

November 7, 2017

The Honorable Greg Walden
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Frank Pallone, Jr.
2322A Rayburn House Office Building
Washington, DC 20515

Dear Chairman Walden and Ranking Member Pallone:

On behalf of the American Council of Independent Laboratories (ACIL), we write in strong support of independent third party certification within the ENERGY STAR program; thereby we strongly oppose the Energy Star Reform Act of 2017 Discussion Draft, which allows self-certification for electronics manufacturers in good standing within ENERGY STAR. This language eliminates the requirement of third party certification to certain electronic products.

The ACIL is an association representing independent commercial scientific and engineering firms with over 1,000 facilities across the U.S. engaged in testing, product certification, consulting, and research and development to enhance public health and safety.

As you know, the ENERGY STAR program is a voluntary initiative that is broadly supported by manufacturers, retailers, utilities, energy efficiency advocates, and consumers. Over the past two decades America's families and small businesses have realized estimated savings of more than \$239 billion on utility bills and prevented more than 1.9 billion metric tons of greenhouse gas emissions as a result of the program. The ENERGY STAR program has grown to represent products in more than 65 different categories, with more than 4.5 billion products sold over the past 20 years. More than 1.4 million new homes and more than 20,000 facilities proudly carry the ENERGY STAR label, all of which allow Americans to make smarter choices on how to use less energy and realize greater savings.

The U.S. government relies on private sector resources and third-party certification to ensure products entering the market are safe, reliable and efficient. To ensure safe products are used in the workplace, the Occupational Safety and Health Administration (OSHA) recognizes private sector testing, inspection, and certification organizations through the "Nationally Recognized Testing Laboratory" program (NRTL). NRTL-recognized laboratories perform certification for certain products to ensure that they meet both construction requirements and industry standards.

The current ENERGY STAR program was modeled on a similar approach after a 2010 Government Accountability Office investigation called into question the integrity of the program. Under the current rules, ENERGY STAR products must be independently certified based on testing from recognized laboratories. In addition to up-front testing, a percentage of all ENERGY STAR products are subject to "off-the-shelf" and post market verification testing each year. The goal of this testing is to ensure that changes or variations in the manufacturing process do not undermine a product's qualification for ENERGY STAR.

This public-private partnership has created a competitive marketplace for testing, inspection, and certification (TIC) organizations that manufacturers leverage to meet ENERGY STAR compliance needs. The program's flexibility allows for manufacturers to shop for services based on price, speed, or location, and not be restricted to a single organization to review products.

We respectfully request that you and your committee continue to support the independent third party certification within the ENERGY STAR program and we remain in strong opposition to the Energy Star Reform Act of 2017 Discussion Draft.

Thank you for your time and attention regarding this important issue and please do not hesitate to call upon me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Bright', with a horizontal line extending to the right.

Richard Bright
Chief Operating Officer