

119TH CONGRESS
2^D SESSION

H. R. 4626

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 “Home Appliance Pro-
3 tection and Affordability 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 (3) APPLICATION TO PRODUCTS.—Section
25 325(m)(4) of the Energy Policy and Conservation

1 Act (42 U.S.C. 6295(m)(4)) is amended to read as
2 follows:

3 “(4) APPLICATION TO PRODUCTS.—An amend-
4 ment prescribed under this subsection shall apply to
5 a product that is manufactured after the date that
6 is 5 years after publication of the final rule estab-
7 lishing an applicable standard.”.

8 (b) PETITION FOR AMENDED STANDARD.—Section
9 325(n) of the Energy Policy and Conservation Act (42
10 U.S.C. 6295(n)) is amended—

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

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

16 (3) by amending paragraph (2) to read as fol-
17 lows:

18 “(2) The Secretary shall grant a petition to deter-
19 mine if standards for a covered product should be amend-
20 ed or revoked if the Secretary finds that such petition con-
21 tains evidence, assuming no other evidence were consid-
22 ered, that such standards—

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

24 “(B) do not result in significant conservation of
25 energy or water;

1 “(C) are not technologically feasible; and

2 “(D) result in such covered product not being
3 commercially available in the United States to all
4 consumers.”;

5 (4) in paragraph (4)—

6 (A) by striking “NEW OR AMENDED
7 STANDARDS.” and inserting “NEW, AMENDED,
8 OR REVOKED STANDARDS.”;

9 (B) by redesignating subparagraphs (A)
10 and (B) as clauses (i) and (ii), respectively (and
11 by conforming the margins accordingly);

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

14 “(A) Not later than 3 years”; and

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

16 “(B) Not later than 180 days after the
17 date of granting a petition to revoke standards,
18 the Secretary shall publish in the Federal Reg-
19 ister—

20 “(i) a final rule revoking the stand-
21 ards; or

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

24 “(C) The grant of a petition by the Sec-
25 retary under this subsection creates no pre-

1 sumption with respect to the Secretary’s deter-
2 mination of any of the criteria in a rulemaking
3 under this section.

4 “(D) Standards that have been revoked
5 pursuant to subparagraph (B) shall be consid-
6 ered to be in effect for purposes of section
7 327.”; and

8 (5) in paragraph (5)(B), by striking “3 years
9 (for refrigerators, refrigerator-freezers, and freezers,
10 room air conditioners, dishwashers, clothes washers,
11 clothes dryers, fluorescent lamp ballasts, general
12 service fluorescent lamps, incandescent reflector
13 lamps, and kitchen ranges and ovens) or 5 years (for
14 central air conditioners and heat pumps, water heat-
15 ers, pool heaters, direct heating equipment and fur-
16 naces)” and inserting “5 years”;

17 (c) CRITERIA.—Section 325(o) of the Energy Policy
18 and Conservation Act (42 U.S.C. 6295(o)) is amended by
19 amending paragraphs (2) and (3) to read as follows:

20 “(2) REQUIREMENTS.—

21 “(A) DESIGN.—Any new or amended en-
22 ergy conservation standard prescribed by the
23 Secretary under this section for any type (or
24 class) of covered product shall be designed to
25 achieve the maximum improvement in, as appli-

1 cable, energy efficiency or water efficiency,
2 which the Secretary determines is techno-
3 logically feasible and economically justified.

4 “(B) TEST PROCEDURES.—If the Sec-
5 retary determines that a test procedure should
6 be prescribed or amended in accordance with
7 section 323 for a type (or class) of covered
8 product, the Secretary may not prescribe a new
9 or amended energy conservation standard under
10 this section for such type (or class) of covered
11 product unless the Secretary has prescribed or
12 amended (and published in the Federal Reg-
13 ister) a test procedure for such type (or class)
14 of covered product at least 180 days before
15 publishing a notice of proposed rulemaking with
16 respect to the new or amended energy conserva-
17 tion standard.

18 “(C) SIGNIFICANT CONSERVATION.—The
19 Secretary may not prescribe a new or amended
20 energy conservation standard under this section
21 for a type (or class) of covered product if the
22 Secretary determines that the establishment
23 and imposition of such energy conservation
24 standard will not result in significant conserva-
25 tion of, as applicable, energy or water.

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

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

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

21 “(ii) has produced studies regarding,
22 or advocated for, regulations or policy to
23 limit, restrict, or ban the use of any type
24 of energy; and

1 “(iii) has applied for or received Fed-
2 eral funds.

3 “(3) FACTORS FOR DETERMINATION.—

4 “(A) ECONOMIC ANALYSIS.—

5 “(i) DETERMINATION.—Prior to pre-
6 scribing any new or amended energy con-
7 servation standard under this section for
8 any type (or class) of covered product, the
9 Secretary shall conduct a quantitative eco-
10 nomic impact analysis of imposition of the
11 energy conservation standard that deter-
12 mines the predicted—

13 “(I) effects of imposition of the
14 energy conservation standard on costs
15 and monetary benefits to consumers
16 of the products subject to such energy
17 conservation standard, including—

18 “(aa) costs to low-income
19 households; and

20 “(bb) variations in costs to
21 consumers based on differences
22 in regions, including rural popu-
23 lations, cost of living compari-
24 sons, and climatic differences;

1 “(II) effects of imposition of the
2 energy conservation standard on em-
3 ployment; and

4 “(III) lifecycle costs for the cov-
5 ered product, including costs associ-
6 ated with the purchase, installation,
7 maintenance, disposal, and replace-
8 ment of the covered product.

9 “(ii) NOTICE AND COMMENT.—The
10 Secretary shall provide public notice in the
11 Federal Register and at least 60 days for
12 public comment on the quantitative eco-
13 nomic impact analysis conducted under
14 clause (i).

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

21 “(i) imposition of such energy con-
22 servation standard is not likely to result in
23 additional net costs to the consumer, in-
24 cluding any increase in net costs associated
25 with the purchase, installation, mainte-

1 nance, disposal, and replacement of the
2 covered product; and

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

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

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

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

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

13 “(i) the compatibility of the covered
14 product with existing systems;

15 “(ii) the life span of the covered prod-
16 uct;

17 “(iii) the operating conditions of the
18 covered product;

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

22 “(v) the maintenance requirements of
23 the covered product; and

24 “(vi) the replacement and disposal re-
25 quirements for the covered product.

1 “(E) TECHNOLOGICAL INNOVATION.—The
2 Secretary may not determine that imposition of
3 an energy conservation standard is economically
4 justified unless the Secretary determines that
5 imposition of such energy conservation standard
6 is not likely to result in the unavailability in the
7 United States of a type (or class) of products
8 based on what type of fuel the product con-
9 sumes.

10 “(F) OTHER CONSIDERATIONS.—

11 “(i) IN GENERAL.—In determining
12 whether imposition of an energy conserva-
13 tion standard is economically justified, the
14 Secretary—

15 “(I) shall prioritize the interests
16 of consumers;

17 “(II) may not consider estimates
18 of the social costs or social benefits
19 associated with incremental green-
20 house gas emissions; and

21 “(III) shall consider—

22 “(aa) the economic impact,
23 including any regulatory burden,
24 of the standard on the manufac-
25 turers and on the consumers of

1 the products subject to such
2 standard;

3 “(bb) the savings in oper-
4 ating costs, including consumer
5 fuel costs, throughout the esti-
6 mated average life of the covered
7 product in the type (or class)
8 compared to any increase in the
9 price of, or in the initial charges
10 for, or maintenance expenses of,
11 the covered products which are
12 likely to result from the imposi-
13 tion of the standard;

14 “(cc) the total projected
15 amount of energy, or, as applica-
16 ble, water, savings likely to result
17 directly from the imposition of
18 the standard;

19 “(dd) the need for national
20 energy and water conservation;

21 “(ee) the impact of any less-
22 ening of market competition, as
23 determined in writing by the At-
24 torney General under clause (ii),

1 that is likely to result from the
2 imposition of the standard;

3 “(ff) whether the imposition
4 of the energy conservation stand-
5 ard is likely to result price dis-
6 crimination; and

7 “(gg) other factors the Sec-
8 retary considers relevant.

9 “(ii) ATTORNEY GENERAL DETER-
10 MINATION.—For purposes of clause
11 (i)(III)(ee), the Attorney General shall
12 make a determination of the impact, if
13 any, of any lessening of market competi-
14 tion likely to result from such standard
15 and shall transmit such determination, not
16 later than 60 days after the publication of
17 a proposed rule prescribing or amending
18 an energy conservation standard, in writ-
19 ing to the Secretary, together with an
20 analysis of the nature and extent of such
21 impact. Any such determination and anal-
22 ysis shall be published by the Secretary in
23 the Federal Register.

24 “(G) 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 3 years
6 after publication of such final rule.”.

7 (d) APPLICABILITY OF REGIONAL STANDARDS.—Sec-
8 tion 325(o)(6)(E)(ii) of the Energy Policy and Conserva-
9 tion Act (42 U.S.C. 6295(o)(6)(E)(ii)) is amended by
10 striking “shall apply to any such product installed on or
11 after the effective date of the standard in States in which
12 the Secretary has designated the standard to apply” and
13 inserting “shall apply, in States in which the Secretary
14 has designated the standard to apply, to any such product
15 that is manufactured or imported into the United States
16 on or after the effective date of the standard”.

17 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

18 (1) DEFINITIONS.—

19 (A) CONSUMER PRODUCT.—Section
20 321(1)(A) of the Energy Policy and Conserva-
21 tion Act (42 U.S.C. 6291(1)(A)) is amended by
22 striking “, with respect to showerheads, faucets,
23 water closets, and urinals, water” and inserting
24 “water, as applicable”.

1 (B) ENERGY CONSERVATION STANDARD.—
2 Section 321(6)(A) of the Energy Policy and
3 Conservation Act (42 U.S.C. 6291(6)(A)) is
4 amended by striking “, or, in the case of
5 showerheads, faucets, water closets, and uri-
6 nals, water use,” and inserting “or water use,
7 as applicable,”.

8 (C) ESTIMATED ANNUAL OPERATING
9 COST.—Section 321(7) of the Energy Policy
10 and Conservation Act (42 U.S.C. 6291(7)) is
11 amended by striking “in the case of
12 showerheads, faucets, water closets, and uri-
13 nals” and inserting “, as applicable”.

14 (2) TEST PROCEDURES.—

15 (A) DESIGN OF TEST PROCEDURES.—Sec-
16 tion 323(b)(3) of the Energy Policy and Con-
17 servation Act (42 U.S.C. 6293(b)(3)) is amend-
18 ed by striking “energy efficiency, energy use,
19 water use (in the case of showerheads, faucets,
20 water closets and urinals)” and inserting “, as
21 applicable, energy efficiency, energy use, water
22 use”.

23 (B) CALCULATION OF COSTS.—Section
24 323(b)(4) of the Energy Policy and Conserva-

1 tion Act (42 U.S.C. 6293(b)(4)) is amended
2 by—

3 (i) by striking “or, in the case of
4 showerheads, faucets, water closets, or uri-
5 nals,” and inserting “or, as applicable,”;
6 and

7 (ii) by striking “or in the case of
8 showerheads, faucets, water closets, or uri-
9 nals,” and inserting “or, as applicable,”.

10 (C) RESTRICTION ON CERTAIN REPRESENTATIONS.—Section 323(c) of the Energy Policy
11 and Conservation Act (42 U.S.C. 6293(c) is
12 amended—
13 amended—

14 (i) in paragraph (1), by striking “ or,
15 in the case of showerheads, faucets, water
16 closets, and urinals,” and inserting “or, as
17 applicable,”; and

18 (ii) in paragraph (2), by striking “ or,
19 in the case of showerheads, faucets, water
20 closets, and urinals,” and inserting “or, as
21 applicable,”.

22 (3) CRITERIA FOR PRESCRIBING NEW OR
23 AMENDED STANDARDS.—Section 325(o)(1) of the
24 Energy Policy and Conservation Act is amended by
25 striking “, or, in the case of showerheads, faucets,

1 water closets, or urinals,” and inserting “, or, as ap-
2 plicable,”.

3 (4) REGIONAL STANDARDS.—Section
4 325(o)(6)(D)(i)(II) of the Energy Policy and Con-
5 servation Act (42 U.S.C. 6295(o)(6)(D)(i)(II)) is
6 amended by striking “this paragraph” and inserting
7 “this subsection”.

8 (5) PROCEDURE FOR PRESCRIBING NEW OR
9 AMENDED STANDARDS.—Section 325(p)(2)(A) of the
10 Energy Policy and Conservation Act (42 U.S.C.
11 6295(p)(2)(A)) is amended by striking “taking into
12 account those factors which the Secretary must con-
13 sider under subsection (o)(2)” and inserting “as de-
14 termined in accordance with subsection (o)”.

15 (6) INFORMATION REQUIREMENTS.—Section
16 326(d)(1) of the Energy Policy and Conservation
17 Act is amended by striking “or, in the case of
18 showerheads, faucets, water closets, and urinals,”
19 and inserting “or, as applicable,”.

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

1 **SEC. 3. DISTRIBUTION TRANSFORMERS.**

2 Section 346 of the Energy Policy and Conservation
3 Act (42 U.S.C. 6317) is amended by adding at the end
4 the following:

5 “(g) NO NEW OR REVISED STANDARDS FOR DIS-
6 TRIBUTION TRANSFORMERS.—

7 “(1) IN GENERAL.—Beginning on the date of
8 enactment of this subsection, the Secretary may not
9 prescribe any new or amended energy conservation
10 standard under part B or this part for distribution
11 transformers, including those distribution trans-
12 formers for which the Secretary prescribed testing
13 requirements under subsection (a)(1) and low-volt-
14 age dry-type distribution transformers.

15 “(2) EFFECT ON EXISTING STANDARDS.—Para-
16 graph (1) does not affect any energy conservation
17 standards prescribed under part B or this part be-
18 fore the date of enactment of this subsection.”.

19 **SEC. 4. DISHWASHERS; CLOTHES WASHERS.**

20 Section 325(g) of the Energy Policy and Conserva-
21 tion Act (42 U.S.C. 6295(g)) is amended—

22 (1) in paragraph (9)(B), by adding at the end
23 the following:

24 “(iii) OTHER AMENDMENTS TO
25 STANDARDS.—The Secretary may prescribe
26 a new or amended energy conservation

1 standard for clothes washers in accordance
2 with this section, including—

3 “(I) a design requirement; and

4 “(II) a performance standard
5 which prescribes one of the following:

6 “(aa) A minimum level of
7 energy efficiency.

8 “(bb) A maximum quantity
9 of energy use.

10 “(cc) A minimum level of
11 water efficiency.

12 “(dd) A maximum quantity
13 of water use.

14 “(ee) A minimum level of
15 energy efficiency and a minimum
16 level of water efficiency.

17 “(ff) A maximum quantity
18 of energy use and a maximum
19 quantity of water use.”; and

20 (2) in paragraph (10)(B), by adding at the end
21 the following:

22 “(iii) OTHER AMENDMENTS TO
23 STANDARDS.—The Secretary may prescribe
24 a new or amended energy conservation

1 standard for dishwashers in accordance
2 with this section, including—

3 “(I) a design requirement; and

4 “(II) a performance standard
5 which prescribes one of the following:

6 “(aa) A minimum level of
7 energy efficiency.

8 “(bb) A maximum quantity
9 of energy use.

10 “(cc) A minimum level of
11 water efficiency.

12 “(dd) A maximum quantity
13 of water use.

14 “(ee) A minimum level of
15 energy efficiency and a minimum
16 level of water efficiency.

17 “(ff) A maximum quantity
18 of energy use and a maximum
19 quantity of water use.”.

Passed the House of Representatives February 24,
2026.

Attest:

Clerk.

119TH CONGRESS
2^D SESSION

H. R. 4626

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.