

## CAPITOL HILL

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One of the best aspects of working on Capitol Hill is that there are no typical days. The issues you work on change. Your role can change from negotiating bill language one day, to working with interest groups to build public support for your member's position another day, to reviewing boxes of documents for an investigative hearing the next day.

Your titles and positions can also change. Over just the last eight years, I have changed positions four times. During that period, I have been both the majority staff director and the minority staff director for two different committees: first the Oversight and Government Reform Committee, which is the main investigative committee in the House, and now the Energy and Commerce Committee. Before that, I served in a variety of other roles.

Since I work for a Democrat, Rep. Henry Waxman from California, I am back in the minority. In my current position as minority staff director on the Energy and Commerce Committee, I supervise a staff of about 35 people. Our collective responsibility is to provide expert staff support on the issues that come before the Committee to Rep. Waxman, who is the ranking Democrat; to the other Democratic members of the Committee; and when bills are on the floor, to the entire Democratic caucus. The jurisdiction of the Energy and Commerce Committee is extremely broad, covering our nation's health, energy, environmental, telecommunications, and consumer protection laws. That means we need top-notch staff in all of these areas.

We are on recess this week, which means the members are back in their districts and the staff can catch up on work that was put off and find time to do some planning for future initiatives. To give you a sense of the types of issues that come before congressional staff, I will summarize my day on March 8, 2012, which was the last day the members were in session before the recess. My day is different from nearly everyone else's on the staff because as staff director, I have to be involved in all the major issues that come before the Committee. But each of the issues I dealt with on March 8 were also worked on by others on the staff – and are what lawyers on committee staffs are doing across the Hill.

9:00 a.m. to 9:45 a.m.: My first meeting of the day is a meeting of the House Democratic Caucus. The two-year anniversary of the health reform law is approaching and HHS Secretary Sebelius and Rep. Waxman are addressing the caucus. Secretary Sebelius tells the caucus that the law is costing less than anticipated: when we passed health reform, we thought private insurers would need to raise their premiums by 1.5% to pay for covering young adults, providing coverage to children with pre-existing conditions, and offering free preventative care; the Secretary tells us premiums have gone up just 0.3% to provide these benefits. Given how hard Rep. Waxman, our staff, and so many others worked on the passing the law, this is deeply gratifying news.

Rep. Waxman tells the caucus that to mark the upcoming anniversary, his committee staff will prepare district-specific reports for every member of Congress on the benefits their constituents have already received under the new law. There is a lot of interest among the members in these reports, which means a lot of work for us over the recess to get them ready.

Next week, when the members are back, the House Republicans will bring to the floor a bill to repeal one of the cost-saving mechanisms in the health reform law: a board called IPAB (for Independent Payment Advisory Board), which has the authority to propose and, if Congress fails to act, implement reductions in payments to providers if Medicare costs grow faster than the law allows. Both Secretary Sebelius and Rep. Waxman explain to the caucus why Democrats should oppose this repeal. We can tell we still have work to do to convince a number of members because they perceive IPAB as intruding on congressional prerogatives.

9:45 a.m. to 10:30 a.m.: I sneak out of the caucus early to bike down to the baseball stadium to get opening day tickets for my spouse, who is a die-hard fan and is taking our youngest daughter to the game.

10:30 a.m. to 11:00 a.m.: Our Energy and Power Subcommittee and Environment and the Economy Subcommittee are having a joint hearing with Energy Secretary Chu to examine the proposed budget for the Energy Department. When Secretary Chu last appeared before the Committee in November, he was testifying in the Committee's Solyndra investigation and the hearing was contentious and consumed a lot of my time. As our staff had predicted, this hearing is relatively placid and I stay for only a short while.

11:00 a.m. to noon: I go back to my desk to work on some talking points for Rep. Waxman for a meeting with the House leadership and the chair of the Commodity Futures Trading Commission, Gary Gensler. The subject is the role of speculators in the rise of gasoline prices.

This is a part of the job I absolutely love. As gasoline prices rose and became a topic of congressional interest, we had set up a series of telephone briefings with leading oil market economists at MIT, Stanford, and the University of California, as well as private experts and officials at the Energy Department. We learned that a frenzy of buying in the futures market can drive up futures prices and cause oil companies and others with physical possession of oil to hoard oil for sale at the higher futures prices. This is called a "contango" market. But we also learned that today's oil market is in "backwardation," which means futures prices are below spot prices, which means in turn that hedge funds and other speculators are unlikely to be the cause of the recent run-up in prices.

We have previously discussed these issues in depth with Rep. Waxman and the talking points we prepare reflect this understanding. Their premise is that oil prices are set in a global market and the only way we can protect our economy from being buffeted by rising oil prices is to reduce our dependence on oil, whether foreign or domestic.

Noon to 1:00 p.m.: The leadership meeting goes well. Rep. Waxman explains to the group the terms "contango" and "backwardation," which is the probably the first time they've been used in

leadership discussions and surprises even Chairman Gensler. A Democratic consensus appears to be developing along lines we would support. At the end of the meeting, we are asked to make edits to a Democratic letter on the role of speculation to accommodate Rep. Waxman's views.

1:00 p.m. to 2:00 p.m.: I go back to my desk to edit the letter, which is a letter to House appropriators supporting full funding of Chairman Gensler's budget. Speculation in the oil markets is addressed in a responsible way. I also have time for a quick lunch at my desk.

2:00 p.m. to 3:30 p.m.: I go to a meeting with the House Counsel, who represents members and the House in litigation. I was the majority staff director on the Oversight Committee in 2008 when Roger Clemens, the baseball pitcher, testified he did not use steroids. After the hearing, Rep. Waxman, who was the Chairman of the Committee, and Republican Rep. Tom Davis, who was the ranking member, asked the Justice Department to investigate Mr. Clemens for perjury. The Justice Department did and indicted him for obstruction, false statement, and perjury. I'm the designated witness for the Committee in the trial and was on the stand in July 2011 when a mistrial was declared. The retrial is starting in April and the House Counsel asked to meet with me in preparation for my testimony.

This whole experience is an unusual one for me. I've done a lot of congressional oversight in my career, but this is the first time I've been on the witness side of a proceeding.

3:30 p.m. to 5:00 p.m.: Next up in the day is a series of meetings and calls on climate change, one of Rep. Waxman's top priorities and an issue I'm personally passionate about. Rep. Waxman has decided that the coming trifecta of fiscal challenges – the expiration of the Bush tax cuts, the automatic sequester of the defense budget, and the need for another extension of the debt limit – offers an opening for a carbon policy that puts a price on carbon emissions. His thesis is that because a carbon policy can raise \$20 to \$100 billion dollars annually, depending on how it is constructed, our long-term debt and climate problems are easier solved together than separately.

At 3:30 p.m., I am with Rep. Waxman when he calls a corporate executive who supported our efforts to pass climate legislation in 2009; he says he would like to start a discussion with the executive about making a climate policy part of the solution to our fiscal challenges. At 4:00 p.m., I leave Rep. Waxman to meet with an environmental organization we hope to enlist in this effort. And at 4:45 p.m., I talk with former Republican Rep. Wayne Gilchrest, who was one of the few Republicans to vote for the climate bill in 2009, to ask if he would do an event with Rep. Waxman discussing our new initiative. Rep. Gilchrest says yes; the environmental group says yes; and the executive is positive but noncommittal. Two and a half out of three isn't bad.

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5:00 p.m. to 6:45 p.m.: I had a lot of meetings today, so I know I will have a big backlog of emails when I go back at my desk. I start working my way through them. Our chief counsel comes in to brief me on what he's handled during the day and to tell me about a brewing potential confrontation on an oversight issue between the Federal Communications Commission and the Republican majority on our Committee. We discuss options for resolving the issue.

6:45 p.m. to 7:00 p.m.: I live on Capitol Hill, so I have a short commute to work. Today, as on most days, I bike home in time for dinner.

7:00 p.m. to 8:30 p.m.: It's time to eat and catch up with my family. With just one child left at home who will be going to college next year, every dinner is one I try to savor. My spouse and daughter tell me they are interested in my day, but what they really want to know is if I remembered the baseball tickets!

8:30 p.m. to 11:30 p.m.: On most days, I use this time to get caught up on all my emails from the day. Today, I'm able to get through them all and go to bed with a clean conscience.