



April 27, 2015

The Honorable Robert Latta
2448 Rayburn House Office Building
U.S. House of Representative
Washington, DC 20515

The Honorable Peter Welch
2303 Rayburn House Office Building
U.S. House of Representative
Washington, DC 20515

Dear Representative Latta and Representative Welch:

The Alliance to Save Energy and the American Council for an Energy Efficient Economy write to express our support for H.R. 504, the ENERGY STAR Program Integrity Act of 2014.

Since its inception in 1992, the ENERGY STAR program has helped American consumers and businesses invest in energy efficiency and drastically cut energy costs. The program has also helped manufacturers push the research envelope, leading to job creation and the development of transformative technologies. However, despite the decades of proven success, due to a gap in federal law, the manufacturers that voluntarily choose to participate in this program have become targets for unnecessary and costly class action litigation, potentially deterring them from continuing to participate in this important program. H.R. 504 will address that gap in the law.

For an appliance to qualify as an "ENERGY STAR" product it must meet-strict guidelines set by the Environmental Protection Agency (EPA), and it must be tested and approved by EPA-recognized laboratories and certification bodies. Even after the products have been approved, the EPA and the Department of Energy (DOE) oversee off-the-shelf testing to ensure these products continue to perform according to ENERGY STAR standards. Occasionally, products are found to be out of compliance and are disqualified. Once a product is disqualified, its manufacturer must initiate detailed product control measures and, if deemed appropriate by the EPA, provide financial reimbursement to consumers. To ensure transparency for the consumer, the EPA also maintains an up-to-date list of products that have been disqualified publically available on its website.

However, despite these effective enforcement procedures, the law currently allows suits to be brought against manufacturers, regardless of whether the EPA has determined that consumers have been harmed and in addition to any remediation measures, including consumer compensation, already ordered. If continued unchecked, these litigation costs could deter appliance manufacturers from participating in ENERGY STAR, harming American consumers in the process.

The bipartisan Latta-Welch legislation would remove this threat of "double jeopardy" and promote the continued, voluntary participation by manufacturers in the ENERGY STAR program.

At a critical time in our economic recovery, manufacturers need sensible policies that incentivize research and development in energy efficiency technologies that save consumers money and create jobs. Thank you for your efforts to protect the important ENERGY STAR program by introducing H.R. 504.

Kind regards,

The Alliance to Save Energy

The American Council for an Energy Efficient Economy

cc: Members of the Energy and Commerce Committee