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*Senate*

## Energy Efficiency for Air Conditioners

Mr. CARPER. Mr. President, about a week or so ago I learned that a U.S. circuit court of appeals, I believe for the Second District, had released a decision that is a major victory for energy efficiency. It offers significant savings for consumers of electricity. It is important for our Nation's energy future. Finally, it will help to improve the quality of air we breathe.

Let me take a moment to talk more about this decision and its impact. To provide a bit of background, among the U.S. Department of Energy's responsibilities is to establish energy efficiency standards for electrical appliances. Central air-conditioners, the type that cool most of our homes and offices, must meet the appropriate seasonal energy efficiency rating, better known as SEER. During warm summer days—which seem a long way away now—central air-conditioners account for more than half of the electricity we use. Increasing the efficiency of these necessary modern comforts will result in significantly less stress on our Nation's electricity grid and reduce the occurrence of blackouts.

According to the Alliance to Save Energy, requiring energy-efficient air-conditioners would avoid having to construct as many as 48 new electric powerplants over the next 16 years. It would also result in less greenhouse gases and harmful air pollution being released into the atmosphere because of reduced electricity demand.

Some of you may recall at the close of the Clinton administration, after exhaustive research, review, and comment, the Department of Energy set forth a new standard known as SEER 13. In doing so, the Energy Department directed that central air-conditioners, sold beginning in 2006, would need to be 30-percent more energy efficient than those currently available.

Unfortunately, that standard was withdrawn a couple of years ago when the current administration took office. That standard was replaced with a less efficient, less rigorous requirement. The revised standard, known as SEER 12, would have required just a 20-percent increase in energy efficiency.

In response to the administration's actions, 10 States, several consumer groups, and the Natural Resources Defense Council filed suit at that time in an attempt to overturn this weakened standard.

It was 2 years ago, as the Senate was beginning to consider the Energy bill that I was encouraged that the legislation we are considering should have restored the higher SEER 13 standard originally embraced by the Clinton administration. Unfortunately, that language was removed during the debate on the bill and the weaker SEER 12 standard was allowed to stand.

Last year, I discussed options for reinstating the higher SEER 13 standard but decided to hold off until the pending court case was decided. As I said, I was gratified to learn last week that the U.S. Circuit Court of Appeals for the Second Circuit had decided in favor of the original, more rigorous standard. The court's decision means that consumers will be able to purchase energy-efficient air-conditioners that could cut electricity bills for them by over \$1 billion per year. The administration could decide to appeal the court's decision to the Supreme Court. I urge them today not to do so.

As we debate again and again the future of energy policy, this court decision is one that should be embraced and encouraged, not appealed. We should take every opportunity to increase our energy security. This is one of those opportunities.

I yield the floor and thank Senator Durbin for his consideration.