

November 2, 2009

Dear Senators Murkowski, Chambliss, Grassley, Lugar, Hutchison, and Inhofe:

Thank you for your letter dated November 2, 2009, in which you ask me to ensure there is a “satisfactory analysis” of the Clean Energy Jobs and American Power Act (S.1733) before the Environment and Public Works Committee proceeds with its markup of the legislation.

I want to make sure you are aware that EPA has confirmed that the extensive analysis and supporting materials provided to the Committee are totally sufficient and appropriate for our legislative process. In fact, EPA reports that the analysis provided on the Kerry-Boxer bill and Chairman’s Mark exceeds the analysis typically conducted prior to a markup.

EPA has also indicated that this economic analysis reflects hundreds of thousands of pages of backup documentation. It is far more analysis than the 10,000 pages of documentation on the Clear Skies bill that this Committee received in a prior Congress before markup of that legislation.

In addition, I want to point out that Republican members of the House fully participated in the Waxman-Markey climate change bill mark-up, even though a five-week analysis on the bill under consideration was not undertaken until after the bill was voted out of Committee.

To meet your concerns, however, and in the spirit of collegiality, I have arranged for a recess of the markup to take place Tuesday, November 3, at 2:30 pm, so that EPA can be available to answer questions from EPW members on its analysis. In addition, we are offering to extend the deadline for first-degree amendments on the Minority side until close of business tomorrow. Of course, we will follow the rules of the Committee and the Senate as we proceed.

Sincerely,

Barbara Boxer

Chairman