

ONE HUNDRED THIRTEENTH 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  
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**MEMORANDUM**

**February 4, 2013**

**To: Committee on Energy and Commerce Democratic Members and Staff**

**Fr: Committee on Energy and Commerce Democratic Staff**

**Re: Business Meeting to Markup the Oversight Plan of the Committee on Energy and Commerce for the 113th Congress**

On Tuesday, February 5, 2013, at 4:00 p.m. in room 2123 of the Rayburn House Office Building, the Committee on Energy and Commerce will convene to conduct opening statements for the markup of the Committee's oversight plan for the 113th Congress. The Committee will reconvene on Wednesday, February 6, 2013, at 9:30 a.m., in room 2123 of the Rayburn House Office Building to continue the markup of the Committee's oversight plan.

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Government Reform and to the Committee on House Administration no later than February 15th of the first session of the Congress.

The Committee's approach to the issue of climate change is expected to be debated during the markup. Between May 2011 and December 2012, Rep. Henry A. Waxman, the Ranking Member of the full Committee, and Rep. Bobby L. Rush, the Ranking Member of the Subcommittee on Energy and Power, wrote to Rep. Fred Upton, the Committee Chairman, and Rep. Ed Whitfield, the Chairman of the Energy and Power Subcommittee, 21 times requesting hearings on new scientific findings or other important developments related to climate change. Chairmen Upton and Whitfield have not responded to any of these requests.

The proposed oversight plan's handling of climate change is cursory and does not reflect these requests or any of the new and alarming scientific assessments of climate change. Since November 2012, more than fifteen major articles and reports have been released relating to the scientific evidence of human-induced climate change and the potentially disastrous impacts of

inaction. The oversight plan, as currently drafted, does not propose examining any of this information.

The entirety of the text relating to climate change in the proposed oversight plan is as follows:

#### CLIMATE CHANGE

The Committee will continue to monitor international negotiations on efforts to control greenhouse gas emissions in connection with concerns about global climate change. In addition, the Committee will examine the EPA's efforts to regulate domestic greenhouse gas emissions under the Clean Air Act based on its endangerment finding. The Committee will consider whether such agreements and regulatory efforts are scientifically well grounded. The Committee will also review the activities undertaken in this area by the Department of Energy (DOE), the Department of Health and Human Services (HHS), and other agencies within the Committee's jurisdiction, including efforts to prepare for and respond to weather events and natural disasters in the future.<sup>1</sup>

This proposed text closely parallels the text in the oversight plan for the 112<sup>th</sup> Congress, which was adopted in 2011. There are two differences between the proposed oversight plan for the 113<sup>th</sup> Congress and the previous oversight plan: (1) the reference to considering whether international agreements and EPA's regulatory efforts are scientifically well grounded; and (2) the reference to examining efforts to prepare for and respond to weather events and natural disasters.<sup>2</sup> Neither of these changes is responsive to the numerous requests made by Rep. Waxman and Rep. Rush in the last Congress.<sup>3</sup>

Rep. Waxman's and Rep. Rush's 21 hearing request letters are summarized below:

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<sup>1</sup> House Energy and Commerce Committee, Draft Oversight Plan for the Committee on Energy and Commerce, U.S. House of Representatives, 113<sup>th</sup> Congress (Feb. 1, 2013).

<sup>2</sup> The Oversight Plan for the Committee on Energy and Commerce, U.S. House of Representatives, 112<sup>th</sup> Congress, is as follows:

#### CLIMATE CHANGE

The Committee will continue to monitor international negotiations on efforts to control greenhouse gas emissions in connection with concerns about global climate change. In addition, the Committee will examine the EPA's efforts to regulate domestic greenhouse gas emissions under the Clean Air Act based on its endangerment finding. The Committee will also review the activities undertaken in this area by agencies within the Committee's jurisdiction, including the Department of Energy (DOE) and the Department of Health and Human Services (HHS).

<sup>3</sup> The full set of letters is available online at <http://democrats.energycommerce.house.gov/index.php?q=page/climate-change-hearing-requests>.

- On December 11, 2012, Ranking Members Waxman and Rush requested a hearing on the PriceWaterhouseCoopers (PwC) Low Carbon Economy Index report on the necessary rate of decarbonization to limit global warming.
- On November 19, 2012, Ranking Members Waxman and Rush requested a hearing on an important World Bank report that details the “devastating” impacts of climate change. The report, “Turn Down the Heat: Why a 4°C Warmer World Must be Avoided,” details what the world would be like with warming of 4 degrees Celsius before the end of the century.
- On November 14, 2012, Ranking Members Waxman and Rush requested a hearing on an important report that examines the connections between national security and climate change. The report, released by the National Research Council of the National Academies, finds that the government should immediately begin to develop a strategy to monitor threats connected to climate change as potentially disruptive environmental events are expected to increase in frequency and intensity.
- On October 31, 2012, Ranking Members Waxman and Rush requested a hearing on Hurricane Sandy, extreme weather events, and climate change. Hurricane Sandy is the type of extreme weather event that climate scientists have said will become more common if we fail to reduce our carbon pollution.
- On September 14, 2012, Ranking Members Waxman and Rush requested a hearing on ocean acidification and its damage to sensitive marine ecosystems and species. Reports found that warming and acidification of the oceans are causing rapid declines in oyster production, endangering the already critically injured North Atlantic right whale, and affecting deep sea marine life.
- On September 10, 2012, Ranking Members Waxman and Rush requested a hearing on the impact of climate change on the nation’s energy generation. Reports indicate that record-breaking heat and drought conditions are forcing power plant operators to use less water to operate hydroelectric, coal-fired, and nuclear power plants, resulting in the shutdown of some nuclear plants as cooling water becomes either too warm or too scarce.
- On July 13, 2012, Ranking Members Waxman and Rush requested a hearing on the link between climate change and the wildfires and drought occurring across the United States.
- On June 4, 2012, Ranking Members Waxman and Rush requested a hearing on information regarding the potential role of carbon capture and sequestration (CCS) to control carbon pollution and to provide for the clean use of coal in the future.
- On May 14, 2012, Ranking Members Waxman and Rush, joined by Rep. Diana DeGette, the Ranking Member of the Oversight and Investigations Subcommittee, renewed a request for a hearing on the practice of natural gas flaring at oil production facilities in the U.S. and its potential energy and environmental impact. The request follows a recent report that the U.S. shale boom caused global gas flaring to rise in 2011, reversing a downward trend. The

United States now falls in the top ten countries for natural gas flaring, along with Russia, Nigeria, and Iraq.

- On April 30, 2012, Ranking Members Waxman and Rush requested a hearing on findings by the International Energy Agency (IEA) suggesting that the transition to a low-carbon energy system is happening too slowly to prevent the worst impacts of climate change.
- On April 12, 2012, Ranking Members Waxman and Rush requested a hearing on the link between global climate change and the unprecedented March 2012 heat wave across the contiguous United States. Data from the National Oceanic and Atmospheric Administration indicates that this was the warmest March on record with temperatures breaking more than 15,000 records.
- On March 21, 2012, Ranking Members Waxman and Rush requested a hearing on the rapid acidifying of oceans due to rising emissions of carbon dioxide. Studies from Columbia University, the University of Bristol, and others concluded that due to carbon dioxide emissions, ocean acidification is occurring much faster than at any other point in Earth's history, perhaps causing unprecedented marine ecosystem change.
- On February 22, 2012, Ranking Members Waxman and Rush requested a hearing on data from the National Oceanic and Atmospheric Administration (NOAA) showing that the 2011-2012 winter has been much warmer than average, consistent with overall rising temperatures on a global scale.
- On January 26, 2012, Ranking Members Waxman and Rush requested a hearing on a recent report by the Intergovernmental Panel on Climate Change (IPCC), which finds that increases in concentrations of greenhouse gases have contributed to recent climate extremes. A hearing would have allowed members to hear expert testimony on the economic and human effects of climate change, including the connection between climate change and the record droughts, heavy rains, weather-related disasters, and heat waves that occurred across the United States.
- On January 19, 2012, Ranking Members Waxman and Rush requested a hearing on reports of thawing permafrost in the Northern Hemisphere and the potentially dangerous levels of methane and carbon it could release into the atmosphere.
- On November 18, 2011, Ranking Members Waxman and Rush requested a hearing on an analysis by the International Energy Agency (IEA) finding that failure to take action to prevent climate change in the next five years will likely commit the world to large temperature increases and likely devastating effects.
- On November 10, 2011, Ranking Members Waxman and Rush requested a hearing on an analysis by Yale University and Middlebury College economists, entitled *Environmental Accounting for Pollution in the United States Economy*. The analysis finds that the economic costs of air pollution from coal-fired and oil-fired power plants outweigh the economic value

these sources add to the economy, which indicates that stronger pollution control regulations would strengthen our national wellbeing.

- On November 4, 2011, Ranking Members Waxman and Rush requested a hearing on important developments in climate change science, including reports that crop yields, agricultural areas, and consumers are now experiencing the adverse effects of climate change and are expected to face more acute challenges as temperatures continue to rise.
- On October 28, 2011, Ranking Members Waxman and Rush requested a hearing to examine an important new analysis by the Berkeley Earth Surface Temperature Project. This analysis, led by Richard Muller, a prominent climate skeptic, found that “global warming is real.”
- On October 13, 2011, Ranking Members Waxman and Rush requested a hearing to assess natural gas flaring practices in North Dakota and their potential energy and environmental consequences. The request followed a recent news report on the wasteful process of burning natural gas in North Dakota.
- On May 23, 2011, Ranking Members Waxman and Rush requested a hearing on two reports on climate change from the National Academy of Sciences and the Vatican, which found that climate change is occurring and that urgent action is needed to address its dangers.