

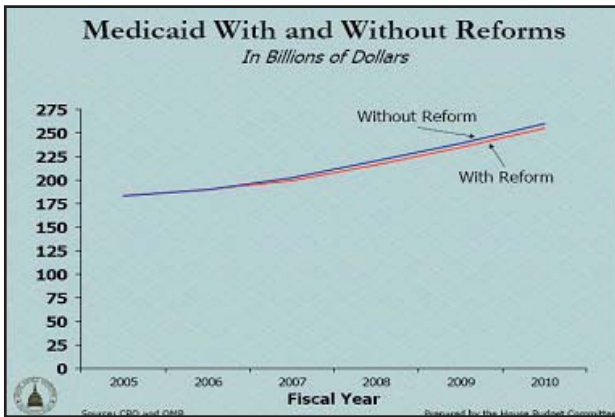


House Energy & Commerce Committee

Record of
Achievement

2005-06

**Energy Policy
Anti-Spyware
Medicaid Reform
Digital TV Transition
E-Rate Reform
NIH Reform**



Reforming Medicaid

Bill Slows Welfare Program's Growth Rate by .3%, Halts Abuses

Reforms designed to rescue the sinking Medicaid program by slowing its growth, halting abuse and letting states tailor programs to their own citizens were approved by 28 to 22 on October 28. No Democrat supported the reforms.

Medicaid is a 1960s-vintage welfare program that provides America's neediest with health care paid for

by taxpayers, sometimes better health care than taxpayers can afford for themselves. It is not an earned benefit like Medicare or Social Security. The program is

both "free" and break-the-bank expensive.

Critics say it lets poor people look rich and rich people look poor, and it rewards lawyers and druggists who game the system.

"The necessary reforms are hardly draconian," says Chairman Joe Barton. "They amount to slowing the growth rate by 0.3 percent. Medicaid will still grow by 7 percent." With reforms in place, an added \$66 billion

would be spent on health care for the poor over five years. In total, the federal government will spend nearly \$200 billion this year to provide health care to low- and moderate-income senior citizens. States will contribute another \$100 billion.

It is already the biggest item in many state budgets, exceeding even K-12 education, and it is growing.

Between 2000

and 2005 the national Medicaid caseload increased by 40 percent and costs have risen 56 percent over the past six years.

Thirty-eight

states have already reduced eligibility and 34 states cut benefits in order to save their programs from collapse, and all 50 have asked for reforms.

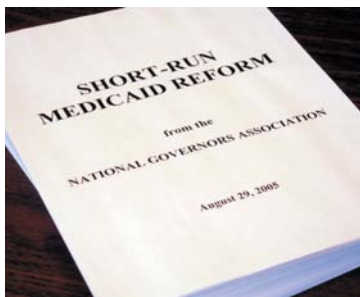
The committee's reforms are rooted in the bipartisan plan of the National Governors Association. State spending for Medicaid is "unsustainable in the short run, let alone the long run," Govs. Mark Warner, D-Va., and Mike Huckabee, R-Ark., told the committee. "We are on the road to a meltdown," Warner said.

The proposal adopted by the committee:

- Stops overpayment for medicine and halts abuse. Medicaid famously could pay \$5,336 for a prescription that costs the pharmacist \$88, and until recently, bought Viagra for prison inmates.
- Restricts the ability of "elder law" attorneys to qualify wealthy clients for taxpayer-paid welfare for nursing homes.
- Gives patients a stake in both their care and its cost by charging \$5 co-pays.
- Trusts the states to adjust programs to fit their own citizens.

"...It's a plus that Congress is facing up to Medicaid. Patients, providers and taxpayers all lose if Congress ignores its growth."

The Dallas Morning News, October 20, 2005



Medicaid without Reform:

How to be Wealthy On Welfare

Excerpt of testimony, October 28, 2005

U.S. Rep. John Shimkus, R-Ill.: "I've got a question for the counsel. Under current law, what is the value of a home that we reach a bar by which we say that's too

expensive a house and you have to do something with it?"

Committee counsel: "Current law says no limit."

Rep. Shimkus: "So if a person has a million-dollar home, they can keep that home and go on Medicaid long-term care?"

Counsel: "Yes sir, they could."

Rep. Shimkus: "Five million dollars?"

Counsel: "Still eligible for Medicaid."

Rep. Shimkus: "Ten million?"

Counsel: "No problem, still eligible for Medicaid."

Rep. Shimkus: "Forty million?"

Counsel: "Yes, sir."

U.S. Rep. Nathan Deal: "Let me give you some comparisons, if we want to talk about what the rest of

the world does on these issues.

Let me give you three countries much more socialistic than we are. In England, you can have an asset of \$28,100 in the value of your home. In New Zealand, you can have the combined value of \$150,000 for all

property and savings. In Ireland you can own a home providing

it's not worth more than \$133,000. I think \$500,000 is a very reasonable threshold and I support the Chairman's amendment in this regard."



**U.S. Rep.
Nathan Deal**



**U.S. Rep.
John Shimkus**

THE WALL STREET JOURNAL

Silicosis Scandal

August 12, 2005

Congratulations to House Republicans Joe Barton and Ed Whitfield, who last week opened a probe into the nations' asbestos and silicosis claims. Their decision to investigate the people responsible for recruiting and falsely diagnosing tens of thousands of plaintiffs is a major step toward exposing this fraud.

Credit for alerting the Congressmen to this issue goes to Texas federal Judge Janis Graham Jack, who earlier this summer surprised the tort bar by publicly excoriating 10,000 silicosis claims in front of her court. Messrs. Barton and Whitfield have now followed up with letters to the doctors and screening companies that helped gin up these suits, demanding records and information related to their diagnoses and practices.

"We are deeply troubled that thousands of men and women...may have been treated to perfunctory diagnoses so some medical providers could profit from the litigation process," their letters read. Mr. Whitfield of Kentucky runs the House Oversight and Investigations Subcommittee, and with any luck this paper-gathering will lead to public hearings.

It wouldn't be too soon. Silicosis is a disease caused by exposure to silica that has been in decline for decades, yet in recent years trial lawyers have flooded courts with tens of thousands of bogus claims. As Judge Jack noted, the vast majority of plaintiffs were recruited by only a few screening companies (which do mass X-rays) and were diagnosed by the same handful of for-hire doctors. Most of this happened at the direction of law firms that pump up the numbers of plaintiffs to bully companies into million-dollar settlements.

Corporate defendants have known about this corrupt claim-generating machinery for years, because it's the same apparatus (staffed by the same people) that generated counterfeit asbestos claims. And therein lies another benefit of a Congressional investigation: Getting to the bottom of the silicosis racket also reopens the door to tackling the asbestos blob.

Dozens of companies have been pushed into bankruptcy court, and the Senate is debating whether to create a huge new trust fund to pay asbestos claims. But before rewarding the tort bar for the mess it created, wouldn't it be better if we first discovered how many of those claims are valid? To the extent Messrs. Barton and Whitfield are starting down that road, we wish them luck.

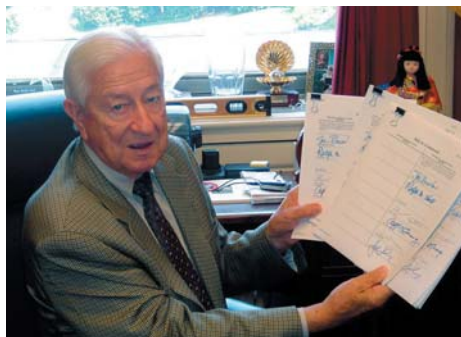
'This Energy Bill is about America's Future'

After six years of toil and a string of failed attempts, the Congress approved a major energy bill in 2005. The Energy Policy Act of 2005 conference report passed 275 to 156 in the House, with 75 Democrats voting for the bill. It was signed into law on August 8.

"This energy bill is about America's future," said Chairman Joe Barton. "I'm delighted by the House's strong bipartisan support for our bill and look for a similar victory in the Senate later this week," added U.S. Sen. Pete Domenici, R-N.M., chairman of the Senate Energy and Natural Resources Committee. "I congratulate Mr. Barton and Mr. Dingell on a notable success... I am as proud of the process as I am of our bill."

H.R. 6 represents the most sweeping energy legislation in decades. Specifically, the bill will do the following:

- Addresses rising gasoline prices and our dependency on foreign oil. Encourages more domestic production of oil with incentives such as a streamlined permit process; promotes a greater refining capacity to bring more gasoline to market; and increases the



U.S. Rep. Ralph Hall

gasoline supply by stopping the proliferation of expensive regional boutique fuels. To scale back demand for oil, the proposal encourages

vehicles powered by hydrogen fuel cells and increases funding for Department of Transportation work to improve fuel-efficiency standards.

- Improves our nation's electricity transmission capacity and reliability to stop future blackouts through the adoption of reliability standards, incentives for transmission grid improvements and



U.S. Rep. Joe Barton

reform of transmission siting rules.

- Promotes clean and renewable fuels by providing incentives for clean coal and nuclear technologies and renewable energies such as biomass, wind, solar and hydroelectricity.
- Requires greater energy conservation by establishing new mandatory efficiency requirements for federal buildings, and efficiency standards and product labeling for battery chargers, commercial refrigerators, freezers, unit heaters and other household products.
- Extends Daylight Saving Time by four weeks to reduce energy consumption by the equivalent of 100,000 barrels of oil for each day of the extension. Studies indicate that the proposal to adopt Daylight Saving Time from the second Sunday in March to the first Sunday in November will also lower crime and traffic fatalities and allow for more recreation time and increased economic activity.
- Repeals a Depression-era regulatory program that restricted investment in the nation's electricity infrastructure. Its repeal will help spur investment in the infrastructure, bringing added reliability to the nation's electricity grid.
- Boosts production of clean natural gas to help alleviate soaring prices for the environmentally

(see next page)

friendly fuel. Specifically, the bill breaks the bureaucratic logjam that has stymied work on approximately 40 liquefied natural gas facilities.

- Delayed the government's Committee on Foreign Investments in the United States (CFIUS) from approving sensitive international energy mergers, such as the 2005 bid for Unocal by the Chinese National Overseas Oil Company – an entity 70 percent owned by the communist Chinese government – to allow for a review by the Departments of Defense, Energy and Homeland Security. The review would examine a proposed deal's impact on U.S. energy security and whether or not an American company would be allowed to make such an acquisition in the foreign company's host country.
- Encourages more nuclear and hydropower production by authorizing the Department of Energy to develop accelerated programs for the production and supply of electricity. Extends Price-Anderson indemnification and offers nuclear plant risk insurance incentives.

“The conferees, particularly Reps. Joe Barton (R-Texas) and John Dingell (D-Mich.) and Sens. Pete Domenici (R-N.M.) and Jeff Bingaman (D-N.M.) deserve praise... The art of the possible is so full of compromises that it's easy to forget how much more impressive it is than striking attitudes and achieving nothing.”

The Hill
July 27, 2005

Katrina & Rita Spur Refinery Bill

Goal was More Gasoline at Lower Prices

The committee OK'd by voice vote the Gasoline for America's Security Act after hurricanes shut down the Gulf Coast's oil refineries, leaving drivers nationwide to cope with price spikes and dry pumps. No Democrat supported more refinery capacity.

“This disaster underscored the fact that refining capacity has affected gas prices,” said U.S. Rep. John Sullivan, R-Okla. Added U.S. Rep. Tim Murphy, R-Pa.: “People can't fill their gas tanks or heat their homes with politics.”

The proposed changes include these:

- Refinery siting reforms.
- Lopping the number of “boutique” fuels from 17 to six.
- Potential refineries on federal lands, including closed military installations.
- A DOE program to support carpoolers.
- Price gouging, as defined by the Federal Trade Commission, would be outlawed.
- FTC required to report on the price of refined petroleum products on the New York Mercantile Exchange.
- A city or region may ask for an extension of clean air sanction deadlines if local leaders can demonstrate that their pollution blows in from elsewhere.
- FERC authorized to monitor natural gas gathering line operators to help prevent monopolistic practices that can increase consumer costs.

House Passes E&C Anti-Spyware Bill

Bono: 'Consumers Have A Right to Know'

The House passed H.R. 29, the Securely Protect Yourself Against Cyber Trespass Act (SPY ACT), by 393-4 on May 23.

The legislation was authored by U.S. Reps. Mary Bono, R-Calif., and Ed Towns, D-N.Y., and championed by

U.S. Reps. Joe Barton, R-Texas, John D. Dingell, D-Mich., Cliff Stearns, R-Fla. and Jan Schakowsky, D-Ill.

The average "infected" computer had more than 90 spyware and adware programs. The research firm IDC estimated last year that people would spend \$305 million a year on anti-spyware software in 2008...

The Washington Post
April 15, 2005

hijacking. A heavy accumulation can overwhelm an operating system and crash the computer.

"I commend Rep. Bono for taking on the growing problem of spyware and for developing this legislation protecting computer users from these deceptive practices," said Stearns, chairman of the Subcommittee on Commerce, Trade and Consumer Protection.

"As this nation continues to push toward a global e-commerce marketplace, spyware stands to undermine the

security and integrity of e-commerce and data security," Rep. Bono said. "Daily Web activities by consumers have become stalking grounds for computer hackers through spyware. Consumers regularly and unknowingly are downloading software programs that have the ability to track their every move.



U.S. Rep. Cliff Stearns

phenomenon. It is a serious threat to consumer privacy and financial security," Schakowsky said.

This legislation:

- Prohibits home page hijacking, keystroke logging and Web-based phishing.
- Lets consumers opt in before software is installed.
- Requires that monitoring software be easily disabled at the direction of the consumer.
- Provides for FTC enforcement with significant monetary penalties for violators.
- Sets up a uniform national rule, as Internet commerce is inherently interstate.

Committee Chairman Barton noted that Bono, Towns, Dingell, Stearns and Schakowsky and their staffs "worked across party lines ...and developed a successful balance protecting privacy while facilitating technological advancement."

"Consumers have a right to know and have a right to decide who has access to their highly personal information that spyware can collect," Bono said.

"While not yet a household word, spyware is a household

E&C Investigates:

Millions Wasted by E-Rate

Capping a year-long investigation, the Oversight and Investigations Subcommittee issued a bipartisan staff report chronicling the E-rate program's waste, fraud and abuse and identifying reforms needed to repair a broken system.

Five hearings had laid bare a system of waste, fraud and abuse in a program using a tax on telephone calls to bring schools into the Internet Age. In one famous case, \$101.2 million was spent from 1998 to 2001 to equip Puerto Rico's 1,540 schools with high-speed Internet access, but the committee found very few computers actually connected and \$23 million in equipment sitting in unopened boxes in a warehouse.



U.S. Rep. Ed Whitfield

"The government mismanagement of the E-rate program seemed to know few bounds," said Chairman Joe Barton. "Unscrupulous vendors fleeced the program while underserved communities and telephone customers paid the price. It was a disgrace."

"It is clear to me, as I consider the work laid out in this staff report, that many E-rate program weaknesses must be addressed legislatively to avoid waste and misuse," said U.S. Rep. Ed Whitfield, R-Ky., the investigations subcommittee chairman.

Barton and Subcommittee on Telecommunications and the Internet Chairman Fred Upton, R-Mich., said they plan to craft legislation fundamentally reforming the E-rate program.

Findings of the report include these:

- The FCC's key oversight mechanisms failed.
- Some school districts acquired goods and services without using a formal bidding process.
- Some vendors manipulated the competitive process without being detected.
- The E-rate program's ambiguous rules and procedures, and extensive delay in the distribution of funding, create significant confusion among applicants and vendors, contributing to program waste.

Guild President Tossed

An investigation into abuses in horse racing that was launched by U.S. Rep. Ed Whitfield, R-Ky., chairman of the Oversight and Investigations Subcommittee, resulted in a dramatic decision. The *Associated Press* reported the outcome this way:

Jockeys' Guild president voted out – The president of The Jockeys' Guild was voted out by riders claiming their organization has been mismanaged for years. L. Wayne Gertmenian, brought in to run the guild in 2001, was removed from his position after a vote by the union's new board of directors, the guild said in a two-page release.

...A change in leadership was spurred by a congressional hearing last month in which guild management was severely criticized. Gertmenian was accused of graft and deception by members of a House panel led by Kentucky Republican Rep. Ed Whitfield.

On Oct. 19, the House Energy and Commerce subcommittee on Oversight and Investigations questioned him about a lapse in health care coverage for jockeys. It also probed Matrix Capital Associates Inc., a consulting firm led by Gertmenian and hired by the guild. Gertmenian acknowledged under oath that Matrix had no employees or other clients.

Panel Probes NIH Ethics

Dozens of scientists employed by the government also work for pharmaceutical companies in violation of ethics requirements, NIH determined as it attempted to respond to an inquiry by the Oversight and Investigations Subcommittee.

In 2003, the committee staff identified a sample of 81 individual scientists hired by drug companies between 1999 and 2004 whose consulting agreements were not listed in NIH information provided to the committee. For example, the agreements reported by Pfizer, Inc., ranged from a minimum of \$500 to a maximum of \$517,000 over the five-year period.

In a July 8 letter, the NIH reported that of those 81 scientists, 37 were “cleared” and 44 were found to have violated one or more of the NIH’s rules.

NIH Restructuring Concepts Endorsed

A proposal to allow greater coordination of medical research and to streamline reporting requirements at the National Institutes of Health won the bipartisan support from committee members and NIH Director Elias A. Zerhouni, M.D.

The committee has circulated a discussion draft of what would be the first NIH reauthorization bill since 1993. The legislation would:

- **Streamline reporting.** Current law mandates that the NIH produce thousands of pages of reports from each of the research institutes and centers. The proposal would replace that system with a “roadmap” that lays out the strategic plans and research activities of the agency.

- **Let the director direct.** Provides the director with the flexibility to move dollars among the 27 institutes and centers to encourage promising research opportunities as they arise, not whenever the federal budget process allows.
- **Provide clear organization.** The bill would place the NIH institutes and centers into one of two categories – mission specific institutes and science enabling institutes, and establish a Division of Program Coordination, Planning and Strategic Initiatives in the Office of the Director.

Zerhouni welcomed the draft bill, saying “the landscape has changed over the past 12 years and we need to adapt. The committee concept is a good one.”

President Signs Patient Safety Bill

On July 29, President Bush signed the Patient Safety and Quality Improvement Act of 2005 (H.R. 3205), sponsored by U.S. Rep. Michael Bilirakis, R-Fla. The bill encourages the reporting and analysis of medical errors for the purposes of quality improvement and patient safety. The Institute of Medicine has estimated medical errors can kill up to 98,000 people each year.



Scott Angelle, secretary of the Louisiana Department of Natural Resources, listens during an Energy and Commerce Committee hearing on September 7, before providing testimony on Hurricane Katrina’s impact.

Safer Lives, Sharper Pictures

First Responders, Consumers Will Gain from Switch to Digital TV

“2009 will be the year America goes all digital. The analog TV signals that have come into our homes over the air since the birth of TV will end the night before, and a great technical revolution that has been in the making for years will finally be complete,” said Chairman Joe Barton.

“If we learned anything from 9-11 and Katrina, we learned that our first responders are woefully unequipped as it relates to interoperability,” Telecom Subcommittee Chairman Fred Upton, R-Mich., added. “Clearing spectrum for our first responders is not only the right thing to do, it surely helps us be better prepared for our next emergency. The stakes are too high for Congress not to get the job done.”

The DTV legislation won committee approval on October 26 by a vote of 33 to 17.

Benefits of the House Energy and Commerce Committee’s Digital Television Transition Act, which is pending in a House-Senate conference committee, include:

- **Making communities safer.** The 9/11 Commission recommends expedited return of this spectrum to improve homeland security. Many rescue squads and police and fire departments already have radio equipment built to communicate over the spectrum the broadcasters are supposed to return. They are just waiting for the turnover.
- **Bringing new services to consumers and lowering prices.** The commercial uses for the spectrum are practically limitless, such as accelerated deployment of wireless broadband, especially to rural areas, and

expanded choice in high-speed voice, video and data services.

- **Reducing the federal deficit.** The spectrum auction will bring in billions of dollars to reduce the deficit. Several studies suggest that the auction could raise \$20 to 30 billion.



U.S. Rep. Fred Upton, R-Mich., chairs a Telecommunications and the Internet Subcommittee hearing while U.S. Reps. Charlie Bass, R-N.H. and Greg Walden, R-Ore., confer.

Specifically the legislation accomplishes the following:

- Requires all TV broadcasters to transition from analog to digital TV transmissions and return the band of spectrum now used for analog broadcasts.
- Allocates up to \$1.5 billion for a digital-to-analog converter box program for over-the-air viewers.
- Creates a \$1 billion program to fund new communications equipment for first responders.
- Improves communications interoperability among first responders by allocating more spectrum to public safety.

House OKs Broadcast Decency Bill

Fines Raised to \$500,000

The House approved stiff new fines for broadcasters and performers who breach the Federal Communications Commission ban on indecent material at times when children and families are most likely to be watching television. Passage came on a broadly bipartisan vote of 389 to 38.

“For the second time in the span of a few months, the House passed a strong, fair bill to reclaim the broadcast airwaves for American families,” said Chairman Joe Barton. Barton commended U.S. Rep. Fred Upton, R-Mich., whose Subcommittee on Telecommunications and the Internet wrote the bill, as well as ranking members John Dingell, D-Mich., and Ed Markey, D-Mass.

Upton called support for the bill a thoroughly bipartisan effort and said that the bill will address a fatal flaw in present law. “Currently,” he said, “fines for indecency often go uncollected” because the expense of collecting exceeds the amounts of the fines. “This is no longer going to be the case,” he predicted. “Using the public airwaves comes with a responsibility to follow the FCC decency standards. A parent should not have to think twice about the content on the public airwaves. Broadcasters who violate the standard ought to be fined, and it ought to be more than a slap on the wrist.”

Opponents called the bill lamentable censorship. “It puts Big Brother in charge,” said one. “Do we want a blanding down?” “Change the channel,” advised another, and “distrust government bureaucrats.”

But U.S. Rep. Cliff Stearns, R-Fla., responded that “for too long the decency laws were considered just the cost of doing business.” The legislation, he said, will require broadcasters and performers to literally “put their money where their mouth is.”



U.S. Reps. Fred Upton and Joe Barton

Broadcast Decency Bill Highlights

Specifically, H.R. 310, the “Broadcast Indecency Enforcement Act of 2005”:

- Increases the maximum cap for fines of broadcast licensees from \$32,500 to \$500,000
- Increases the maximum cap for fines of non-licensees from \$11,000 to \$500,000
- The FCC will have the ability to fine on a first offense if the violator acted “willfully and intentionally” – that is they knew the speech would be broadcast

It also requires the FCC to examine several factors before levying fines:

- Was the material live, recorded, scripted or unscripted
- What was the size of the viewing audience
- Was the program aired during children’s programming hours
- Requires the FCC to consider the violator’s ability to pay the fine
- Indecency complaints must be resolved within 180 days of receipt by the FCC
- Provides the FCC with the option of monetary fines or requiring violators to broadcast PSAs to audiences five times the size that viewed the material
- Sets restrictions and guidelines for license renewals, revocations, disqualifications

Pro-Sports, Anti-Steroids

Lawmakers delivered a bipartisan rebuke of performance-enhancing drugs in sports as the House Energy and Commerce Committee voted 38-2 on June 29 to approve the Drug Free Sports Act of 2005 (H.R. 3084).

The bill establishes a minimum standard for drug testing programs in U.S. sports leagues and a “three-strikes-and-you’re-out” approach to violators.



Major League Baseball Commissioner Bud Selig testifies at a Commerce, Trade and Consumer Protection Hearing May 19.

“This bill will send a strong and clear signal to our younger athletes that steroids are the tools of the cheater, not a quick fix to get to the top,” said U.S. Rep. Cliff Stearns, R-Fla., the bill’s author. “Illegal steroid use is unethical, unhealthy, and if left unnoticed or ignored, will corrode the integrity and honor of some of the most beloved professional sports in America.”

Dr. Charles E. Yesalis of Penn State University testified that a million school-age youths had used anabolic steroids. Lawmakers also heard the tragic story of Taylor Hooton, a Plano, Texas, high school pitcher whose use of steroids prefaced his suicide.

H.R. 3084 requires professional sports to randomly test each athlete at least five times per year. Penalties would include a half-season suspension for first violation, one full season for second violation and permanent suspension for third violation. It would also give flexibility to reduce penalties in exceptional circumstances where the athlete bears little or no fault.

Meth Attacks People & the Environment

Congress is poised to make it tougher to cook common cold remedies into killer methamphetamines, a cheap drug that destroys its users and poisons the land.

“For people who hail from more rural parts of our country, like myself, meth is an increasing problem,” said U.S. Rep. Paul Gillmor, R-Ohio, at an October 20 joint hearing of his Environmental and Hazardous Materials Subcommittee and the Health Subcommittee chaired by U.S. Rep. Nathan Deal, R-Ga.

“There were 7,700 domestic, small toxic labs making meth in 2001, and that number has doubled to possibly as many as 16,000 in 2004,” Gillmor said.

Methamphetamines also poison the landscape. It has been estimated that labs produce five to seven pounds of extremely toxic waste for each pound of meth they create. “It probably comes as no surprise that the crooks who cook up illegal methamphetamines in illegal labs do not heed any environmental restrictions on the disposal of byproducts,” Chairman Barton pointed out.

“We need to make it more difficult for criminals to buy these chemicals, but we don’t need to make it impossible for law-abiding families to buy cold medicine at the drugstore,” Barton said.



In reporting on the issue, **U.S. Rep. Paul Gillmor** the *Chicago Tribune* noted that “government drug-fighters have rarely faced a threat like this: an extremely dangerous stimulant, causing violent and paranoid behavior, which can be made using relatively cheap and widely available cold medicines.”



Vice Chairman Mike Bilirakis with actor Kevin Kline



Vice Chairman Chip Pickering



U.S. Rep. Greg Walden reviews a hydrogen fuel cell car



U.S. Rep. Michael Burgess in Louisiana



U.S. Reps. Sue Myrick and John Shadegg

E&C by the Numbers 2005

29	Bills passed by committee
227	Amendments debated
94	Hearings and markups
285	Hours in session at full committee
12.5	Hours in longest single session
24	Hours in longest markup of one bill
12	Minutes in shortest markup
503	Witnesses
14	Subpoenas served
12	Investigations conducted
5	House-Senate energy conference meetings
20	Hours spent in open energy conference meetings
90	Amendments considered by energy conference

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109th Congress

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Joe Barton, Chairman