

Today, U.S. House of Representatives Energy & Commerce Committee Chairman Henry Waxman released a discussion draft of the American Clean Energy and Security Act of 2009 (ACES). See <http://energycommerce.house.gov/>. This is a major development, for several reasons.

First, ACES represents the 111th Congress' first foray into the details of proposed climate change legislation—though the newly-released draft is truly an omnibus bill, covering renewable energy, green jobs and energy efficiency standards as well. So the Congressional debate over climate change legislation will take place in the context of the Waxman bill, at least in the near term.

Second, release of the ACES draft signals a power shift on Capitol Hill. Recall that in 2008, it was the U.S. Senate that pushed the climate change legislative agenda, introducing several Senate bills (most prominently the Warner-Lieberman bill) that were debated but ultimately didn't get much traction in the 110th Congressional session. This year, Speaker of the House Nancy Pelosi and Chairman Waxman appear to be wresting the climate change leadership role away from U.S. Senator Barbara Boxer and her Senate colleagues. Whether the Senate will attempt to re-assert primacy on the climate change front remains to be seen, but it will be interesting spectator sport.

Finally, by getting his draft legislation before the public, Chairman Waxman is charting a dramatic new policy course for the House Energy and Commerce Committee. Waxman surprised many Capitol Hill observers late in 2008 when he successfully claimed leadership of the Committee from long-time Chairman John Dingell of Michigan. Newly-installed Chairman Waxman made it clear that when it comes to setting federal environmental and energy policy, there's a new sheriff in town—at least on the Hill. The release of ACES—even in draft form—underscores that point most effectively.