



Mark Baker <mbaker@softlights.org>

OIG - DOE Submission

Mark Baker <mbaker@softlights.org>
To: Mark Baker <mbaker@softlights.org>

Sun, Jun 18, 2023 at 10:05 AM

Dear Office of Inspector General, Department of Energy,

I am notifying the OIG of willful and purposeful fraud and the hiding of critical information from the public by Celia Sher, Stephanie Johnson and others at the DOE about the physics characteristics and adverse health impacts of LED visible radiation in order to publish the DOE rule banning incandescent light bulbs. We have extensive information about this fraud.

In 2019, the DOE determined that a 45 lumen/watt backstop for General Service Lamps was not required. However, on December 12, 2021, the DOE re-initiated the proposal to set a 45 lumen/watt minimum luminous efficacy for General Service Lamps via EERE-2021-BT-STD-0005-0034. During the public comment period, the Soft Lights Foundation submitted a detailed explanation of the physics of flat surface LED emitters, and a detailed explanation of the requirements for "energy-efficiency". I assert that Ms. Sher, Ms. Johnson and others conspired to withhold this information from the public. The Soft Lights Foundation information was never published in the federal register, in violation of 5 U.S.C. Chapter 5.

The DOE approved the Final Rule to require the 45 lumen/watt minimum luminous efficacy for General Service Lamps by making two false claims. 1) The characteristics of LED light and incandescent light are equivalent. 2) There are no adverse health impacts from LED visible radiation. The Soft Lights Foundation submission made clear that these two claims were false and that the 45 lumen/watt rule could not be implemented based on those two false claims. The DOE purposely and willfully chose to bury this information and not allow the public to see it. Thus, the 45 lumen/watt backstop rule is based on a fraudulent representation of the facts.

More recently, the DOE proposed to increase the minimum luminous efficacy to 120 lumens/watt, via EERE-2022-BT-STD-0022-0005. Again, the Soft Lights Foundation submitted a 112-page document detailing the physics characteristics and adverse health impacts of LED visible radiation. This document was submitted multiple times via [regulations.gov](https://www.regulations.gov) and yet it was never published by the DOE. While many other comments were published, our comment was purposely and illegally withheld from the public register. (<https://www.softlights.org/wp-content/uploads/2022/12/Combined-DOE-Petition.pdf>)

The DOE has failed to comply with 21 U.S.C. 360ii to liaise with the Food and Drug Administration to publish performance standards for LED products, including LED General Service Lamps. The DOE has no authority to require the 45 lumen/watt luminous efficacy rule and banning the incandescent light bulb because the DOE failed to ensure that LED General Service Lamps have been vetted for safety and approval by the FDA. The Soft Lights Foundation submitted a petition to the DOE to comply with 21 U.S.C. 360ii, but there has been no response. (<http://www.softlights.org/wp-content/uploads/2023/06/DOE-Petition-to-Collaborate-with-FDA.pdf>)

On approximately June 1, 2023, Celia Sher left the DOE to work for a private energy company called Rock Creek Energy Group.

On June 15, 2023, the Minnesota Department of Human Rights declared that high-luminance, LED strobing lights are discriminatory. (<https://www.softlights.org/wp-content/uploads/2023/06/74059-6-15-2023-ECP-Memorandum-.pdf>). While this decision was for LED strobing lights, the impacts of non-strobing LED lights, including seizures, migraines, panic attacks, and eye injury, are the same. Therefore, the MDHR's ruling easily extends to LED General Service Lamps. The DOE has illegally mandated the use of unvetted, unapproved, hazardous, and discriminatory LED GSL's by making fraudulent claims about the physics and health impacts of LED visible radiation.

I am requesting the assignment of a case number and a thorough investigation.

Sincerely,

Mark Baker
President
Soft Lights Foundation