



ELEMENTAL

March 6, 2019

The Honorable Frank Pallone
Chairman
House Energy & Commerce Committee
Washington DC 20510

The Honorable Greg Walden
Ranking Member
House Energy & Commerce Committee
Washington DC 20515

The Honorable Bobby L. Rush
Chairman
House Energy & Commerce Subcommittee
on Energy
Washington DC 20510

The Honorable Fred Upton
Ranking Member
House Energy & Commerce Subcommittee
on Energy
Washington DC 20515

Dear Chairman Pallone, Ranking Member Walden, Chairman Rush & Ranking Member Upton,

Nearly 12 years ago to the day, in March 2007, I faced the Dean of the U.S. House of Representatives, the Lion himself, Congressman John Dingell. It was not set to be a pleasant encounter. I was called to a press conference to explain the Department of Energy's historically abysmal record on energy efficiency standards. The Government Accounting Office had just released a report, showing that DOE had missed 34 of 34 Congressionally mandated deadlines over nearly two decades for appliance standards – a perfect record of failure that had landed the Department in multiple legal battles. I found myself, newly appointed as America's top regulator for energy efficiency, summoned to Capitol Hill. The Chairman wanted answers.

I swallowed my pride, squared my shoulders, took a deep breath, and stepped to the podium to vow an end to this utter failure of the Department to serve both the individual consumer and our national interest. In taking responsibility and committing to changing course, I delivered an improbable response that was not anticipated: I promised Chairman Dingell that DOE would not miss another deadline. As a public servant, deeply committed to unleashing the power of American innovation to strengthen our society, and as a father who envisioned a better future for all children, I pledged and pursued a determined course to end the embarrassing trajectory of Executive Branch neglect that had extended over decades.

As I prepared for Chairman Dingell to express his dismay at my boss, President George W. Bush, and the DOE in general, something extraordinary happened. Rather than deliver the scathing review so richly deserved by the GAO report, the Chairman instead stood beside me, both literally and figuratively, signaling a new moment for bipartisanship on clean energy policy. He joined me at the podium, put his arm around my shoulder, and told the assembled throng of reporters and advocates that he would hold me to my promise. Chairman Dingell affirmed that we would work together, hand in hand, to implement the will of Congress and eliminate the backlog in efficiency standards that was constraining innovation.



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Over the months and years, Chairman Dingell and I would collaborate increasingly often, working to find common ground where it existed and respecting differences of both policy and politics when consensus was not attainable. He was a fierce fighter, a defender of the auto industry, and could be intensely partisan when the moment required. But, in all things, he was a gentleman, a historian, a compassionate and caring citizen, shrewd policymaker and, most of all, a patriot from whom I learned so much. John Dingell is worthy of the many diverse tributes and praise that his memory has earned in recent weeks. His patriotic partnership to pursue the greatest outcomes from American innovation in efficiency, productivity, and competitiveness is something that I, and I hope every American, will always be grateful for.

Upon hearing news of his passing, my mind flashed back to those rich and meaningful collaborations from a decade ago. Imagine my sadness to discover, in almost the same moment, that the Department of Energy has once again failed to meet its most basic duty to serve our citizens, our innovators, and our common good through rigorous energy efficiency standards. In fact, the Administration now seeks to constrain American productivity and our environmental well-being by proposing processes that are more cumbersome, less effective, and unlikely to deliver cost savings, consumer choice, or pollution reduction.

As you gavel in your hearing today, I am sending this letter both to pay tribute to the man who served as Chairman of the Energy & Commerce Committee for 16 years, and to express my dismay that after a decade of bipartisan progress on energy efficiency that commenced on that day in March 2007, a new effort to constrain the benefits of American innovation has emerged.

Having served as the regulatory official for this portfolio, I want to affirm to all the members of the Subcommittee today that there is no basis in science, technology, policy, or economics for these new proposals from the Administration to roll back progress or to undermine bipartisan lighting standards. Indeed, any effort to diminish the efficacy of scientifically sound and technically informed appliance standards at the Department of Energy will drastically curtail economic advantages to our citizens and to our country's competitiveness. The Administration's proposals are measurably harmful to consumers, to markets, and to the environment. Further, there is no reason for the Department to continue missing statutory deadlines to promulgate new efficiency standards and remain in compliance with the will of Congress. These hurdles have been overcome already and the failure to continue progress simply reflects a lack of acumen, denying the benefits of innovation for the many in favor of the profits of a few.

In every case where the Department has enacted new appliance efficiency standards, those technological targets have been met or exceeded by the power of America's marketplace innovation, with tremendous benefits to all Americans. For example, during my service as Assistant Secretary, Congress enacted and the President signed legislation to commercialize LED lighting, which was not available for sale to the general public. Consequently, in less than a decade, American innovation in LEDs transformed the lighting landscape of the world with smarter, more versatile, more colorful, more efficient, more connected illumination for our



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homes, offices, vehicles, and communities. This has dramatically lowered the cost, energy consumption, and emissions profile of ordinary lighting, proving once again that nothing is as powerful as a good idea whose time has come.

Reflecting back with great admiration and respect for former Chairman Dingell, as well as Chairman Rush, Ranking Member Upton and many others on this committee who worked to forge a bipartisan consensus on innovation policy a decade ago, it occurs to me that the only thing that has changed significantly between then and now is the ability of an Administration to exhibit the same confidence in America's entrepreneurial power of innovation to tackle our nation's greatest crises.

The history of American progress is shaped, almost entirely, by a series of outlandish goals that our great innovators not only achieved, but exceeded in both scale and time. That is unquestionably the story of how this nation elevated humanity's comforts, convenience, and quality of life, turning night into day, and multiplying productivity in a quest for greater prosperity. It is the rationale for intelligent and informed residential lighting and appliances standards. Americans today have more choices at less cost delivering more energy savings than at any time in human history. We have shared the beneficence of this remarkable achievement around the world. Robust efficiency standards have not burdened the market – they have catalyzed it.

If nothing else, this moment serves as a vital reminder of the essential role of Congressional oversight of agency actions. We, as a nation, are long overdue for a new, comprehensive bipartisan Energy Policy Act that is focused on the dual benefits of national security and natural security, achieved through accelerated deployment of capital and technology. More than a decade ago, the Department of Energy had drifted off course in delivering tangible benefits to consumers. With bipartisan enactment of the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007, Congress refocused the DOE, established an expectation of public policy leadership to improve the lives of all Americans, introduced commercial stretch goals that gave us a decade of strategy, and unleashed an unprecedented period of technology innovation and commercialization that has not only delivered billions in savings to consumers but made our nation more safe, secure, and sustainable. This is a record to be proud of, and one whose time has come again. I am personally grateful to have worked with so many of you, as well as Chairman Dingell, during this exceptional period of leadership.

Rather than slow the pace of commercialization by rolling back efficiency standards, let's once again stand together in favor of the kind of technological innovation that liberates Americans from energy prices and achieves the easiest, fastest and most profitable source of GHG reductions. It has never been more important to empower consumers with better products at lower cost that strengthen our nation and improve our environmental health. Backsliding is not just unwise, it is unjustifiable by any standard.



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In just a few years, we have gone from an economy in which LED lighting was considered cutting-edge technology to an economy in which no one would build a commercial building without LED lights in it. Consumers not only expect LEDs in their homes and apartments, they now expect to operate those lights on voice command. In 2009, there were fewer than 400,000 LED bulbs in the home. Five years later, in 2014, there were more than 78 million bulbs installed – a pace of technology adoption that is among the highest in history.

Technology, opportunity, and economics are all on our side. But time is not. Throttling innovation at this critical juncture will do irreparable and unnecessary harm to our markets and our global leadership in energy technology.

As you all come together today to hold this important hearing, I urge you not to relent. Remain steadfast in your bipartisan commitment to improving the lives of consumers and designing a better future for our children. I humbly ask that you honor the environmental spirit and conservation legacy of Chairman Dingell, the man who helped enact the original appliance standards program in the Energy Policy and Conservation Act of 1975, a leader who was willing to cross the aisle and devise common solutions based on common sense in the name of advancing American innovation leadership. Please consider your own legacy and spirit of community when you deliberate on our national security and environmental wellbeing, pressing hard for answers and insisting on accountability to sustain our leadership in the 21st Century.

Sincerely,

Alexander A. Karsner
Assistant Secretary for Renewable Energy
& Energy Efficiency, 2006-2008

cc: Members of the House Energy & Commerce Energy Subcommittee