



3. **HOUSE: Wait begins for decision on GOP Energy gavel** (12/01/2010)

Katie Howell, E&E reporter

The waiting game has begun for the four House Republicans vying for the Energy and Commerce Committee gavel.

The contenders -- Reps. Joe Barton of Texas, John Shimkus of Illinois, Cliff Stearns of Florida and Fred Upton of Michigan -- breathed a collective sigh of relief last night after finishing 10-minute presentations and answering questions before the 34-member GOP Steering Committee. But a decision on the chairmanship is not expected before Tuesday.

Yesterday's meeting wrapped up a weeks-long battle for the gavel that has grown increasingly nasty. Barton, the current ranking member, wants to move into the chairman's seat, but he is facing GOP term limits. Upton is the leading contender for the spot, but he has had to run an aggressive defense after fellow Republicans and pundits questioned his conservative credentials. Shimkus and Stearns are considered dark-horse contenders for the powerful position.

"It's not the same as it was six weeks ago, let me put it that way," Upton said of his relationship with Barton. "We'll see. We'll wait 'til this process is over."

The contenders all said they focused their presentations to the Steering Committee on their credentials rather than on the bitter fight or downsides of other candidates. But that did not stop Barton from making a jab at Upton to reporters.

"I think that I am more conservative, and I think that Fred is well-qualified at some point in time to chair this committee, but not right now," Barton said.

When told of the comment, Upton said he had served as subcommittee ranking member or chairman on several committees over the past 12 years. "I don't remember a day that I've been on a different page than with my chairman, Barton -- or ranking member -- during that entire time," Upton said.

All the contenders lamented that the Steering Committee allowed the candidates only 10 minutes each -- "to a word," Stearns said -- for presentations before launching into questions. Barton said he ran out of time to present a slide during his prepared talk that compared Speaker-elect John Boehner (R-Ohio) to World War II General and former President Dwight Eisenhower and himself to George Patton.

But Barton still likely made an impression on the Steering Committee members by carrying the Energy and Commerce Committee's gavel with him to the presentation.

"This is the real gavel, as scrawny as it looks," he told reporters after giving his presentation. Barton said he "borrowed" the gavel from the committee Monday night.

"I have it on loan," he mused. "I'm going to take it back right now and put it back in its rightful place."

While Barton used the gavel as a prop, Shimkus took posters he had previously used on the House floor during energy debates, and Upton carried a handful of letters and editorials written by Republicans endorsing his candidacy.

Stearns took a different approach. "I ... talked about my experience running a country western bar, which tied in with Leader Boehner, who ran a bar, so I sort of tagged along with Boehner in his experience with his father's bar in talking about some of the things that I did with my country western bar," Stearns said. "I think Leader Boehner understood that."

All the candidates said they outlined their plans for the committee, and one of Upton's proposals pleased journalists. "You're actually going to love this; I'm going to be on your pedestal," Upton told reporters. "Opening statements are over."

The Energy and Commerce Committee famously allows all members on the 59-member panel to give opening statements before hearings begin.

"If you want to give an opening statement, you know, if the hearing starts at 10, you show up at 9:30 because the hearing is going to start at 10, and maybe we'll have two rounds of questions instead of one," Upton said.

Although Upton seemed confident he will win the gavel, he said, "I'm not measuring any drapes yet."

"We'll see what happens," he said. "We feel good about our prospects. I think that my presentation fits in exactly with where the Steering Committee is going to want to be, focusing on spending, oversight, Obamacare, energy."

Upton is considered the favorite to take the gavel over Barton, who has already served one term as chairman and two as ranking member. Barton is seeking a waiver from a GOP term-limit rule that prevents members from keeping committee leadership

positions for more than three consecutive terms. His chances for the gavel may have grown yesterday when those involved in the decisionmaking process said the Steering Committee would make their decision based on credentials rather than whether a waiver was needed ([E&ENews PM](#), Nov. 30).

Barton said that he had been told by "a number of people in that room," that "if I win then it's automatically given."

"Now, that was not explicitly stated in there, but that's the assumption I'm operating under," Barton said yesterday after giving his presentation. He added that the question of the waiver did not come up during his presentation or during the Steering Committee's questions.

Neither did BP PLC, Barton said. Barton reportedly angered party leaders, including Boehner, this summer when he apologized during a committee hearing to BP's then-CEO Tony Hayward for encountering a White House "shakedown" during the Gulf of Mexico oil spill.

Instead, Barton said the committee members asked him "tough but fair" questions about how to jump-start the economy and about entitlement reform.

E&E DAILY HEADLINES -- Wednesday, December 1, 2010

SPOTLIGHT

1. WILDERNESS:

Colleagues enlist Reid's help with last-ditch push for massive water, lands, wildlife package

2. REGULATIONS:

Strategists look for lessons in '94 rout

POLITICS

3. HOUSE:

Wait begins for decision on GOP Energy gavel

4. HOUSE:

Race for Science gavel heats up

5. APPROPRIATIONS:

Candidates for chairman threaten to defund EPA climate rules

6. POLITICS:

Democratic senators applaud Murray's decision to head campaign committee

IN THE SENATE

7. LEADERSHIP:

Senate GOP dismisses conflict over Energy panel post

8. CLIMATE:

Trade groups target CR in new effort to block EPA regs

9. TOXICS:

Senate panel eyes CPSC law amid holiday shopping season

IN THE HOUSE

10. NEW MEMBER PROFILE:

Gardner following in the footsteps of mentor Wayne Allard

11. NUCLEAR POWER:

House passes R&D, small reactor bill

12. NATURAL GAS:

Western lawmaker blasts Interior's 'fracking' plans

THIS WEEK'S MARKUPS AND HEARINGS

13. Calendar:

Activity for November 29 - December 3, 2010

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