



**Legislative Bulletin.....July 11, 2011**

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**H.R. 2417**—Better Use of Light Bulbs Act

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**H.R. 2417— Better Use of Light Bulbs Act (Rep. Barton, R-TX)**

***Key Take Away Points***

- ***DC Deciders:*** From healthcare, to the cost of gasoline, to even the light bulbs you buy, lawmakers and bureaucrats in Washington are making too many decisions that are better left to American families.
- ***De-Facto Ban:*** Many conservatives view a mandated phase-out in the production traditional incandescent light bulbs as the same thing as the government banning the product.
- ***Pricey Purchase:*** While the argument is consumers capture the savings over traditional incandescent bulbs over time because “energy efficient” bulbs last longer, some of the most advanced bulbs light emitting diode (LED) bulbs coming on the market may cost around \$45 dollars. Lower income individuals should not be prohibited from purchasing products that might provide families with a little more breathing room in the household budget.

**Order of Business:** The bill is scheduled to be considered on Monday, July 11, 2011 under a motion to suspend the rules and pass the bill.

**Summary:** Effectively, H.R. 2417 would repeal two provisions in the Energy Independence and Security Act of 2007 that essentially place a “ban” on the manufacturing of the 100 watt incandescent light bulb starting in 2012, and other versions subsequently.

Specifically, the bill repeals sections 321 and 322 of the Energy Independence and Security Act of 2007 and any amendments that have yet to be enacted. Additionally, the bill does not permit any federal, state, or local entity from imposing standards involving energy efficient lighting that can only be satisfied by installing or using lamps containing mercury. The bill also prohibits states or a locality from placing energy efficiency regulations on the energy use of medium screw base general service incandescent lamps.

**Additional Background:** The Energy Independence and Security Act of 2007 contained a provision to phase-out the use of the incandescent light bulbs and mandate that only certain

“energy efficient” light bulbs may be sold in the U.S. after January 1, 2012. Since the provision was signed into law, many conservatives have argued that it is essentially a “ban” on being able to purchase a certain type of light bulb, reducing freedom of choice in products for consumers. Many Members of the RSC have championed repeal efforts starting in 2007. It has become so unpopular in many circles across the nation that the repeal effort has its [own website](#).

While this provision was intended to save on electricity costs and limit pollution by mandating the replacement of traditional incandescent light bulbs with energy-efficient alternatives, like many government mandates, it ended up creating a number of unintended consequences including:

- **Job Losses:** As might be imagined when the federal government gets involved with something as commonly used as a light bulb, there are severe economic ramifications. With more and more light bulb manufacturing plants shut down due to the ban, many Americans have found themselves out of work. Additionally, most compact fluorescent light or CFLs are not manufactured in the United States. Last year General Electric closed their last remaining ordinary incandescent light bulb plant in the U.S., located in Winchester, V.A. This plant sustained 200 jobs, and their work is now being shipped overseas to places like China, where production of CFLs is much cheaper.
- **Inefficiency:** CFLs are also not designed to be turned off and on frequently. Their lifespan may be reduced by up to 85 percent if you switch them off and on per normal use. Industry experts claim that new and improved energy efficient bulbs are in development and some are available on the open market. Consumers should be able to buy them if they choose to, but the government shouldn't manipulate the market by outlawing the competition.
- **Health Risks:** In addition to causing job loss, individuals with certain health conditions can be harmed by CFLs, including Lupus patients that suffer from extreme photosensitivity and others who experience disabling eczema-like reactions that can lead to skin cancer. CFLs also contain mercury and have to be disposed of carefully. The amount of mercury in one bulb can be enough to contaminate up to 6,000 gallons of water beyond safe drinking levels. European countries are already well aware of the new low-energy bulb hazards. In fact, a study by Germany's Federal Environment Agency found that when one of them breaks, it emits levels of toxic vapor up to 20 times higher than the safe guideline limit for an indoor area. If a bulb is smashed, the U.K.'s Health Protection Agency advice is for householders to evacuate the room and leave it to ventilate for 15 minutes.

Some conservative members have expressed concern that section 4 of H.R. 2417 is a federal prohibition that infringes upon states' rights and the principles of federalism. However, other conservatives believe the language in the bill is consistent with the interpretation of the commerce clause of the Constitution.

**Committee Action:** On July 6, 2011, the bill was introduced and referred to the Committee on Energy and Commerce, which took no further action.

**Administration Position:** No Statement of Administration Policy is provided.

**Cost to Taxpayers:** A CBO report for H.R. 2417 is unavailable at press time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No, the bill reduces private sector mandates.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available at press time. However, such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** The bills sponsor cites the power that is granted to Congress in Article I, Section 8, Clause 3 of the United States Constitution.

**RSC Staff Contact:** Bruce F. Miller, [bruce.miller@mail.house.gov](mailto:bruce.miller@mail.house.gov), (202)-226-9720.