

118TH CONGRESS  
2D SESSION

# H. R. 6192

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IN THE SENATE OF THE UNITED STATES

MAY 8, 2024

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## 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:                   KEVIN F. MCCUMBER,  
*Clerk.*