2) COVERAGE- Section 322(a)(14) of the Energy Policy and Conservation Act (42 U.S.C. 6292(a)(14)) is amended by inserting `, general service incandescent lamps,' after `fluorescent lamps'.

(3) ENERGY CONSERVATION STANDARDS- Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) is amended--

(A) in subsection (i)--

(i) in the section heading, by inserting `, General Service Incandescent Lamps, Intermediate Base Incandescent Lamps, Candelabra Base Incandescent Lamps,' after `Fluorescent Lamps';

(ii) in paragraph (1)--

(I) in subparagraph (A)--

(aa) by inserting `, general service incandescent lamps, intermediate base incandescent lamps, candelabra base incandescent lamps,' after `fluorescent lamps';

(bb) by inserting `, new maximum wattage,' after `lamp efficacy'; and

(cc) by inserting after the table entitled `INCANDESCENT REFLECTOR LAMPS' the following:

GENERAL SERVICE INCANDESCENT LAMPS

Rated Lumen Ranges	Maximum Rate Wattage	Minimum Rate	Lifetime	Effective Date
1490-2600	72		1,000 hrs	1/1/2012
1050-1489	53		1,000 hrs	1/1/2013
750-1049	43		1,000 hrs	1/1/2014
310-749	29		1,000 hrs	1/1/2014

MODIFIED SPECTRUM GENERAL SERVICE INCANDESCENT LAMPS

Rated Lumen Ranges	Maximum Rate Wattage	Minimum Rate	Lifetime	Effective Date
1118-1950	72		1,000 hrs	1/1/2012
788-1117	53		1,000 hrs	1/1/2013
563-787	43		1,000 hrs	1/1/2014
232-562	29		1,000 hrs	1/1/2014';

and

(II) by striking subparagraph (B) and inserting the following:

(B) APPLICATION-

(i) APPLICATION CRITERIA- This subparagraph applies to each lamp that--

(I) is intended for a general service or general illumination application (whether incandescent or not);

(II) has a medium screw base or any other screw base not defined in ANSI C81.61-2006;

(III) is capable of being operated at a voltage at least partially within the range of 110 to 130 volts; and

(IV) is manufactured or imported after December 31, 2011.

(ii) REQUIREMENT- For purposes of this paragraph, each lamp described in clause (i) shall have a color rendering index that is greater than or equal to--

(I) 80 for nonmodified spectrum lamps; or

(II) 75 for modified spectrum lamps.

(C) CANDELABRA INCANDESCENT LAMPS AND INTERMEDIATE BASE INCANDESCENT LAMPS-

(i) CANDELABRA BASE INCANDESCENT LAMPS- A candelabra base incandescent lamp shall not exceed 60 rated watts.

(ii) INTERMEDIATE BASE INCANDESCENT LAMPS- An intermediate base incandescent lamp shall not exceed 40 rated watts.

(D) EXEMPTIONS-

(i) PETITION- Any person may petition the Secretary for an exemption for a type of general service lamp from the requirements of this subsection.

(ii) CRITERIA- The Secretary may grant an exemption under clause (i) only to the extent that the Secretary finds, after a hearing and opportunity for public comment, that it is not technically feasible to serve a specialized lighting application (such as a military, medical, public safety, or certified historic lighting application) using a lamp that meets the requirements of this subsection.

(iii) ADDITIONAL CRITERION- To grant an exemption for a product under this subparagraph, the Secretary shall include, as an additional criterion, that the exempted product is unlikely to be used in a general service lighting application.

(E) EXTENSION OF COVERAGE-

- `(i) PETITION- Any person may petition the Secretary to establish standards for lamp shapes or bases that are excluded from the definition of general service lamps.
- `(ii) INCREASED SALES OF EXEMPTED LAMPS- The petition shall include evidence that the availability or sales of exempted incandescent lamps have increased significantly since the date on which the standards on general service incandescent lamps were established.
- `(iii) CRITERIA- The Secretary shall grant a petition under clause (i) if the Secretary finds that--
 - `(I) the petition presents evidence that demonstrates that commercial availability or sales of exempted incandescent lamp types have increased significantly since the standards on general service lamps were established and likely are being widely used in general lighting applications; and
 - `(II) significant energy savings could be achieved by covering exempted products, as determined by the Secretary based on sales data provided to the Secretary from manufacturers and importers.
- `(iv) NO PRESUMPTION- The grant of a petition under this subparagraph shall create no presumption with respect to the determination of the Secretary with respect to any criteria under a rulemaking conducted under this section.
- `(v) EXPEDITED PROCEEDING- If the Secretary grants a petition for a lamp shape or base under this subparagraph, the Secretary shall--
 - `(I) conduct a rulemaking to determine standards for the exempted lamp shape or base; and
 - `(II) complete the rulemaking not later than 18 months after the date on which notice is provided granting the petition.
- `(F) DEFINITION OF EFFECTIVE DATE- In this paragraph, except as otherwise provided in a table contained in subparagraph (A), the term 'effective date' means the last day of the month specified in the table that follows October 24, 1992.:'
 - (iii) in paragraph (5), in the first sentence, by striking 'and general service incandescent lamps';
 - (iv) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and
 - (v) by inserting after paragraph (5) the following:
- `(6) STANDARDS FOR GENERAL SERVICE LAMPS-
 - `(A) RULEMAKING BEFORE JANUARY 1, 2014-
 - `(i) IN GENERAL- Not later than January 1, 2014, the Secretary shall initiate a rulemaking procedure to determine whether--
 - `(I) standards in effect for general service lamps should be amended to establish more stringent standards than the standards specified in paragraph (1)(A); and
 - `(II) the exemptions for certain incandescent lamps should be maintained or discontinued based, in part, on exempted lamp sales collected by the Secretary from manufacturers.
 - `(ii) SCOPE- The rulemaking--
 - `(I) shall not be limited to incandescent lamp technologies; and
 - `(II) shall include consideration of a minimum standard of 45 lumens per watt for general service lamps.

`(iii) AMENDED STANDARDS- If the Secretary determines that the standards in effect for general service incandescent lamps should be amended, the Secretary shall publish a final rule not later than January 1, 2017, with an effective date that is not earlier than 3 years after the date on which the final rule is published.

`(iv) PHASED-IN EFFECTIVE DATES- The Secretary shall consider phased-in effective dates under this subparagraph after considering--

`(I) the impact of any amendment on manufacturers, retiring and repurposing existing equipment, stranded investments, labor contracts, workers, and raw materials; and

`(II) the time needed to work with retailers and lighting designers to revise sales and marketing strategies.

`(v) BACKSTOP REQUIREMENT- If the Secretary fails to complete a rulemaking in accordance with clauses (i) through (iv) or if the final rule does not produce savings that are greater than or equal to the savings from a minimum efficacy standard of 45 lumens per watt, effective beginning January 1, 2020, the Secretary shall prohibit the sale of any general service lamp that does not meet a minimum efficacy standard of 45 lumens per watt.

`(vi) STATE PREEMPTION- Neither section 327(b) nor any other provision of law shall preclude California or Nevada from adopting, effective beginning on or after January 1, 2018--

`(I) a final rule adopted by the Secretary in accordance with clauses (i) through (iv);

`(II) if a final rule described in subclause (I) has not been adopted, the backstop requirement under clause (v); or

`(III) in the case of California, if a final rule described in subclause (I) has not been adopted, any California regulations relating to these covered products adopted pursuant to State statute in effect as of the date of enactment of the Energy Independence and Security Act of 2007.

`(B) RULEMAKING BEFORE JANUARY 1, 2020-

`(i) IN GENERAL- Not later than January 1, 2020, the Secretary shall initiate a rulemaking procedure to determine whether--

`(I) standards in effect for general service incandescent lamps should be amended to reflect lumen ranges with more stringent maximum wattage than the standards specified in paragraph (1)(A); and

`(II) the exemptions for certain incandescent lamps should be maintained or discontinued based, in part, on exempted lamp sales data collected by the Secretary from manufacturers.

`(ii) SCOPE- The rulemaking shall not be limited to incandescent lamp technologies.

`(iii) AMENDED STANDARDS- If the Secretary determines that the standards in effect for general service incandescent lamps should be amended, the Secretary shall publish a final rule not later than January 1, 2022, with an effective date that is not earlier than 3 years after the date on which the final rule is published.

`(iv) PHASED-IN EFFECTIVE DATES- The Secretary shall consider phased-in effective dates under this subparagraph after considering--

`(I) the impact of any amendment on manufacturers, retiring and repurposing existing equipment, stranded investments, labor contracts, workers, and raw materials; and

`(II) the time needed to work with retailers and lighting designers to revise sales and marketing strategies.'; and

(B) in subsection (1), by adding at the end the following:

`(4) ENERGY EFFICIENCY STANDARDS FOR CERTAIN LAMPS-

`(A) IN GENERAL- The Secretary shall prescribe an energy efficiency standard for rough service lamps, vibration service lamps, 3-way incandescent lamps, 2,601-3,300 lumen general service incandescent lamps, and shatter-resistant lamps only in accordance with this paragraph.

`(B) BENCHMARKS- Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the National Electrical Manufacturers Association, shall--

`(i) collect actual data for United States unit sales for each of calendar years 1990 through 2006 for each of the 5 types of lamps described in subparagraph (A) to determine the historical growth rate of the type of lamp; and

`(ii) construct a model for each type of lamp based on coincident economic indicators that closely match the historical annual growth rate of the type of lamp to provide a neutral comparison benchmark to model future unit sales after calendar year 2006.

`(C) ACTUAL SALES DATA-

`(i) IN GENERAL- Effective for each of calendar years 2010 through 2025, the Secretary, in consultation with the National Electrical Manufacturers Association, shall--

`(I) collect actual United States unit sales data for each of 5 types of lamps described in subparagraph (A); and

`(II) not later than 90 days after the end of each calendar year, compare the lamp sales in that year with the sales predicted by the comparison benchmark for each of the 5 types of lamps described in subparagraph (A).

`(ii) CONTINUATION OF TRACKING-

`(I) DETERMINATION- Not later than January 1, 2023, the Secretary shall determine if actual sales data should be tracked for the lamp types described in subparagraph (A) after calendar year 2025.

`(II) CONTINUATION- If the Secretary finds that the market share of a lamp type described in subparagraph (A) could significantly erode the market share for general service lamps, the Secretary shall continue to track the actual sales data for the lamp type.

`(D) ROUGH SERVICE LAMPS-

`(i) IN GENERAL- Effective beginning with the first year that the reported annual sales rate for rough service lamps demonstrates actual unit sales of rough service lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall--

`(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

`(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for rough service lamps.

`(ii) BACKSTOP REQUIREMENT- If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1

year after the date of the issuance of the finding under clause (i)(I), the Secretary shall require rough service lamps to--

`(I) have a shatter-proof coating or equivalent technology that is compliant with NSF/ANSI 51 and is designed to contain the glass if the glass envelope of the lamp is broken and to provide effective containment over the life of the lamp;

`(II) have a maximum 40-watt limitation; and

`(III) be sold at retail only in a package containing 1 lamp.

`(E) VIBRATION SERVICE LAMPS-

`(i) IN GENERAL- Effective beginning with the first year that the reported annual sales rate for vibration service lamps demonstrates actual unit sales of vibration service lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall--

`(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

`(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for vibration service lamps.

`(ii) BACKSTOP REQUIREMENT- If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of the issuance of the finding under clause (i)(I), the Secretary shall require vibration service lamps to--

`(I) have a maximum 40-watt limitation; and

`(II) be sold at retail only in a package containing 1 lamp.

`(F) 3-way incandescent lamps-

`(i) IN GENERAL- Effective beginning with the first year that the reported annual sales rate for 3-way incandescent lamps demonstrates actual unit sales of 3-way incandescent lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall--

`(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

`(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for 3-way incandescent lamps.

`(ii) BACKSTOP REQUIREMENT- If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of issuance of the finding under clause (i)(I), the Secretary shall require that--

`(I) each filament in a 3-way incandescent lamp meet the new maximum wattage requirements for the respective lumen range established under subsection (i)(1)(A); and

`(II) 3-way lamps be sold at retail only in a package containing 1 lamp.

`(G) 2,601-3,300 lumen general service incandescent lamps- Effective beginning with the first year that the reported annual sales rate demonstrates actual unit sales of 2,601-3,300 lumen general service incandescent lamps in the lumen range of 2,601 through 3,300 lumens (or, in the case of a modified spectrum, in the lumen range of 1,951 through 2,475 lumens) that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall impose--

- `(i) a maximum 95-watt limitation on general service incandescent lamps in the lumen range of 2,601 through 3,300 lumens; and
- `(ii) a requirement that those lamps be sold at retail only in a package containing 1 lamp.

`(H) SHATTER-RESISTANT LAMPS-

`(i) IN GENERAL- Effective beginning with the first year that the reported annual sales rate for shatter-resistant lamps demonstrates actual unit sales of shatter-resistant lamps that achieve levels that are at least 100 percent higher than modeled unit sales for that same year, the Secretary shall--

`(I) not later than 90 days after the end of the previous calendar year, issue a finding that the index has been exceeded; and

`(II) not later than the date that is 1 year after the end of the previous calendar year, complete an accelerated rulemaking to establish an energy conservation standard for shatter-resistant lamps.

`(ii) BACKSTOP REQUIREMENT- If the Secretary fails to complete an accelerated rulemaking in accordance with clause (i)(II), effective beginning 1 year after the date of issuance of the finding under clause (i)(I), the Secretary shall impose--

`(I) a maximum wattage limitation of 40 watts on shatter resistant lamps; and

`(II) a requirement that those lamps be sold at retail only in a package containing 1 lamp.

`(I) RULEMAKINGS BEFORE JANUARY 1, 2025-

`(i) IN GENERAL- Except as provided in clause (ii), if the Secretary issues a final rule prior to January 1, 2025, establishing an energy conservation standard for any of the 5 types of lamps for which data collection is required under any of subparagraphs (D) through (G), the requirement to collect and model data for that type of lamp shall terminate unless, as part of the rulemaking, the Secretary determines that continued tracking is necessary.

`(ii) BACKSTOP REQUIREMENT- If the Secretary imposes a backstop requirement as a result of a failure to complete an accelerated rulemaking in accordance with clause (i)(II) of any of subparagraphs (D) through (G), the requirement to collect and model data for the applicable type of lamp shall continue for an additional 2 years after the effective date of the backstop requirement.'

(b) Consumer Education and Lamp Labeling- Section 324(a)(2)(C) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)(C)) is amended by adding at the end the following:

`(iii) RULEMAKING TO CONSIDER EFFECTIVENESS OF LAMP LABELING-

`(I) IN GENERAL- Not later than 1 year after the date of enactment of this clause, the Commission shall initiate a rulemaking to consider--

`(aa) the effectiveness of current lamp labeling for power levels or watts, light output or lumens, and lamp lifetime; and

`(bb) alternative labeling approaches that will help consumers to understand new high-efficiency lamp products and to base the purchase decisions of the consumers on the most appropriate source that meets the requirements of the consumers for lighting level, light quality, lamp lifetime, and total lifecycle cost.

(II) COMPLETION- The Commission shall--

(aa) complete the rulemaking not later than the date that is 30 months after the date of enactment of this clause; and

(bb) consider reopening the rulemaking not later than 180 days before the effective dates of the standards for general service incandescent lamps established under section 325(i)(1)(A), if the Commission determines that further labeling changes are needed to help consumers understand lamp alternatives.'

(c) Market Assessments and Consumer Awareness Program-

(1) IN GENERAL- In cooperation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Federal Trade Commission, lighting and retail industry associations, energy efficiency organizations, and any other entities that the Secretary of Energy determines to be appropriate, the Secretary of Energy shall--

(A) conduct an annual assessment of the market for general service lamps and compact fluorescent lamps--

(i) to identify trends in the market shares of lamp types, efficiencies, and light output levels purchased by residential and nonresidential consumers; and

(ii) to better understand the degree to which consumer decisionmaking is based on lamp power levels or watts, light output or lumens, lamp lifetime, and other factors, including information required on labels mandated by the Federal Trade Commission;

(B) provide the results of the market assessment to the Federal Trade Commission for consideration in the rulemaking described in section 324(a)(2)(C)(iii) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)(C)(iii)); and

(C) in cooperation with industry trade associations, lighting industry members, utilities, and other interested parties, carry out a proactive national program of consumer awareness, information, and education that broadly uses the media and other effective communication techniques over an extended period of time to help consumers understand the lamp labels and make energy-efficient lighting choices that meet the needs of consumers.

(2) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2009 through 2012.

(d) General Rule of Preemption for Energy Conservation Standards Before Federal Standard Becomes Effective for a Product- Section 327(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6297(b)(1)) is amended--

(1) by inserting '(A)' after '(1)';

(2) by inserting 'or' after the semicolon at the end; and

(3) by adding at the end the following:

(B) in the case of any portion of any regulation that establishes requirements for general service incandescent lamps, intermediate base incandescent lamps, or candelabra base lamps, was enacted or adopted by the State of California or Nevada before December 4, 2007, except that--

(i) the regulation adopted by the California Energy Commission with an effective date of January 1, 2008, shall only be effective until the effective date of the Federal standard for the applicable lamp category under subparagraphs (A), (B), and (C) of section 325(i)(1);

(ii) the States of California and Nevada may, at any time, modify or adopt a State standard for general service lamps to conform with Federal standards with effective dates no earlier than 12 months prior to the Federal effective dates prescribed under

subparagraphs (A), (B), and (C) of section 325(i)(1), at which time any prior regulations adopted by the State of California or Nevada shall no longer be effective; and
(iii) all other States may, at any time, modify or adopt a State standard for general service lamps to conform with Federal standards and effective dates.'

(e) Prohibited Acts- Section 332(a) of the Energy Policy and Conservation Act (42 U.S.C. 6302(a)) is amended--

(1) in paragraph (4), by striking 'or' at the end;

(2) in paragraph (5), by striking the period at the end and inserting '; or'; and

(3) by adding at the end the following:

(6) for any manufacturer, distributor, retailer, or private labeler to distribute in commerce an adapter that--

(A) is designed to allow an incandescent lamp that does not have a medium screw base to be installed into a fixture or lampholder with a medium screw base socket; and

(B) is capable of being operated at a voltage range at least partially within 110 and 130 volts.'

(f) Enforcement- Section 334 of the Energy Policy and Conservation Act (42 U.S.C. 6304) is amended by inserting after the second sentence the following: 'Any such action to restrain any person from distributing in commerce a general service incandescent lamp that does not comply with the applicable standard established under section 325(i) or an adapter prohibited under section 332(a)(6) may also be brought by the attorney general of a State in the name of the State.'

(g) Research and Development Program-

(1) IN GENERAL- The Secretary may carry out a lighting technology research and development program--

(A) to support the research, development, demonstration, and commercial application of lamps and related technologies sold, offered for sale, or otherwise made available in the United States; and

(B) to assist manufacturers of general service lamps in the manufacturing of general service lamps that, at a minimum, achieve the wattage requirements imposed as a result of the amendments made by subsection (a).

(2) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2008 through 2013.

(3) TERMINATION OF AUTHORITY- The program under this subsection shall terminate on September 30, 2015.

(h) Reports to Congress-

(1) REPORT ON MERCURY USE AND RELEASE- Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with the Administrator of the Environmental Protection Agency, shall submit to Congress a report describing recommendations relating to the means by which the Federal Government may reduce or prevent the release of mercury during the manufacture, transportation, storage, or disposal of light bulbs.

(2) REPORT ON RULEMAKING SCHEDULE- Beginning on July 1, 2013, and semiannually through July 1, 2016, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on--

(A) whether the Secretary will meet the deadlines for the rulemakings required under this section;

(B) a description of any impediments to meeting the deadlines; and

(C) a specific plan to remedy any failures, including recommendations for additional legislation or resources.

(3) NATIONAL ACADEMY REVIEW-

(A) IN GENERAL- Not later than December 31, 2009, the Secretary shall enter into an arrangement with the National Academy of Sciences to provide a report by December 31, 2013, and an updated report by July 31, 2015. The report should include--

- (i) the status of advanced solid state lighting research, development, demonstration and commercialization;
- (ii) the impact on the types of lighting available to consumers of an energy conservation standard requiring a minimum of 45 lumens per watt for general service lighting effective in 2020; and
- (iii) the time frame for the commercialization of lighting that could replace current incandescent and ◀ **halogen** ▶ incandescent lamp technology and any other new technologies developed to meet the minimum standards required under subsection (a)(3) of this section.

(B) REPORTS- The reports shall be transmitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 322. INCANDESCENT REFLECTOR LAMP EFFICIENCY STANDARDS.

(a) Definitions- Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) (as amended by section 316(c)(1)(D)) is amended--

(1) in paragraph (30)(C)(ii)--

(A) in the matter preceding subclause (I)--

- (i) by striking 'or similar bulb shapes (excluding ER or BR)' and inserting 'ER, BR, BPAR, or similar bulb shapes'; and
- (ii) by striking '2.75' and inserting '2.25'; and

(B) by striking 'is either--' and all that follows through subclause (II) and inserting 'has a rated wattage that is 40 watts or higher'; and

(2) by adding at the end the following:

`(54) BPAR INCANDESCENT REFLECTOR LAMP- The term 'BPAR incandescent reflector lamp' means a reflector lamp as shown in figure C78.21-278 on page 32 of ANSI C78.21-2003.

`(55) BR INCANDESCENT REFLECTOR LAMP; BR30; BR40-

`(A) BR INCANDESCENT REFLECTOR LAMP- The term 'BR incandescent reflector lamp' means a reflector lamp that has--

- (i) a bulged section below the major diameter of the bulb and above the approximate baseline of the bulb, as shown in figure 1 (RB) on page 7 of ANSI C79.1-1994, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph); and
- (ii) a finished size and shape shown in ANSI C78.21-1989, including the referenced reflective characteristics in part 7 of ANSI C78.21-1989, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

`(B) BR30- The term 'BR30' means a BR incandescent reflector lamp with a diameter of 30/8ths of an inch.

`(C) BR40- The term 'BR40' means a BR incandescent reflector lamp with a diameter of 40/8ths of an inch.

`(56) ER INCANDESCENT REFLECTOR LAMP; ER30; ER40-

`(A) ER INCANDESCENT REFLECTOR LAMP- The term `ER incandescent reflector lamp' means a reflector lamp that has--

- `(i) an elliptical section below the major diameter of the bulb and above the approximate baseline of the bulb, as shown in figure 1 (RE) on page 7 of ANSI C79.1-1994, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph); and
- `(ii) a finished size and shape shown in ANSI C78.21-1989, incorporated by reference in section 430.22 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

`(B) ER30- The term `ER30' means an ER incandescent reflector lamp with a diameter of 30/8ths of an inch.

`(C) ER40- The term `ER40' means an ER incandescent reflector lamp with a diameter of 40/8ths of an inch.

`(57) R20 INCANDESCENT REFLECTOR LAMP- The term `R20 incandescent reflector lamp' means a reflector lamp that has a face diameter of approximately 2.5 inches, as shown in figure 1(R) on page 7 of ANSI C79.1-1994.'.

(b) Standards for Fluorescent Lamps and Incandescent Reflector Lamps- Section 325(i) of the Energy Policy and Conservation Act (42 U.S.C. 6995(i)) is amended by striking paragraph (1) and inserting the following:

`(1) STANDARDS-

`(A) DEFINITION OF EFFECTIVE DATE- In this paragraph (other than subparagraph (D)), the term `effective date' means, with respect to each type of lamp specified in a table contained in subparagraph (B), the last day of the period of months corresponding to that type of lamp (as specified in the table) that follows October 24, 1992.

`(B) MINIMUM STANDARDS- Each of the following general service fluorescent lamps and incandescent reflector lamps manufactured after the effective date specified in the tables contained in this paragraph shall meet or exceed the following lamp efficacy and CRI standards:

`FLUORESCENT LAMPS

Lamp Type	Nominal Lamp Wattage	Minimum CRI	Minimum Average Lamp Efficacy (LPW)
Effective Date (Period of Months)			
4-foot medium bi-pin 36	>35 W	69	75.0
36		45	75.0
2-foot U-shaped 36	>35 W	69	68.0
36		45	64.0
8-foot slimline 18	65 W	69	80.0
18		45	80.0
8-foot high output 18	>100 W	69	80.0
18		45	80.0

INCANDESCENT REFLECTOR LAMPS

Nominal Lamp Wattage Minimum Average Lamp Efficacy (LPW) Effective Date (Period of Months)

40-50	10.5	36
51-66	11.0	36
67-85	12.5	36
86-115	14.0	36
116-155	14.5	36
156-205	15.0	36

(C) EXEMPTIONS- The standards specified in subparagraph (B) shall not apply to the following types of incandescent reflector lamps:

- (i) Lamps rated at 50 watts or less that are ER30, BR30, BR40, or ER40 lamps.
- (ii) Lamps rated at 65 watts that are BR30, BR40, or ER40 lamps.
- (iii) R20 incandescent reflector lamps rated 45 watts or less.

(D) EFFECTIVE DATES-

(i) ER, BR, AND BPAR LAMPS- The standards specified in subparagraph (B) shall apply with respect to ER incandescent reflector lamps, BR incandescent reflector lamps, BPAR incandescent reflector lamps, and similar bulb shapes on and after January 1, 2008.

(ii) LAMPS BETWEEN 2.25-2.75 INCHES IN DIAMETER- The standards specified in subparagraph (B) shall apply with respect to incandescent reflector lamps with a diameter of more than 2.25 inches, but not more than 2.75 inches, on and after the later of January 1, 2008, or the date that is 180 days after the date of enactment of the Energy Independence and Security Act of 2007.'

SEC. 323. PUBLIC BUILDING ENERGY EFFICIENT AND RENEWABLE ENERGY SYSTEMS.

(a) Estimate of Energy Performance in Prospectus- Section 3307(b) of title 40, United States Code, is amended--

- (1) by striking 'and' at the end of paragraph (5);
- (2) by striking the period at the end of paragraph (6) and inserting '; and'; and
- (3) by inserting after paragraph (6) the following:

(7) with respect to any prospectus for the construction, alteration, or acquisition of any building or space to be leased, an estimate of the future energy performance of the building or space and a specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.'

(b) Minimum Performance Requirements for Leased Space- Section 3307 of such title is amended--

- (1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and
- (2) by inserting after subsection (e) the following:

(f) Minimum Performance Requirements for Leased Space- With respect to space to be leased, the Administrator shall include, to the maximum extent practicable, minimum performance requirements requiring energy efficiency and the use of renewable energy.'

(c) Use of Energy Efficient Lighting Fixtures and Bulbs-

- (1) IN GENERAL- Chapter 33 of such title is amended--

- (A) by redesignating sections 3313, 3314, and 3315 as sections 3314, 3315, and 3316, respectively; and
- (B) by inserting after section 3312 the following:

Sec. 3313. Use of energy efficient lighting fixtures and bulbs

- (a) Construction, Alteration, and Acquisition of Public Buildings- Each public building constructed, altered, or acquired by the Administrator of General Services shall be equipped, to the maximum extent feasible as determined by the Administrator, with lighting fixtures and bulbs that are energy efficient.
- (b) Maintenance of Public Buildings- Each lighting fixture or bulb that is replaced by the Administrator in the normal course of maintenance of public buildings shall be replaced, to the maximum extent feasible, with a lighting fixture or bulb that is energy efficient.
- (c) Considerations- In making a determination under this section concerning the feasibility of installing a lighting fixture or bulb that is energy efficient, the Administrator shall consider--
 - (1) the life-cycle cost effectiveness of the fixture or bulb;
 - (2) the compatibility of the fixture or bulb with existing equipment;
 - (3) whether use of the fixture or bulb could result in interference with productivity;
 - (4) the aesthetics relating to use of the fixture or bulb; and
 - (5) such other factors as the Administrator determines appropriate.
- (d) Energy Star- A lighting fixture or bulb shall be treated as being energy efficient for purposes of this section if--
 - (1) the fixture or bulb is certified under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a);
 - (2) in the case of all light-emitting diode (LED) luminaires, lamps, and systems whose efficacy (lumens per watt) and Color Rendering Index (CRI) meet the Department of Energy requirements for minimum luminaire efficacy and CRI for the Energy Star certification, as verified by an independent third-party testing laboratory that the Administrator and the Secretary of Energy determine conducts its tests according to the procedures and recommendations of the Illuminating Engineering Society of North America, even if the luminaires, lamps, and systems have not received such certification; or
 - (3) the Administrator and the Secretary of Energy have otherwise determined that the fixture or bulb is energy efficient.
- (e) Additional Energy Efficient Lighting Designations- The Administrator of the Environmental Protection Agency and the Secretary of Energy shall give priority to establishing Energy Star performance criteria or Federal Energy Management Program designations for additional lighting product categories that are appropriate for use in public buildings.
- (f) Guidelines- The Administrator shall develop guidelines for the use of energy efficient lighting technologies that contain mercury in child care centers in public buildings.
- (g) Applicability of Buy American Act- Acquisitions carried out pursuant to this section shall be subject to the requirements of the Buy American Act (41 U.S.C. 10c et seq.).
- (h) Effective Date- The requirements of subsections (a) and (b) shall take effect 1 year after the date of enactment of this subsection.
 - (2) CLERICAL AMENDMENT- The analysis for such chapter is amended by striking the items relating to sections 3313, 3314, and 3315 and inserting the following:
 - 3313. Use of energy efficient lighting fixtures and bulbs.
 - 3314. Delegation.
 - 3315. Report to Congress.
 - 3316. Certain authority not affected.

- (d) Evaluation Factor- Section 3310 of such title is amended--
- (1) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and
 - (2) by inserting after paragraph (2) the following:
 - (3) shall include in the solicitation for any lease requiring a prospectus under section 3307 an evaluation factor considering the extent to which the offeror will promote energy efficiency and the use of renewable energy;'

SEC. 324. METAL HALIDE LAMP FIXTURES.

- (a) Definitions- Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) (as amended by section 322(a)(2)) is amended by adding at the end the following:
- (58) BALLAST- The term 'ballast' means a device used with an electric discharge lamp to obtain necessary circuit conditions (voltage, current, and waveform) for starting and operating.
 - (59) BALLAST EFFICIENCY-
 - (A) IN GENERAL- The term 'ballast efficiency' means, in the case of a high intensity discharge fixture, the efficiency of a lamp and ballast combination, expressed as a percentage, and calculated in accordance with the following formula: $\text{Efficiency} = \frac{\text{Pout}}{\text{Pin}}$.
 - (B) EFFICIENCY FORMULA- For the purpose of subparagraph (A)--
 - (i) **Pout** shall equal the measured operating lamp wattage;
 - (ii) **Pin** shall equal the measured operating input wattage;
 - (iii) the lamp, and the capacitor when the capacitor is provided, shall constitute a nominal system in accordance with the ANSI Standard C78.43-2004;
 - (iv) for ballasts with a frequency of 60 Hz, **Pin** and **Pout** shall be measured after lamps have been stabilized according to section 4.4 of ANSI Standard C82.6-2005 using a wattmeter with accuracy specified in section 4.5 of ANSI Standard C82.6-2005; and
 - (v) for ballasts with a frequency greater than 60 Hz, **Pin** and **Pout** shall have a basic accuracy of 0.5 percent at the higher of--
 - (I) 3 times the output operating frequency of the ballast; or
 - (II) 2 kHz for ballast with a frequency greater than 60 Hz.
 - (C) MODIFICATION- The Secretary may, by rule, modify the definition of 'ballast efficiency' if the Secretary determines that the modification is necessary or appropriate to carry out the purposes of this Act.
 - (60) ELECTRONIC BALLAST- The term 'electronic ballast' means a device that uses semiconductors as the primary means to control lamp starting and operation.
 - (61) GENERAL LIGHTING APPLICATION- The term 'general lighting application' means lighting that provides an interior or exterior area with overall illumination.
 - (62) METAL HALIDE BALLAST- The term 'metal halide ballast' means a ballast used to start and operate metal halide lamps.
 - (63) METAL HALIDE LAMP- The term 'metal halide lamp' means a high intensity discharge lamp in which the major portion of the light is produced by radiation of metal halides and their products of dissociation, possibly in combination with metallic vapors.
 - (64) METAL HALIDE LAMP FIXTURE- The term 'metal halide lamp fixture' means a light fixture for general lighting application designed to be operated with a metal halide lamp and a ballast for a metal halide lamp.
 - (65) PROBE-START METAL HALIDE BALLAST- The term 'probe-start metal halide ballast' means a ballast that--

`(A) starts a probe-start metal halide lamp that contains a third starting electrode (probe) in the arc tube; and

`(B) does not generally contain an igniter but instead starts lamps with high ballast open circuit voltage.

`(66) PULSE-START METAL HALIDE BALLAST-

`(A) IN GENERAL- The term 'pulse-start metal halide ballast' means an electronic or electromagnetic ballast that starts a pulse-start metal halide lamp with high voltage pulses.

`(B) STARTING PROCESS- For the purpose of subparagraph (A)--

`(i) lamps shall be started by first providing a high voltage pulse for ionization of the gas to produce a glow discharge; and

`(ii) to complete the starting process, power shall be provided by the ballast to sustain the discharge through the glow-to-arc transition.'

(b) Coverage- Section 322(a) of the Energy Policy and Conservation Act (42 U.S.C. 6292(a)) is amended--

(1) by redesignating paragraph (19) as paragraph (20); and

(2) by inserting after paragraph (18) the following:

`(19) Metal halide lamp fixtures.'

(c) Test Procedures- Section 323(b) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)) (as amended by section 301(b)) is amended by adding at the end the following:

`(18) METAL HALIDE LAMP BALLASTS- Test procedures for metal halide lamp ballasts shall be based on ANSI Standard C82.6-2005, entitled 'Ballasts for High Intensity Discharge Lamps--Method of Measurement'.'

(d) Labeling- Section 324(a)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is amended--

(1) by redesignating subparagraphs (C) through (G) as subparagraphs (D) through (H), respectively; and

(2) by inserting after subparagraph (B) the following:

`(C) METAL HALIDE LAMP FIXTURES-

`(i) IN GENERAL- The Commission shall issue labeling rules under this section applicable to the covered product specified in section 322(a)(19) and to which standards are applicable under section 325.

`(ii) LABELING- The rules shall provide that the labeling of any metal halide lamp fixture manufactured on or after the later of January 1, 2009, or the date that is 270 days after the date of enactment of this subparagraph, shall indicate conspicuously, in a manner prescribed by the Commission under subsection (b) by July 1, 2008, a capital letter 'E' printed within a circle on the packaging of the fixture, and on the ballast contained in the fixture.'

(e) Standards- Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) (as amended by section 310) is amended--

(1) by redesignating subsection (hh) as subsection (ii);

(2) by inserting after subsection (gg) the following:

`(hh) Metal Halide Lamp Fixtures-

`(1) STANDARDS-

`(A) IN GENERAL- Subject to subparagraphs (B) and (C), metal halide lamp fixtures designed to be operated with lamps rated greater than or equal to 150 watts but less than or equal to 500 watts shall contain--

- `(i) a pulse-start metal halide ballast with a minimum ballast efficiency of 88 percent;
 - `(ii) a magnetic probe-start ballast with a minimum ballast efficiency of 94 percent; or
 - `(iii) a nonpulse-start electronic ballast with--
 - `(I) a minimum ballast efficiency of 92 percent for wattages greater than 250 watts; and
 - `(II) a minimum ballast efficiency of 90 percent for wattages less than or equal to 250 watts.
- `(B) EXCLUSIONS- The standards established under subparagraph (A) shall not apply to--
- `(i) fixtures with regulated lag ballasts;
 - `(ii) fixtures that use electronic ballasts that operate at 480 volts; or
 - `(iii) fixtures that--
 - `(I) are rated only for 150 watt lamps;
 - `(II) are rated for use in wet locations, as specified by the National Electrical Code 2002, section 410.4(A); and
 - `(III) contain a ballast that is rated to operate at ambient air temperatures above 50 C, as specified by UL 1029-2001.
- `(C) APPLICATION- The standards established under subparagraph (A) shall apply to metal halide lamp fixtures manufactured on or after the later of--
- `(i) January 1, 2009; or
 - `(ii) the date that is 270 days after the date of enactment of this subsection.
- `(2) FINAL RULE BY JANUARY 1, 2012-
- `(A) IN GENERAL- Not later than January 1, 2012, the Secretary shall publish a final rule to determine whether the standards established under paragraph (1) should be amended.
 - `(B) ADMINISTRATION- The final rule shall--
 - `(i) contain any amended standard; and
 - `(ii) apply to products manufactured on or after January 1, 2015.
- `(3) FINAL RULE BY JANUARY 1, 2019-
- `(A) IN GENERAL- Not later than January 1, 2019, the Secretary shall publish a final rule to determine whether the standards then in effect should be amended.
 - `(B) ADMINISTRATION- The final rule shall--
 - `(i) contain any amended standards; and
 - `(ii) apply to products manufactured after January 1, 2022.
- `(4) DESIGN AND PERFORMANCE REQUIREMENTS- Notwithstanding any other provision of law, any standard established pursuant to this subsection may contain both design and performance requirements.'; and
- (3) in paragraph (2) of subsection (ii) (as redesignated by paragraph (2)), by striking `(gg)' each place it appears and inserting `(hh)'.
- (f) Effect on Other Law- Section 327(c) of the Energy Policy and Conservation Act (42 U.S.C. 6297(c)) is amended--
- (1) in paragraph (8)(B), by striking the period at the end and inserting `; and'; and
 - (2) by adding at the end the following:
 - `(9) is a regulation concerning metal halide lamp fixtures adopted by the California Energy Commission on or before January 1, 2011, except that--

(A) if the Secretary fails to issue a final rule within 180 days after the deadlines for rulemakings in section 325(hh), notwithstanding any other provision of this section, preemption shall not apply to a regulation concerning metal halide lamp fixtures adopted by the California Energy Commission--

(i) on or before July 1, 2015, if the Secretary fails to meet the deadline specified in section 325(hh)(2); or

(ii) on or before July 1, 2022, if the Secretary fails to meet the deadline specified in section 325(hh)(3).'

SEC. 325. ENERGY EFFICIENCY LABELING FOR CONSUMER ELECTRONIC PRODUCTS.

(a) In General- Section 324(a) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)) (as amended by section 324(d)) is amended--

(1) in paragraph (2), by adding at the end the following:

(I) LABELING REQUIREMENTS-

(i) IN GENERAL- Subject to clauses (ii) through (iv), not later than 18 months after the date of issuance of applicable Department of Energy testing procedures, the Commission, in consultation with the Secretary and the Administrator of the Environmental Protection Agency (acting through the Energy Star program), shall, by regulation, prescribe labeling or other disclosure requirements for the energy use of--

(I) televisions;

(II) personal computers;

(III) cable or satellite set-top boxes;

(IV) stand-alone digital video recorder boxes; and

(V) personal computer monitors.

(ii) ALTERNATE TESTING PROCEDURES- In the absence of applicable testing procedures described in clause (i) for products described in subclauses (I) through (V) of that clause, the Commission may, by regulation, prescribe labeling or other disclosure requirements for a consumer product category described in clause (i) if the Commission--

(I) identifies adequate non-Department of Energy testing procedures for those products; and

(II) determines that labeling of, or other disclosures relating to, those products is likely to assist consumers in making purchasing decisions.

(iii) DEADLINE AND REQUIREMENTS FOR LABELING-

(I) DEADLINE- Not later than 18 months after the date of promulgation of any requirements under clause (i) or (ii), the Commission shall require labeling of, or other disclosure requirements for, electronic products described in clause (i).

(II) REQUIREMENTS- The requirements prescribed under clause (i) or (ii) may include specific requirements for each electronic product to be labeled with respect to the placement, size, and content of Energy Guide labels.

`(iv) DETERMINATION OF FEASIBILITY- Clause (i) or (ii) shall not apply in any case in which the Commission determines that labeling in accordance with this subsection--

`(I) is not technologically or economically feasible; or

`(II) is not likely to assist consumers in making purchasing decisions.'; and

(2) by adding at the end the following:

`(6) AUTHORITY TO INCLUDE ADDITIONAL PRODUCT CATEGORIES- The Commission may, by regulation, require labeling or other disclosures in accordance with this subsection for any consumer product not specified in this subsection or section 322 if the Commission determines that labeling for the product is likely to assist consumers in making purchasing decisions.'.

(b) Content of Label- Section 324(c) of the Energy Policy and Conservation Act (42 U.S.C. 6924(c)) is amended by adding at the end the following:

`(9) DISCRETIONARY APPLICATION- The Commission may apply paragraphs (1), (2), (3), (5), and (6) of this subsection to the labeling of any product covered by paragraph (2)(I) or (6) of subsection (a).'