

## Dissenting Minority Views on H.R. 5019

We, the undersigned Members of the Committee on Energy and Commerce, oppose the passage of H.R. 5019 and submit the following comments to express our concerns with this legislation.

H.R. 5019, the Home Star Energy Retrofit Act of 2010, would create a Silver Star and a Gold Star Home Energy Retrofit Program, both of which would provide rebates to eligible contractors for energy efficiency upgrades of residential dwellings. The legislation also creates a do-it-yourself category of rebate within the Silver Star program. It also creates a Home Star Energy Efficiency Loan Program.

Legislation that promotes energy efficiency is strongly supported by Republican Members of the Committee; however, there are a number of significant issues with this legislation, including the total cost of the legislation, questions about the U.S. Department of Energy's (DOE's) ability to effectively implement this program, and the fact that this legislation picks technology winners and losers.

The legislation authorizes a \$6 billion appropriation for Title I, the Home Star Retrofit Rebate Program, and an additional \$600 million appropriation for Title II, the Energy Efficient Manufactured Homes section, which was added as an amendment offered by Rep. Hill at the April 15, 2010, Energy and Commerce Committee markup. At a time when there is a national deficit crisis, it is not appropriate to add \$6.6 billion in spending to the deficit, and therefore Rep. Latta offered an amendment that would have prevented enactment of H.R. 5019 if there was an impact on deficit neutrality. In exchange for Rep. Latta withdrawing his amendment, Chairman Waxman promised that a "payfor" would be identified before this legislation is brought to the House Floor. It is our sincere hope that this promise is kept.

There are also significant concerns regarding DOE's ability to implement this program under the tight deadlines required under this legislation. DOE's Inspector General recently issued a report concluding that, as of February 2010, of the \$4.7 billion DOE has awarded in grants to States under the American Recovery and Reinvestment Act of 2009 (the Recovery Act) weatherization program, only \$368 million had been used by States for weatherization purposes and only 30,297 units have actually been weatherized. Of the ten States receiving the most money under the \$5 billion allocated for the weatherization program under the Recovery Act, only two had weatherized more than 2% of the homes covered by the program; the eight other States weatherized fewer than 400 homes each. Because the \$4.7 billion weatherization program has been a complete failure from an implementation perspective, we have concerns that a \$6.6 billion Home Star Energy Retrofit Program could suffer similar implementation failures.

This legislation is not technology neutral; it picks winners and losers. It is not the role of the Federal Government to pick winners and losers in the private sector. The Silver Star Home Energy Retrofit Program lists 13 energy savings measures that qualify for rebates of varying dollar amounts. There are many energy efficient products that were left off of this list or that will not qualify because the technical requirements are too onerous. Republican Members did

offer amendments that sought to expand the list of winners. During the March 24, 2010, Energy and Environment Subcommittee markup, Rep. Shadegg and Rep. Shimkus each offered amendments that were accepted, so that the list of qualifying measures was expanded to include electric tankless water heaters and geothermal heat pumps.

  
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Joe Barton  
Ranking Member

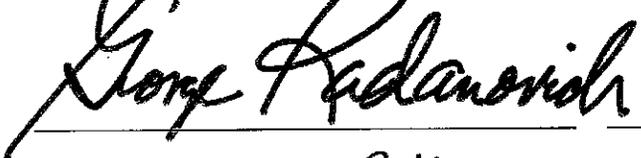
  
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Fred Upton  
Ranking Member  
Subcommittee on Energy and the Environment

  
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Ralph M. Hall

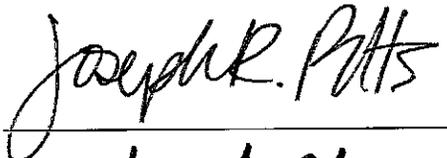
  
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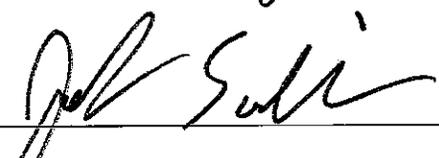
  
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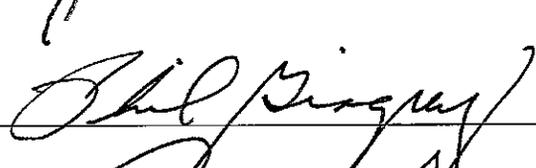
  
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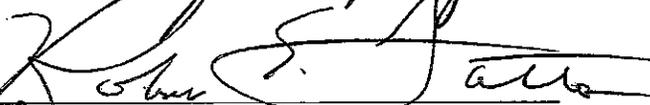
  
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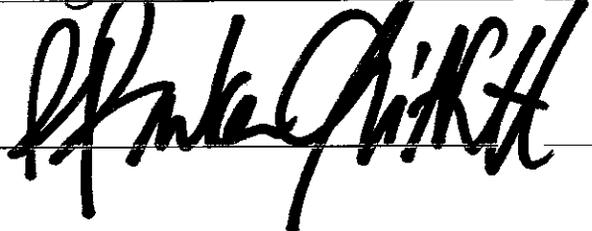
  
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Signatories List