

Opening Statement of Republican Leader Greg Walden
Subcommittee on Energy
“Wasted Energy: DOE’s Inaction on Efficiency Standards and Its Impact on
Consumers and the Climate”
March 7, 2019
As Prepared for Delivery

Thank you, Mr. Chairman for holding this hearing to continue our oversight of the Department of Energy’s appliance and equipment standards program.

I would like to extend a warm welcome to Assistant Secretary Dan Simmons, who leads DOE’s Office of Energy Efficiency and Renewable Energy. I understand that Assistant Secretary Simmons was officially sworn in in January, so we’re glad that he’s finally in place to provide much needed leadership to EERE.

Republicans are focused on solutions that save energy, help the environment, and save consumers money, so we welcome the opportunity to explore ways to strengthen and improve this important DOE program.

Since the early 1980’s, DOE has issued minimum energy efficiency standards for a wide variety of residential and commercial products, including air conditioners, refrigerators, washers and dryers, ovens, dishwashers, lighting, and other products that Americans use every day.

DOE's authority to regulate energy efficiency in commercial equipment and residential appliances is derived from the Energy Policy and Conservation Act of 1975, also known as EPCA. While Congress has passed a few updates to this 44-year-old statute, we learned through our oversight hearings in the last few Congresses that more could be done to modernize the law and improve the process to formulate national energy efficiency standards.

Under the Obama Administration and the current Administration, DOE has missed statutory deadlines for efficiency rulemakings. These delays create uncertainty and have led to unnecessary litigation, which makes matters even worse.

DOE is doing what it can to fix the process administratively. Under this Administration, DOE has completed over a dozen rulemakings addressing conservation standards and test procedures for products such as external power supplies, light bulbs, ceiling fans, walk-in coolers and freezers, air conditioners, and pool pumps.

Just last month, DOE announced two new proposals. The first would revise the definitions of general service lamps to align with the definitions established by Congress in 2007. DOE was forced to take this action in response to a lawsuit and subsequent Department of Justice settlement agreement reached in 2017.

While some have described this action as a “rollback,” that is a mischaracterization. DOE has appropriately committed to undertake a separate rulemaking, as Congress intended, for certain specialty light bulbs, such as those used in heavy machinery and marine applications.

The second proposal announced in February would take long-overdue steps to reform the regulatory process that DOE relies on to develop efficiency standards. DOE’s new proposal, an update to the “Process Rule,” would substantially improve the process for setting efficiency standards and test procedures.

The proposed update to the Process Rule would enhance transparency, accountability, and regulatory certainty for manufacturers and consumers alike. While it’s hard to believe, this is the first update to the Process Rule in more than 20 years.

One of the most important things the Process Rule would do, is define what qualifies as a “significant” energy savings. This will enable the Department to better prioritize rulemakings to save energy and put more money back in consumer’s pockets. Under EPCA, there is not a lot of flexibility, which too often leads to unnecessary deadlines and rushed sue-and-settle regulations that fall short of providing consumers with better quality products that use less energy.

We know that unless we amend EPCA, the regulatory backlog will continue, as it has under multiple Presidential Administrations. It’s up

to Congress to fix this mess and we are ready to work with our colleagues on the other side of the aisle to do so.

Over the last couple of years, as Mr. Latta just mentioned, Republican members on this Subcommittee have been working across the aisle and engaging a wide-range of stakeholders to identify bipartisan solutions to modernize EPCA.

We've made some progress, but there is still plenty of work to do. If the Democrats are willing to work with us, we welcome the opportunity to work with you and to continue this effort this Congress.

Mr. Chairman, I want to thank you for holding this hearing. With that, I yield back the balance of my time.