

September 15, 2026

The Honorable Mike Lee
Chairman
Senate Energy and Natural Resources
Washington, DC 20510

The Honorable Martin Heinrich
Ranking Member
Senate Energy and Natural Resources
Washington, D.C. 20510

Dear Chairman Lee and Ranking Member Heinrich:

The undersigned consumer organizations urge you to oppose S. 5338, which would effectively block updated appliance and equipment standards and threaten existing ones. At a time when affordability is front of mind for all Americans, strong efficiency standards are a vital tool to help put downward pressure on rising utility bills.

For decades, federal efficiency standards have helped reduce energy and water waste and lower utility bills while promoting innovation and protecting consumers. These benefits are particularly important for low-income households and other families facing high utility bill burdens. Efficiency standards have saved the average U.S. household about \$6,000 over the last decade.¹ Future improved standards could reduce household bills by another \$160 annually.²

Existing law provides a clear framework for the Department of Energy (DOE) to evaluate whether energy conservation standards are technologically feasible, economically justified, and likely to result in significant energy savings while ensuring that products continue to provide the performance and features that consumers value. DOE should continue to evaluate potential standards based on those statutory criteria and the best available evidence.

Senator Lee's bill would create significant new barriers to establishing and updating cost-effective efficiency standards by adding hard-to-meet criteria, setting a minimum savings threshold, and adding redundant and excessively burdensome regulatory steps. It would also grant the executive branch new powers to revoke existing standards while expanding preemption of states' authority. These changes would make it virtually impossible to set future standards and imperil those that are delivering benefits for households today while preventing states from stepping in to address appliance efficiency.

We respectfully urge you to oppose SB 5338 and to protect DOE's ability to establish and update cost-effective appliance and equipment efficiency standards that lower consumer utility bills.

¹ <https://appliance-standards.org/sites/default/files/Senate-Bill-Would-Block-Efficiency-Standards.pdf>

² <https://appliance-standards.org/more-savings-ahead-state-analysis>

Thank you for your consideration.

Sincerely,

Consumer Federation of America³

Consumer Reports⁴

National Consumer Law Center, on behalf of our low-income clients⁵

cc:

The Honorable John Barrasso

The Honorable James Risch

The Honorable Steve Daines

The Honorable Tom Cotton

The Honorable David McCormick

The Honorable Jim Justice

The Honorable Bill Cassidy

The Honorable Cindy Hyde-Smith

The Honorable Lisa Murkowski

The Honorable John Hoeven

The Honorable Ron Wyden

The Honorable Maria Cantwell

The Honorable Mazie Hirono

The Honorable Angus King

The Honorable Catherine Cortez Masto

The Honorable John Hickenlooper

The Honorable Alex Padilla

The Honorable Ruben Gallego

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³ The Consumer Federation of America (CFA) is an association of non-profit consumer organizations that was established in 1968 to advance the consumer interest.

⁴ Consumer Reports (CR) is an independent, nonprofit and nonpartisan organization that works with consumers to create a fair and just marketplace.

⁵ The National Consumer Law Center (NCLC) is a nonprofit organization that, since 1969, has used its expertise in consumer law and energy policy to work for consumer justice and economic security for low-income and other disadvantaged people.