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(Original Signature of Member)

115TH CONGRESS
1ST SESSION

H. R. _____

To repeal Federal energy conservation standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BURGESS introduced the following bill; which was referred to the
Committee on _____

A BILL

To repeal Federal energy conservation standards, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Energy Efficiency Free
5 Market Act of 2017”.

6 **SEC. 2. REPEAL OF ENERGY CONSERVATION STANDARDS.**

7 (a) DEFINITIONS.—Section 321 of the Energy Policy
8 and Conservation Act (42 U.S.C. 6291) is amended—

1 (1) in paragraph (4), by striking “, determined
2 in accordance with test procedures under section
3 323”;

4 (2) in paragraph (5), by striking “, determined
5 in accordance with test procedures under section
6 323”;

7 (3) by striking paragraph (6);

8 (4) in paragraph (7), by striking “, determined
9 in accordance with section 323”;

10 (5) by striking paragraphs (19), (20), (22),
11 (26), and (28);

12 (6) in paragraph (29), by striking subpara-
13 graphs (C), (D), (E), (G), (H), (I), (J), (K), (L),
14 (M), (N), (O), and (P);

15 (7) in paragraph (30), by striking subpara-
16 graphs (G), (O), (U), and (V);

17 (8) in paragraph (31), by striking subpara-
18 graph (H); and

19 (9) by striking paragraphs (32), (33), (34),
20 (35), (36), (37), (38), (39), (40), (41), (42), (43),
21 (44), (45), (47), (48), (50), (52), (53), (54), (55),
22 (56), (57), (59), (60), (62), (65), and (66).

23 (b) TEST PROCEDURES.—Section 323 of the Energy
24 Policy and Conservation Act (42 U.S.C. 6293) is amend-
25 ed—

1 (1) by striking subsections (a), (b), (d), (e), and
2 (f); and

3 (2) in subsection (c)—

4 (A) in paragraph (1), by striking “a test
5 procedure is applicable under subsection (a)”
6 and inserting “a test procedure was applicable
7 under subsection (a) or (b), as in effect on the
8 day before the date of enactment of the Energy
9 Efficiency Free Market Act of 2017,”; and

10 (B) by striking paragraphs (2) and (3).

11 (c) LABELING.—Section 324 of the Energy Policy
12 and Conservation Act (42 U.S.C. 6294) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2)—

15 (i) in subparagraph (B), by striking
16 “and to which standards are applicable
17 under section 325”;

18 (ii) in subparagraph (C)(i), by strik-
19 ing “and to which standards are applicable
20 under section 325”;

21 (iii) in subparagraph (D)—

22 (I) by striking clause (ii); and

23 (II) in clause (iii)(II)—

1 (aa) in item (aa), by striking
2 “; and” and inserting a period;
3 and

4 (bb) by striking item (bb);
5 (iv) by striking subparagraph (E);
6 and

7 (v) by striking subparagraph (F);
8 (B) in paragraph (3)—
9 (i) by striking the comma at the end
10 of subparagraph (A) and inserting “; and”;
11 and

12 (ii) by striking subparagraph (B); and
13 (C) by striking paragraph (5); and
14 (2) in subsection (c)—

15 (A) in paragraph (1)(A), by striking “(de-
16 termined in accordance with test procedures
17 prescribed under section 323)” each place it ap-
18 pears;

19 (B) by striking paragraph (2)(C); and

20 (C) in paragraph (8)(A), by striking “in
21 accordance with test procedures prescribed
22 under section 323” and inserting “in accord-
23 ance with generally accepted industry testing
24 procedures”.

1 (d) ENERGY CONSERVATION STANDARDS.—Section
2 325 of the Energy Policy and Conservation Act (42 U.S.C.
3 6295) is repealed.

4 (e) REQUIREMENTS OF MANUFACTURERS.—Section
5 326 of the Energy Policy and Conservation Act (42 U.S.C.
6 6296) is amended—

7 (1) in subsection (b)—

8 (A) by striking paragraph (3)(A);

9 (B) in paragraph (4), by striking “in ac-
10 cordance with the test procedures applicable to
11 such product under section 323” and inserting
12 “in accordance with generally accepted industry
13 testing procedures”; and

14 (C) in paragraph (5), by striking “323,
15 324, or 325” and inserting “324”; and

16 (2) in subsection (d)—

17 (A) by striking “and the economic impact
18 of any proposed energy conservation standard”;
19 and

20 (B) by striking “test procedures, labeling
21 rules, and energy conservation standards” and
22 inserting “labeling rules”.

23 (f) EFFECT ON OTHER LAW.—Section 327 of the
24 Energy Policy and Conservation Act (42 U.S.C. 6297) is

1 amended by striking subsections (a) through (f) and in-
2 serting the following:

3 “(a) PROHIBITION ON ENERGY CONSERVATION
4 STANDARDS.—No State or Federal agency may adopt or
5 continue in effect any requirement to comply with a stand-
6 ard for energy conservation or water efficiency with re-
7 spect to a product.”.

8 (g) PROHIBITED ACTS.—Section 332(a) of the En-
9 ergy Policy and Conservation Act (42 U.S.C. 6302(a)) is
10 amended—

11 (1) in paragraph (4), by striking the semicolon
12 and inserting “; or”;

13 (2) by striking paragraphs (5), (6), and (7);
14 and

15 (3) in paragraph (8)(D), by striking “described
16 in section 325(e)(6)(A)(ii)(V)”.

17 (h) ENFORCEMENT.—Section 333 of the Energy Pol-
18 icy and Conservation Act (42 U.S.C. 6303) is amended—

19 (1) in subsection (a)—

20 (A) by striking “or violations of paragraph
21 (5), (6), (7), or (8)” and inserting “a violation
22 of paragraph (8)”;

23 (B) by striking “Each violation of para-
24 graph (1), (2), (5), (6), (7), or (8)” and insert-

1 ing “Each violation of paragraph (1), (2), or
2 (8)” ; and
3 (2) by striking subsection (c).

4 (i) INJUNCTIVE ENFORCEMENT.—Section 334 of the
5 Energy Policy and Conservation Act (42 U.S.C. 6304) is
6 amended—

7 (1) in the first sentence, by striking “or 325”;
8 (2) in the second sentence, by striking “(5),
9 (6), (7), or” ; and
10 (3) by striking the third sentence.

11 (j) CITIZEN SUITS.—Section 335(a) of the Energy
12 Policy and Conservation Act (42 U.S.C. 6305(a)) is
13 amended—

14 (1) in paragraph (1), by striking the semicolon
15 at the end and inserting “; or”;

16 (2) in paragraph (2), by striking “; or” and in-
17 serting a period;

18 (3) by striking paragraph (3); and

19 (4) in the matter following paragraph (3), by
20 striking the second and third sentences.

21 (k) ADMINISTRATIVE PROCEDURE AND JUDICIAL
22 REVIEW.—Section 336 of the Energy Policy and Con-
23 servation Act (42 U.S.C. 6306) is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (1), by striking “323,
2 324, 325, 327, or 328” and inserting “324 or
3 328”; and

4 (B) by striking paragraph (2);

5 (2) in subsection (b), by striking “section 323,
6 324, or 325” each place it appears and inserting
7 “324”; and

8 (3) by striking subsection (c).

9 (l) CONSUMER EDUCATION.—Section 337 of the En-
10 ergy Policy and Conservation Act (42 U.S.C. 6307) is
11 amended by striking subsection (b).

12 (m) CERTAIN INDUSTRIAL EQUIPMENT.—Part C of
13 title III of the Energy Policy and Conservation Act (42
14 U.S.C. 6311 et seq.) is repealed.