

**Opening Statement of the Honorable Fred Upton**  
**Subcommittee on Energy and Power**  
**H.R. \_\_, the EPS Improvement Act of 2016**  
**January 12, 2016**

*(As Prepared for Delivery)*

We take our obligation to oversee regulations under this committee's jurisdiction very seriously and whenever there is a bipartisan opportunity to improve an existing rule, we take action. This is what we hope to do with the draft EPS Improvement Act of 2016, and I thank Reps. Ellmers and DeGette for their efforts on this bill.

We all know that consumer electronics are rapidly advancing – so fast that the technology sometimes renders obsolete the laws under which they are regulated. That is the case with the Energy Policy Act of 2005 and its provision requiring the Department of Energy (DOE) to set energy conservation standards for external power supplies, the most recent of which will take effect in February.

In the decade since the Energy Policy Act was signed into law, light emitting diodes (LEDs) have been developed and are growing in popularity. They use a power supply that is very different than anything contemplated in the 2005 law yet still fall within the statutory definition of an external power supply. The bottom line is that the new DOE standard for external power supplies would cover LEDs, but there would be no way for LEDs to meet it.

The EPS Improvement Act of 2016 recognizes that LEDs need to be treated separately. It exempts them from the upcoming external power supply standard while creating a process by which DOE could set a new standard specific to LEDs.

This targeted bill would provide relief for LED manufacturers while ensuring that this popular product remains available to consumers back in Michigan and across the country.

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