

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

September 28, 2011

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Upton:

The House Republican leadership has scheduled H.R. 2250 and H.R. 2681 for floor consideration next week. While we oppose these bills because they would effectively gut Clean Air Act requirements for waste incinerators, boilers, and cement plants, we are writing today because the legislation also does not comply with your discretionary CutGo policy.

On June 21, 2011, you wrote to Rep. Waxman to clarify your discretionary CutGo policy. In your letter, which addressed several pieces of legislation pending at the time, you made the following commitment: "If CBO later determines that any of these bills will have a significant impact on the federal budget, we will offset the newly authorized spending with reductions elsewhere."

As you are aware, the Congressional Budget Office has determined that H.R. 2250 and H.R. 2681 will have a significant impact on the federal budget. CBO considers an impact on the federal budget of \$500,000 or more to be "significant." In this case, CBO estimates that implementing each bill would cost \$1 million over the 2012-2016 period in spending subject to appropriations.¹

Under the policy you set for the Committee, this new authorization to spend a total of \$2 million must be offset. We therefore request that the Committee have the opportunity to consider what offset is appropriate to be added to the legislation.

Thank you for considering our request.

¹ Congressional Budget Office, Cost Estimate for H.R. 2250 (Sept. 23, 2011)(online at <http://www.cbo.gov/ftpdocs/124xx/doc12432/hr2250.pdf>). Congressional Budget Office, Cost Estimate for H.R. 2681 (Sept. 23, 2011)(online at <http://www.cbo.gov/ftpdocs/124xx/doc12434/hr2681.pdf>)

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Sincerely,



Henry A. Waxman
Ranking Member



Bobby L. Rush
Ranking Member
Subcommittee on Energy and Power

cc: The Honorable Ed Whitfield
Chairman
Subcommittee on Energy and Power