

119TH CONGRESS  
2D SESSION

# H. R. 4626

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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 “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”.

(B) ENERGY CONSERVATION STANDARD.—

Section 321(6)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(A)) is amended by striking “, or, in the case of showerheads, faucets, water closets, and urinals, water use,” and inserting “or water use, as applicable,”.

(C) ESTIMATED ANNUAL OPERATING

COST.—Section 321(7) of the Energy Policy and Conservation Act (42 U.S.C. 6291(7)) is amended by striking “in the case of showerheads, faucets, water closets, and urinals” and inserting “, as applicable”.

(2) TEST PROCEDURES.—

(A) DESIGN OF TEST PROCEDURES.—Sec-

tion 323(b)(3) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)(3)) is amended by striking “energy efficiency, energy use, water use (in the case of showerheads, faucets, water closets and urinals)” and inserting “, as applicable, energy efficiency, energy use, water use”.

(B) CALCULATION OF COSTS.—Section

323(b)(4) of the Energy Policy and Conserva-

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

(i) by striking “or, in the case of  
showerheads, faucets, water closets, or urinals,” and inserting “or, as applicable,”;  
and

(ii) by striking “or in the case of  
showerheads, faucets, water closets, or urinals,” and inserting “or, as applicable,”.

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

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

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

(3) CRITERIA FOR PRESCRIBING NEW OR AMENDED STANDARDS.—Section 325(o)(1) of the Energy Policy and Conservation Act is amended by 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.*



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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.