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The Honorable Henry A. Waxman
Chairman
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The Honorable Edward J. Markey
Chairman
Subcommittee on Energy and Environment
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Waxman and Chairman Markey:

Thank you for your quick response to our April 24 letter requesting an additional day of hearings on the complete Waxman-Markey bill, the American Clean Energy and Security Act of 2009. We appreciate your willingness to provide us an opportunity this Friday to call witnesses of our choosing.

As you pointed out in your letter, this committee and subcommittee have had over 40 days of hearings involving more than 300 witnesses over the past two and a half years on energy and climate change policy. And yet, as we mentioned in both our letters of April 20 and 24, we do not have the specific emission permit allocation language that is critical to understanding the full economic effect of your bill. Thus, the true cost remains the great unknown in the Waxman-Markey legislation.

As you recall from the hearing on Friday, former Vice President Gore was given repeated opportunities to discuss the true cost of the Waxman-Markey bill; the only answer he could come up with was to suggest that, fourteen years ago, corporate polluters were like Bernie Madoff. Clearly, the world's leading spokesman for the cause of stopping global warming has no

The Honorable Henry A. Waxman
The Honorable Edward J. Markey
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information about the true cost of your bill. The former vice president is hardly alone in that respect. Neither he, nor we, nor the public have been let in on the secret of how much Waxman-Markey might cost.

It is our intention to use the opportunity you are providing for us this Friday to carefully examine the one element of the legislation that has so far escaped examination in 38 hearings stretching over 40 days- its cost- by calling witnesses who can professionally examine this element just as soon as we are able to provide them the specific and final language on emissions permit allocations that you plan on marking up in a business meeting.

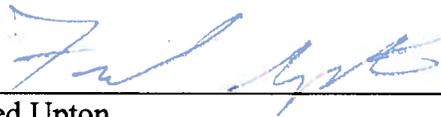
We are sure that you will agree with us that, in order for us ensure that Friday's hearing will be a meaningful discussion of costs and that witnesses will be able to testify on the economic impacts of emission allocations, we need to provide them with specific emission allocation language as soon as possible—we would recommend not later than close of business tomorrow—so that that our witnesses and we have sufficient time to analyze the allocation structure and its economic impacts before the Friday hearing.

We will be happy to provide you with a list of witnesses as soon as we can confirm that we will have specific legislative language on the emission permit allocations tomorrow. Please let us know if you will be able to comply with this request. If you are unable to provide us with specific emission permit allocation language tomorrow, then understandably the witnesses we want to testify will be unwilling to attend because they will be unable to adequately analyze the legislation prior to the hearing. On behalf of all 23 Republican Members of the Committee, we are eager to have a hearing with minority witnesses after the specific emission permit allocation language has been available for an adequate review, and on a day when the House is in session and voting. Alternatively, if you decide to forego the route of cap and trade, we would not need an additional day of hearings.

Sincerely,



Joe Barton
Ranking Member
Committee on Energy and Commerce



Fred Upton
Ranking Member
Subcommittee on Energy and Air Quality