

118TH CONGRESS
2D SESSION

H. R. 6192

AN ACT

To amend the Energy Policy and Conservation Act to prohibit the Secretary of Energy from prescribing any new or amended energy conservation standard for a product that is not technologically feasible and economically justified, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Hands Off Our Home
3 Appliances Act”.

4 **SEC. 2. PRESCRIBING NEW OR AMENDED ENERGY CON-**
5 **SERVATION STANDARDS.**

6 (a) AMENDMENT OF STANDARDS.—

7 (1) IN GENERAL.—Section 325(m)(1) of the
8 Energy Policy and Conservation Act (42 U.S.C.
9 6295(m)(1)) is amended to read as follows:

10 “(1) IN GENERAL.—The Secretary may, for any
11 product, publish a notice of proposed rulemaking in-
12 cluding new proposed standards for such product
13 based on the criteria established under subsection
14 (o) and the procedures established under subsection
15 (p).”.

16 (2) AMENDMENT OF STANDARD.—Section
17 325(m)(3) of the Energy Policy and Conservation
18 Act (42 U.S.C. 6295(m)(3)) is amended to read as
19 follows:

20 “(3) AMENDMENT OF STANDARD.—Not later
21 than 2 years after a notice is issued under para-
22 graph (1), the Secretary shall publish a final rule
23 amending the standard for the product.”.

24 (b) PETITION FOR AMENDED STANDARD.—Section
25 325(n) of the Energy Policy and Conservation Act (42
26 U.S.C. 6295(n)) is amended—

1 (1) in the subsection heading, by striking “AN
2 AMENDED STANDARD” and inserting “AMENDMENT
3 OR REVOCATION OF STANDARD”;

4 (2) in paragraph (1), by inserting “or revoked”
5 after “should be amended”;

6 (3) by amending paragraph (2) to read as fol-
7 lows:

8 “(2) The Secretary shall grant a petition to deter-
9 mine if energy conservation standards for a covered prod-
10 uct should be amended or revoked if the Secretary finds
11 that such petition contains evidence, assuming no other
12 evidence were considered, that such standards—

13 “(A) result in additional costs to consumers;

14 “(B) do not result in significant conservation of
15 energy or water;

16 “(C) are not technologically feasible; and

17 “(D) result in such covered product not being
18 commercially available in the United States to all
19 consumers.”; and

20 (4) in paragraph (4)—

21 (A) by striking “NEW OR AMENDED
22 STANDARDS.” and inserting “NEW, AMENDED,
23 OR REVOKED STANDARDS.”;

1 (B) by redesignating subparagraphs (A)
2 and (B) as clauses (i) and (ii), respectively (and
3 by conforming the margins accordingly);

4 (C) by striking “Not later than 3 years”
5 and inserting the following:

6 “(A) Not later than 3 years”; and

7 (D) by adding at the end the following:

8 “(B) Not later than 180 days after the
9 date of granting a petition to revoke standards,
10 the Secretary shall publish in the Federal Reg-
11 ister—

12 “(i) a final rule revoking the stand-
13 ards; or

14 “(ii) a determination that it is not
15 necessary to revoke the standards.

16 “(C) The grant of a petition by the Sec-
17 retary under this subsection creates no pre-
18 sumption with respect to the Secretary’s deter-
19 mination of any of the criteria in a rulemaking
20 under this section.

21 “(D) Standards that have been revoked
22 pursuant to subparagraph (B) shall be consid-
23 ered to be in effect for purposes of section
24 327.”.

1 (c) CRITERIA.—Paragraphs (2) and (3) of section
2 325(o) of the Energy Policy and Conservation Act (42
3 U.S.C. 6295(o)) are amended to read as follows:

4 “(2) REQUIREMENTS.—

5 “(A) DESIGN.—Any new or amended en-
6 ergy conservation standard prescribed by the
7 Secretary under this section for any type (or
8 class) of covered product shall be designed to
9 achieve the maximum improvement in energy
10 efficiency, or, in the case of showerheads, fau-
11 cets, water closets, or urinals, water efficiency,
12 which the Secretary determines is techno-
13 logically feasible and economically justified.

14 “(B) TEST PROCEDURES.—The Secretary
15 may not prescribe a new or amended energy
16 conservation standard under this section for a
17 type (or class) of covered product if a test pro-
18 cedure has not been prescribed pursuant to sec-
19 tion 323 with respect to that type (or class) of
20 product.

21 “(C) SIGNIFICANT CONSERVATION.—The
22 Secretary may not prescribe a new or amended
23 energy conservation standard under this section
24 for a type (or class) of covered product if the
25 Secretary determines that the establishment

1 and imposition of such energy conservation
2 standard will not result in significant conserva-
3 tion of—

4 “(i) energy; or

5 “(ii) in the case of showerheads, fau-
6 cets, water closets, or urinals, water.

7 “(D) TECHNOLOGICALLY FEASIBLE AND
8 ECONOMICALLY JUSTIFIED.—The Secretary
9 may not prescribe a new or amended energy
10 conservation standard under this section for a
11 type (or class) of covered product unless the
12 Secretary determines that the establishment
13 and imposition of such energy conservation
14 standard is technologically feasible and eco-
15 nomically justified.

16 “(E) DISCLOSURE.—The Secretary may
17 not prescribe a new or amended energy con-
18 servation standard under this section for a type
19 (or class) of covered product unless the Sec-
20 retary, not later than the date on which the
21 standard is prescribed, publicly discloses each
22 meeting held by the Secretary, during the 5-
23 year period preceding such date, with any entity
24 that—

1 “(i) has ties to the People’s Republic
2 of China or the Chinese Communist Party;

3 “(ii) has produced studies regarding,
4 or advocated for, regulations or policy to
5 limit, restrict, or ban the use of any type
6 of energy; and

7 “(iii) has applied for or received Fed-
8 eral funds.

9 “(3) FACTORS FOR DETERMINATION.—

10 “(A) ECONOMIC ANALYSIS.—Prior to pre-
11 scribing any new or amended energy conserva-
12 tion standard under this section for any type
13 (or class) of covered product, the Secretary
14 shall conduct a quantitative economic impact
15 analysis of imposition of the energy conserva-
16 tion standard that determines the predicted—

17 “(i) effects of imposition of the energy
18 conservation standard on costs and mone-
19 tary benefits to consumers of the products
20 subject to such energy conservation stand-
21 ard, including—

22 “(I) costs to low-income house-
23 holds; and

24 “(II) variations in costs to con-
25 sumers based on differences in re-

1 gions, including rural populations,
2 cost of living comparisons, and cli-
3 matic differences;

4 “(ii) effects of imposition of the en-
5 ergy conservation standard on employment;
6 and

7 “(iii) lifecycle costs for the covered
8 product, including costs associated with
9 the purchase, installation, maintenance,
10 disposal, and replacement of the covered
11 product.

12 “(B) PROHIBITION ON ADDITIONAL COSTS
13 TO THE CONSUMER.—The Secretary may not
14 determine that imposition of an energy con-
15 servation standard is economically justified un-
16 less the Secretary, based on an economic anal-
17 ysis under subparagraph (A), determines that—

18 “(i) imposition of such energy con-
19 servation standard is not likely to result in
20 additional net costs to the consumer, in-
21 cluding any increase in net costs associated
22 with the purchase, installation, mainte-
23 nance, disposal, and replacement of the
24 covered product; and

1 “(ii) the monetary value of the energy
2 savings and, as applicable, water savings,
3 that the consumer will receive as a result
4 of such energy conservation standard dur-
5 ing the first 3 years after purchasing and
6 installing a covered product complying with
7 such energy conservation standard, as cal-
8 culated under the applicable test proce-
9 dure, will be greater than any increased
10 costs to the consumer of the covered prod-
11 uct due to imposition of such energy con-
12 servation standard, including increased
13 costs associated with the purchase, instal-
14 lation, maintenance, disposal, and replace-
15 ment of the covered product.

16 “(C) REQUIRED ENERGY OR WATER SAV-
17 INGS.—The Secretary may not determine that
18 imposition of an energy conservation standard
19 is economically justified unless the Secretary
20 determines that compliance with such energy
21 conservation standard will result in—

22 “(i) a reduction of at least 0.3 quads
23 of site energy over 30 years; or

24 “(ii) at least a 10 percent reduction in
25 energy or water use of the covered product.

1 “(D) CRITERIA RELATED TO PERFORM-
2 ANCE.—The Secretary may not determine that
3 imposition of an energy conservation standard
4 is economically justified unless the Secretary
5 determines that imposition of such energy con-
6 servation standard will not result in any less-
7 ening of the utility or the performance of the
8 applicable covered product, taking into consid-
9 eration the effects of such energy conservation
10 standard on—

11 “(i) the compatibility of the covered
12 product with existing systems;

13 “(ii) the life span of the covered prod-
14 uct;

15 “(iii) the operating conditions of the
16 covered product;

17 “(iv) the duty cycle, charging time,
18 and run time of the covered product, as
19 applicable;

20 “(v) the maintenance requirements of
21 the covered product; and

22 “(vi) the replacement and disposal re-
23 quirements for the covered product.

24 “(E) CRITERIA RELATED TO MARKET COM-
25 PETITION AND PRICE DISCRIMINATION.—The

1 Secretary may not determine that imposition of
2 an energy conservation standard is economically
3 justified unless the Secretary determines that
4 imposition of the energy conservation standard
5 is not likely to result in—

6 “(i) any lessening of market competi-
7 tion; or

8 “(ii) price discrimination.

9 “(F) TECHNOLOGICAL INNOVATION.—The
10 Secretary may not determine that imposition of
11 an energy conservation standard is economically
12 justified unless the Secretary determines that
13 imposition of such energy conservation standard
14 is not likely to result in the unavailability in the
15 United States of a type (or class) of products
16 based on what type of fuel the product con-
17 sumes.

18 “(G) OTHER CONSIDERATIONS.—In deter-
19 mining whether imposition of an energy con-
20 servation standard is economically justified, the
21 Secretary—

22 “(i) shall prioritize the interests of
23 consumers;

24 “(ii) may not consider estimates of
25 the social costs or social benefits associated

1 with incremental greenhouse gas emissions;

2 and

3 “(iii) shall consider—

4 “(I) the economic impact of the
5 standard on the manufacturers and
6 on the consumers of the products sub-
7 ject to such standard;

8 “(II) the savings in operating
9 costs throughout the estimated aver-
10 age life of the covered product in the
11 type (or class) compared to any in-
12 crease in the price of, or in the initial
13 charges for, or maintenance expenses
14 of, the covered products which are
15 likely to result from the imposition of
16 the standard;

17 “(III) the total projected amount
18 of energy, or as applicable, water, sav-
19 ings likely to result directly from the
20 imposition of the standard;

21 “(IV) the need for national en-
22 ergy and water conservation; and

23 “(V) other factors the Secretary
24 considers relevant.

25 “(H) REGULATORY REVIEW.—

1 “(i) EVALUATION.—Not later than 2 years
2 after the issuance of any final rule prescribing
3 a new or amended energy conservation standard
4 under this section for any type (or class) of cov-
5 ered product, the Secretary shall evaluate the
6 rule to determine whether such energy con-
7 servation standard is technologically feasible
8 and economically justified and whether the reg-
9 ulatory impact analysis for such rule remains
10 accurate.

11 “(ii) EFFECT.—Notwithstanding any other
12 provision of this part, if the Secretary deter-
13 mines, based on an evaluation under clause (i),
14 that an energy conservation standard is not
15 technologically feasible or economically justi-
16 fied—

17 “(I) the Secretary shall publish such
18 determination and such energy conserva-
19 tion standard shall have no force or effect
20 (except that such energy conservation
21 standard shall be considered to be in effect
22 for purposes of section 327); and

23 “(II) the Secretary may publish a
24 final rule amending the energy conserva-
25 tion standard for the type (or class) of cov-

1 ered product to be technologically feasible
2 and economically justified in accordance
3 with this subsection, which amendment
4 shall apply to such a product that is manu-
5 factured after the date that is 2 years
6 after publication of such final rule.”.

7 **SEC. 3. CONFORMING AMENDMENTS.**

8 (a) REGIONAL STANDARDS.—Section
9 325(o)(6)(D)(i)(II) of the Energy Policy and Conservation
10 Act (42 U.S.C. 6295(o)(6)(D)(i)(II)) is amended by strik-
11 ing “this paragraph” and inserting “this subsection”.

12 (b) PROCEDURE FOR PRESCRIBING NEW OR AMEND-
13 ED STANDARDS.—Section 325(p)(2)(A) of the Energy
14 Policy and Conservation Act (42 U.S.C. 6295(p)(2)(A))
15 is amended by striking “taking into account those factors
16 which the Secretary must consider under subsection
17 (o)(2)” and inserting “as determined in accordance with
18 subsection (o)”.

19 (c) ENERGY CONSERVATION STANDARDS FOR HIGH-
20 INTENSITY DISCHARGE LAMPS, DISTRIBUTION TRANS-
21 FORMERS, AND SMALL ELECTRIC MOTORS.—Section 346
22 of the Energy Policy and Conservation Act (42 U.S.C.
23 6317) is amended by striking subsection (c).

1 **SEC. 4. DISTRIBUTION TRANSFORMERS.**

2 The final rule titled “Energy Conservation Program:
3 Energy Conservation Standards for Distribution Trans-
4 formers” (signed on April 3, 2024; Docket No. EERE-
5 2019-BT-STD-0018) shall not take effect.

 Passed the House of Representatives May 7, 2024.

Attest:

Clerk.

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