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By: Chad Pergram, FOX News

<http://congress.blogs.foxnews.com/2009/05/20/the-long-hard-slog/>

It was one of those instances where everything hung in the balance.

For just a moment Monday afternoon, everyone kept still in the House Energy and Commerce Committee hearing room. Like game that doesn't move in the brush after it's been spotted by a hunter, lawmakers, staff, journalists and lobbyists froze and held their breath. Committee Chairman Henry Waxman (D-CA) asked unanimous consent to skip past the oral reading of his 900-page climate change and energy bill. And the crowd waited to see if the panel's top Republican, Rep. Joe Barton (R-TX) would object to Waxman's request.

A Barton objection would be a stalling tactic. Of monumental proportion. It meant that a House clerk would be assigned the onerous responsibility of reading all 900 pages out loud for the balance of the afternoon, into the night and probably until daybreak Tuesday.

"I am not going to object," Barton finally conceded. "I'm not asking you to read the bill."

"That was a close one," emailed an aide who is helping shepherd the bill through Congress. Just from the email, you could almost see the aide wiping away the beads of sweat dotting his forehead.

But just because Barton relented didn't make the work of the Energy and Commerce Committee any easier. For that was just one mile in a long journey, slogging through one of the most sweeping packages ever tackled by Congress. The energy and climate change bill holds the potential to impact every industry in the country, ranging from automobiles to agriculture. And no one truly knows the cost of the legislation.

This week, the Energy and Commerce Committee's engaged in daily endurance sessions known in Congressional parlance as a "markup." A markup is where lawmakers write the final version of a given bill. Routine markups are tedious enough. But this week's work is particularly grueling, given the size and scope of the plan.

"How many American industries do we want to bankrupt in one markup?" asked Barton during the meeting, criticizing what he believes are provisions that could imperil the U.S. economy.

Nearly everyone associated with the Energy and Commerce Committee dreaded this week's series of markup sessions on the climate change package. The panel first met Monday afternoon at 1 pm, with the threat of anywhere from 200 to 400 amendments on tap. A bleary-eyed Rep. Greg Walden (R-OR) lamented that he had to take the red-eye from Portland and arrived in Washington at 6:30 am Monday.

"It's a helluva process," Walden said.

That it was.

The committee convened again at 10 am Tuesday. And by early afternoon, it dispensed with precisely one amendment. By dinnertime, the committee plowed through six amendments. The laborious process spurred the spontaneous creation of the "white shirt caucus." Rarely are lawmakers seen without a coat and tie on Capitol Hill. But with the sun setting, Reps. Phil Gingery (R-GA), Peter Welch (D-VT), Bruce Braley (D-IA), Zack Space (D-OH), John Sarbanes (D-MD) and John Sullivan (R-OK) chose to lose their jackets and work in just shirtsleeves.

The committee ordered dinner from Subway for the lawmakers. Somehow all of the meat subs wound up with the Democrats while the Republicans had to munch on cucumber sandwiches. As the markup wore on, Greg Walden rubbed his eyes. Gingery buried his head in his hands. Rep. Sue Myrick (R-NC) went for a Diet Coke. Everyone was crabby as Henry Waxman tried to pilot the cantankerous committee members through each amendment.

Rep. Lee Terry (R-NE) offered an amendment requiring the cessation of the bill if gas climbed to more than \$5 a gallon.

"Most of these amendments are just political," sighed Rep. Gene Green (D-TX).

But that didn't stop a bevy of Republican lawmakers from espousing the merits of Terry's proposal. Waxman asked if there was any discussion on Terry's amendment.

Reps. Marsha Blackburn (R-TN), John Shimkus (R-IL) and Billy Pitts (R-PA) all shot their hands high in the air, seeking recognition from Waxman. It was like the trio suddenly morphed into Arnold Horshack on "Welcome Back, Kotter," each saying "Ooh-oo-oooh!" in an effort to command the chairman's attention.

"Can you agree to three minutes each?" Waxman inquired in an effort to move expeditiously.

"I would prefer to take my full five minutes," Blackburn insisted.

Around 7:43 pm, Rep. Michael Burgess (R-TX) looked like a befuddled man. The Texas Republican rifled through a ream of papers piled in front of him on the dais, searching for the right one. He finally relented and asked for help from the legislative counsel sitting at a table in front of him.

"Can you give me a page number?" Burgess asked. "I have so many bills in front of me. Look, I'm just a simple country doctor..."

Burgess is an OB-GYN by training. But Waxman wasn't about to let Burgess feign backwoods, medical ignorance.

"Well first of all, you're a Congressman in the Energy and Commerce Committee room," Waxman reminded Burgess, drawing a chorus of laughter.

The chairman's remark was an effort at humor. But it was also a direct reminder that whether lawmakers like the climate bill or not, the package before them is a major legislative lift. And

committee members had better be up to the task if Waxman's panel was going to exhaust entire days adopting and dismissing amendments, contouring the final product.

Lawmakers traded barbs as the hour grew late. Several remarked that was the only way to stay sane during the markup.

Joe Barton commented that fellow Texans Gene Green and Rep. Charlie Gonzalez (D-TX) had "been working like Trojans" over trying to settle on low-carbon fuel standard.

Green chortled at this comparison.

"I want to thank my colleague from Texas for saying Mr. Gonzalez and I work like Trojans," Green said. "I believe this (amendment) is like the Trojan horse that will sack the city."

At 11:27 pm, Waxman announced that Reps. Jay Inslee (D-WA) and Kathy Castor (D-FL) would offer the last amendment of the night. Their plan would grant states the power to set some energy rates. The amendment galled Barton.

"It is late," Barton started. "But this is probably the worst amendment we've seen today."

Inslee took umbrage with Barton's criticism.

"The fact that Mr. Barton has said I have the worst amendment has guaranteed my re-election in Washington's First District," Inslee countered.

The Inslee-Castor proposal also drew fire from John Shimkus. Shimkus likened the proposal to something from "Spain." And that irked Rep. Anthony Weiner (D-NY), who couldn't contain himself to get a word in edgewise.

"Mr. Chairman, could I just have 30 seconds?" Weiner appealed to Waxman.

Waxman nodded and gave a wry smile, knowing Weiner's loquacious tendencies.

"The gentleman is recognized for one minute," Waxman instructed.

Weiner took on Shimkus.

"You might have opposition to this amendment," Weiner told the Illinois Republican. "But you haven't made the case yet."

"Don't encourage them!" Waxman warned, mindful of the hour.

Waxman finally gaveled Tuesday's markup session to a close at 11:51 pm, nearly 14 hours after it started. And the committee faces 14 and 15 hour days the rest of the week if it wants to complete the bill before the Memorial Day Congressional break.

But Joe Barton wasn't optimistic the committee could wrap up by then.

"Bring your sleeping bags," he said. "We might as well plan on being here all next week."

- Chad Pergram covers Congress for FOX News. He's won an Edward R. Murrow Award and the Joan Barone Award for his reporting on Capitol Hill.

