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ONE HUNDRED ELEVENTH CONGRESS

# Congress of the United States

## House of Representatives

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### MEMORANDUM

May 17, 2009

**To: Members of the Committee on Energy and Commerce**  
**Fr: Chairman Henry A. Waxman**  
**Re: Markup Procedures for the Energy Legislation**

This week, the Committee on Energy and Commerce will meet in open markup session to consider H.R. 2454, the American Clean Energy and Security Act of 2009. To help members prepare for this meeting, I want to explain the policy I plan to follow to promote the orderly and thoughtful deliberation of as many amendments as possible.

After bringing up H.R. 2454 for consideration, I plan to offer an amendment in the nature of a substitute (AINS). The AINS will be similar in length and structure to H.R. 2454, which has four titles.

The AINS will be open for amendment at any point. However, I will exercise the chair's power of recognition to give priority to amendments in order of title. This means that I will give priority to members who have amendments to Title I over those having amendments to subsequent titles. When the amendments to Title I have been considered, I will then use a similar procedure for considering amendments to the subsequent titles.

I will also exercise the chair's power of recognition to ensure that all members of the Committee have sufficient time to review and understand amendments before they are offered. Any member who wishes to offer an amendment should submit 100 copies of that amendment to Committee staff seated outside room 2147 Rayburn (in the hallway around the corner from the main Committee hearing room) **at least two hours** before offering the amendment at the markup. My staff will e-mail to all Committee members a pdf of each amendment submitted under this process, and they will distribute hard copies when the amendment is offered at the markup.

I will give priority in recognition to those amendments that have been shared with Committee members at least two hours in advance.

Amendments should be identified on the cover page by member name and, in the case of members offering multiple amendments, amendment number. I will seek unanimous consent to allow amendments that are drafted to H.R. 2454 to be considered to conform to the AINS.

Members should be prepared to work late on Tuesday and Wednesday evenings. My goal is to conclude consideration of the legislation on Thursday, May 21.

If you have any questions, please contact Kristin Amerling at 5-2927.