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DONALDSON, EVANS, FALL AND SIMMONS NOMINATIONS

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

TO

CONSIDER THE NOMINATIONS OF MS. TERI L. DONALDSON TO BE INSPECTOR GENERAL OF THE DEPARTMENT OF ENERGY; MS. KAREN S. EVANS TO BE AN ASSISTANT SECRETARY OF ENERGY (CYBERSECURITY, ENERGY SECURITY AND EMERGENCY RESPONSE); DR. CHRISTOPHER FALL TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY; AND MR. DANIEL SIMMONS TO BE AN ASSISTANT SECRETARY OF ENERGY (ENERGY EFFICIENCY AND RENEWABLE ENERGY)

JUNE 26, 2018

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DONALDSON, EVANS, FALL AND SIMMONS NOMINATIONS

TUESDAY, JUNE 26, 2018

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The Committee met, pursuant to notice, at 10:05 a.m. in Room SD–366, Dirksen Senate Office Building, Hon. Lisa Murkowski, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

The CHAIRMAN. Good morning. The Committee will come to order.

We are here today to consider four nominees for the Department of Energy (DOE): Ms. Teri Donaldson to be the Inspector General; Ms. Karen Evans to be an Assistant Secretary of Energy for Cybersecurity, Energy Security and Emergency Response; Dr. Christopher Fall to be Director of the Office of Science; and Mr. Daniel Simmons to be an Assistant Secretary of Energy for Energy Efficiency and Renewable Energy (EERE).

I am really very pleased that we actually have a full panel here before us this morning. Last time we had four nominees at the same hearing was last September, so it has been awhile, and I am just going to say for the record babies that are making noise are totally welcome because we need more kids in this room.

[Laughter.]

She is totally welcome, bring her back.

But I am very impressed with the depth of experience and the qualifications that each of you bring to the table.

Ms. Donaldson, it has been several years since DOE has had a permanent Inspector General. I think that time is long overdue. The IG is responsible for keeping the Secretary and Congress informed of fraud and other serious problems, rooting out abuses and deficiencies and recommending corrective actions.

Our Committee has great respect for the Office of the Inspector General and the people who work within it at DOE. We expect that the individual who leads it to maintain his or her independence from the rest of the department and because this is essentially a lifetime appointment, the bar is pretty high here.

Ms. Evans, the position you are nominated for is new but one of great responsibility and importance. Members of the Committee have had an opportunity to be read into this particular office and, again, the value that it brings to the conversation is so important.

You are going to be paving the way for this brand-new Office of Cybersecurity, Energy Security and Emergency Response, or CESER. You will be focused on the security of our energy infrastructure, which Secretary Perry has stated is one of his highest priorities.

As everyone here recognizes, the energy sector is a high-value target for cyberattacks. Our Committee has spent many hours examining these threats, and we have heard that protection of our nation's critical assets is a shared responsibility that requires federal, state, and private sector partners to all be working together.

If you are confirmed, we will be relying on you to help lead those efforts. We will also rely on you to help us answer some of the most fundamental questions in this space.

The first one is what happens next? What is next? What should the Federal Government do, or perhaps refrain from doing, to meet dynamic and evolving threats, and how can we improve the cyber resiliency of critical energy infrastructure if a threat does become reality?

Protecting our nation's energy infrastructure is critical to maintaining so much of the American way of life. We recognize that this is no small task. So, Ms. Evans, I welcome your willingness to take it on.

Finally, Dr. Fall and Mr. Simmons, you have both spent time in my state attending the Alaska National Lab Day. We thank you for that. It was a great opportunity, I think, to rub elbows with some of the best, some of the brightest scientists, and also for working to build partnerships with UAF and others across our state. I view your presence at Alaska National Lab Day as a demonstration of your commitment to energy innovation and again, similar to cybersecurity, I cannot overstate the importance of that mission.

Finding, nurturing, and bringing down the cost of new technologies is critically important to keeping energy affordable, providing for the strength of our economy, as well as addressing efforts to deal with climate change.

I do have to say that while I was pleased to have both of you in Alaska, I really hope, Ms. Donaldson and Ms. Evans, that in your official capacity, you do not come and visit us in Alaska.

But very seriously, given the positions that you will hold and the work that lies ahead, really for all of you, I anticipate that none of you will be strangers before this Committee. So I appreciate your willingness to serve, your commitment to work with us.

I think we know that the dynamics on the Floor right now are not particularly favorable for moving nominees through, but know that I intend to seek to move your nominations as quickly as possible so that Secretary Perry can have the team that he needs in place as soon as possible.

I now turn to Senator Cantwell for her comments this morning.

STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. Thank you, Madam Chair, and I so appreciate having the hearing this morning and congratulations to all the nominees.

I am pleased the President has nominated a scientist to head the Office of Science, a former prosecutor to be the IG nominee, and

someone who knows about information technology to run the new Cyber Office.

I am concerned, however, about the nominee to run the Office of Energy Efficiency and I know that I will have questions about the Energy Efficiency and Renewable Energy Portfolio that you will be in charge of. I know that you have formerly been the Head of the American Energy Alliance, or Vice President, for nearly 10 years. There are a lot of things that you said during that time period that maybe you do not support today. I know abolishing the office was one of those things, but since we have an Energy Secretary who also wanted to abolish the Department of Energy, maybe—we will see how that works out.

I look forward to asking you about your commitment to the mission of the Office of Energy Efficiency and Renewable Energy and about the directions that you plan to take for that office. I am sure many of my colleagues will have similar issues. I know in written statements you have said you understand the importance of the agency, about affordable energy, and your commitment to working toward affordable and reliable energy.

I also intend to continue to pursue making sure all our colleagues at DOE understand the very terrible idea that the Administration is putting forward in trying to sell off assets from the Bonneville Power Administration and TVA. I am sure if my colleagues, Senator Alexander and Senator Risch, were here, we would all be in unison, both from the Midwest and the Northwest, that this is a terrible idea that should be stopped dead in its tracks.

I also disagree with Secretary Perry's proposal to subsidize high-cost coal to compete with natural gas and renewables in the market but what we really want to understand is, is EERE going to continue on this important mission of driving down costs for businesses and consumers by using energy efficiency?

I am particularly pleased that we are considering a nomination, as the Chair said, for Assistant Secretary for Cybersecurity, Energy Security and Emergency Response this morning. This new position, which Secretary Perry designated a few months ago, is needed to bring greater focus and attention to cyber threats facing our energy infrastructure, and I am sure that her background in the information technology area will be helpful, but we also want to drill down this morning on cybersecurity writ large and her expertise there.

I so appreciate that our colleagues here and at the Department of Energy have been part of a secure briefing on the very real threat that we are facing. So we, in my opinion, can't be doing enough to bolster the Department of Energy's efforts here in paying attention on a daily basis to what is impacting us and the enormous amount of threats that we have to push back on every single day at our power plants and our secure facilities.

So, again, I look forward to talking to each of the nominees this morning, and thank you, Madam Chair, for the hearing.

The CHAIRMAN. Thank you, Senator Cantwell.

Senator Barrasso, I know you had asked to introduce Ms. Donaldson.

STATEMENT OF HON. JOHN BARRASSO, U.S. SENATOR FROM WYOMING

Senator BARRASSO. Thank you, Madam Chairman, and I would like to introduce Teri Donaldson to the Committee.

Teri has been nominated by President Trump to serve as the Inspector General of the Department of Energy. Teri currently serves as our Chief Counsel at the Senate Environment and Public Works Committee (EPW), and she joined my committee staff in September 2017.

Before Teri returned to public service last year, she spent over 12 years practicing law as a firm partner, most recently at DLA Piper, LLC, in Houston. She has substantial expertise with issues impacting the energy sector, water and power utilities, transporting, manufacturing, real estate development, as well as agriculture. She has gained extensive experience conducting internal investigations, managing compliance programs, working on enforcement actions, and leading litigation teams for corporate clients.

Prior to joining the private sector, Teri served for nearly 16 years in federal and state government. During that time, she served as general counsel to the Florida Department of Environmental Protection under Governor Jeb Bush. Before that, she was Assistant U.S. Attorney in the Middle District of Florida. As an Assistant U.S. Attorney, she successfully prosecuted hundreds of felony cases, including those for bank fraud, wire fraud, racketeering, healthcare fraud, tax fraud, and environmental crimes. She received numerous commendations during her tenure in the U.S. Attorney's Office, including special commendations from FBI Director Louis Freeh for work on a case involving conspiracy to murder federal officials, and from Attorney General Janet Reno for her work on successful nationally-significant environmental prosecution.

David Struhs, who served as the Secretary of the Florida Department of Environmental Protection when Teri was general counsel, wrote, "Teri has the highest integrity, exceptional intelligence, common sense, a pleasant demeanor, and the wisdom that comes from a broad range of legal and life experience." He went on to say, "Teri is fearless. As an Assistant Attorney, U.S. Attorney, she prosecuted violent bank robbers, drug dealers, and individuals threatening federal officials."

I ask unanimous consent to enter Mr. Struhs' letter into the record, Madam Chairman.

The CHAIRMAN. It will be included as part of the record.

[Letter of David Struhs follows:]

Domtar
100 Kingsley Park Drive
Fort Mill, SC 29715
803-802-7500

June 23, 2018

Hon. Lisa Murkowski, Chair
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Office Bldg.
Washington, DC 20510

Hon. Maria Cantwell, Ranking Member
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Senators Murkowski and Cantwell:

On Tuesday, June 26, you will be fortunate to briefly meet and hear from Teri L. Donaldson, nominee for Inspector General of the U.S. Department of Energy. I believe you will be impressed and will find her to be ideally suited to serve in this important position of trust and responsibility.

I only wish you could spend more time with her, so you could learn for yourself what I have since first meeting Teri in 1999 when I hired her to serve as chief legal counsel for the Florida Department of Environmental Protection. Teri has the highest integrity, exceptional intelligence, common sense, a pleasant demeanor, and the wisdom that comes from a broad range of legal and life experience.

Teri is fearless. As an Assistant U.S. Attorney, she prosecuted violent bank robbers, drug dealers, and individuals threatening federal officials.

Teri is diligent. She has unraveled and prosecuted elaborate schemes of white-collar crime.

Teri cares about making government effective and efficient. She helped design and win bipartisan support for Florida's Environmental Litigation Reform Act, advancing the twin goals of more protection and less process.

Teri knows how to manage in the public sector. She respects, listens to, and learns from the experience and counsel of others. But she is an independent thinker and draws her own conclusions, wherever the facts may lead.

Teri respects political leaders and the offices they hold. But she is not cowed and speaks truth to power.

Teri cares about public service. Years after leaving her post as General Counsel at the Florida Department of Environmental Protection and enjoying a successful career in private legal practice, Teri volunteered hundreds of hours of her personal time supporting me as a witness in a complex case of original jurisdiction before the United States Supreme Court involving the equitable allocation of interstate water rights.

Teri creates a culture of integrity. During her six years of legal oversight of the nation's largest conservation land acquisition program, Florida Forever, there was not a single claim of fraud or impropriety.

Teri trains and develops leaders to value compliance. She has designed industry-specific programs to help ensure compliance with the Foreign Corrupt Practices Act, anti-kickback statutes, environmental statutes and corporate disclosure programs.

I am confident that you will find Teri to be well suited, intellectually and temperamentally, to the demanding job of Inspector General at a vast, sprawling federal department with critically important missions. It is a privilege for me to provide you this reference and recommendation, without reservation.

Sincerely,

David B. Struhs
Vice President, Corporate Services

Domtar

Senator BARRASSO. Thank you, Madam Chairman.

Teri will bring all of this experience with her to the job of Inspector General of the Department of Energy.

The skills that she has honed throughout her public and private career ensure that she will be able to continue serving the public with distinction in her new role. She is the right person for the job of Inspector General of the Department of Energy, and I look forward to hearing her testimony and urge my fellow Committee members to support her nomination.

Thank you, Madam Chairman.

The CHAIRMAN. Thank you, Senator Barrasso.

Ladies and gentlemen, the Rules of the Committee, which apply to all nominees, require that they be sworn in in connection with their testimony. So I would ask that all of you rise and raise your right hand.

[Swearing-in witnesses.]

The CHAIRMAN. I am going to go ahead and ask each of you to be seated.

Before you begin your statements, I will ask three questions addressed to each nominee.

First, will you be able to appear before this Committee and other Congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Ms. DONALDSON. Yes.

Ms. EVANS. Yes.

Dr. FALL. Yes.

Mr. SIMMONS. Yes.

The CHAIRMAN. Are you aware of any personal holdings, investments, or interests that could constitute a conflict or create an appearance of such a conflict should you be confirmed and assume the office to which you have been nominated by the President?

Ms. DONALDSON. No.

Ms. EVANS. I have an ethics agreement that——

The CHAIRMAN. Can you go ahead and push your mike there?

Ms. EVANS. I have an ethics agreement that's in place and, should I be confirmed, I would execute that upon confirmation.

Dr. FALL. No.

Mr. SIMMONS. No.

The CHAIRMAN. Are you involved, or do you have any assets held, in blind trusts?

Ms. DONALDSON. I do not, Madam Chairman.

Ms. EVANS. No.

Dr. FALL. I have an ethics agreement that I'll execute if confirmed as a trustee for my mother.

Mr. SIMMONS. No.

The CHAIRMAN. All right. We will now begin with statements from each of you. I would ask that you try to limit your comments or your statements to about five minutes this morning. Your full statements will be included as part of the record.

I know that some of you may have brought family members. We welcome them and you are certainly encouraged to introduce those who stand behind you to allow you to take on these important positions for which you have been nominated.

Ms. Donaldson, you have been introduced very well by Senator Barrasso, so we will ask you to begin this morning with your comments.

STATEMENT OF TERI L. DONALDSON, NOMINATED TO BE INSPECTOR GENERAL OF THE DEPARTMENT OF ENERGY

Ms. DONALDSON. Chairman Murkowski, Ranking Member Cantwell, members and professional staff, good morning, and thank you for the honor of appearing before you today as the nominee for the Department of Energy's Office of Inspector General.

I'd also like to thank President Trump, Senator Perry, and their teams for the confidence they've shown in me.

Several family members are with me here today. My mother, Lorene, who's traveled here from Ashford, Alabama; my Aunt Bev is here from Atlanta; and my son Nathan, who's 15, who lives here in DC. These wonderful people are part of the support network that allows me to take on professional challenges, and I'm very grateful for the sacrifices they've made along the way.

I had the tremendous good fortune, as Senator Barrasso mentioned, of starting my legal career as a federal prosecutor in Tampa, Florida. I was barely out of law school when the U.S. Attorney Bob Genzman took a chance and hired me for that job. I will always be extraordinarily grateful for that opportunity.

I was hired in part because I had an interest in prosecuting environmental crime, and at that time very few environmental crimes were being prosecuted in the U.S. Attorney's Offices in the United States.

During my nine years as a federal prosecutor, I worked closely with EPA, FBI, Coast Guard, and others and together we established one of the top three environmental crimes programs in the country. We prosecuted hazardous waste cases, Clean Water Act cases, Clean Air Act cases, and the very first prosecution of a felony under the Act to prevent pollution from ships. We also captured what was at that time the longest prison sentence ever imposed in an environmental crime case that did not involve a fatality.

I learned a great deal in my time as a prosecutor about leading complex white collar investigations and about the importance of maintaining the highest standards of integrity when collecting and presenting evidence.

If confirmed as Inspector General, I hope to bring the lessons that I learned as a federal prosecutor to the Office of Inspector General (OIG).

I was in my ninth year as a federal prosecutor when the environmental work that we were doing attracted the attention of Governor Jeb Bush, who was our new governor at that time, and his secretary, David Struhs. David had just been appointed to be the Secretary of the Florida Department of Environmental Protection (DEP), one of Florida's largest agencies. I joined David's team as General Counsel in 1999. David was kind enough to write a letter for me, and I greatly appreciate that.

One of my first assignments at DEP was to lead the legal team negotiating the ACF Water Wars. During that time, DEP was also litigating the Everglades Restoration cases, TMDLs, and several

other matters of national significance. We also endured more than our share of tropical storms and hurricanes during this timeframe, which created significant issues for securing the hazardous waste sites around the State of Florida. At that time, DEP also housed the Florida Energy Office, so we were heavily involved in offshore drilling issues, pipelines, and power matters. It was a great experience for me to see the world from the perspective of the state. I left DEP as the next Administration was coming onboard and entered private practice.

I then spent over 12 years in private practice as a partner, the last seven of which were in Houston, Texas. The energy aspects of my practice led me to relocate to Houston in 2011, which was a great experience for both me and my sons, both of whom are now Texans and proud to say so.

My time in the private sector was just as interesting and rewarding as my time in the public sector. In fact, I probably learned more in the private sector. I represented energy companies, utilities, manufacturing, waste companies, railroads, airlines, and others.

Although I cannot disclose the details, I led many internal investigations for national and international companies. These investigations were conducted very much like the work of an inspector general. In these situations, clients hire outside counsel to investigate the facts and bring independent findings back to the company.

Several of these investigations began because employees stepped forward to report problems. So I have firsthand experience with the critical role these employees play and the need to protect such employees from retaliation.

I also did energy-related project work in the private sector. I managed environmental budgets for energy projects and gained firsthand experience with risk assessments from the perspective of the regulated entity.

I was lead counsel on several large procurement matters. I understand the importance of clear rules and expectations.

My experience in the private sector will inform my views and expectations as Inspector General if I have the honor of being confirmed.

About a year ago, I joined Senator Barrasso's team on EPW. I had never worked for a legislative body, so I am especially grateful for that opportunity. Thank you, Senator Barrasso, for your kind comments.

One of the things I've learned during my time on the EPW staff is that being responsive to Congress is critically important. Congress rightly expects thorough and complete answers at the earliest possible time. Requests from Congress are important so that we all can get the facts straight and communicate effectively with the American people. If confirmed, I will be both thoughtful and responsive to Congress.

As you know, the role of the Inspector General is not a policymaking role. If confirmed, it would be my job to remain impartial and to avoid demonstrating a preference for one policy over the other.

In closing, what excites me most about the opportunity to join the team at DEP is to learn more about the groundbreaking work

being done at the national laboratories. It's not an exaggeration to say that these laboratories are making some of the most significant contributions to areas, including computing, medical technologies, energy-related technologies and, of course, national defense.

If confirmed, I hope to advance these efforts by devoting OIG resources, as needed, to protect these world-class facilities.

Thank you.

[The prepared statement of Ms. Donaldson follows:]

OPENING STATEMENT
TERI DONALDSON

NOMINATION HEARING
UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

Chairman Murkowski, Ranking Member Cantwell, Members of the Committee, and staff: thank you for the honor of appearing before you today as the nominee for Inspector General at the U.S. Department of Energy.

I'd also like to thank President Trump, Secretary Perry and their teams for the confidence they've shown in me by nominating me to this critical position. Several family members are here with me today - My mother, Lorene, who has traveled here from Ashford Alabama, and my Aunt Bev, here from Atlanta. My two sons are also here --Cameron, age 19 and Nathan age 15. These wonderful people are part of the support network that allows me to take on professional challenges. I'm very grateful for the sacrifices they've made along the way.

I had the tremendous good fortune to begin my legal career as a federal prosecutor in Tampa, Florida. I was barely out of law school, when the U.S. Attorney, Bob Genzman, took a chance on hiring me. I'll always be grateful for that extraordinary opportunity. I was hired in part because I had an interest in prosecuting environmental crime. During my 9 years as a federal prosecutor, I worked closely with the FBI, EPA and others. Together we established one of the top three Environmental Crimes Units in the country. We prosecuted hazardous waste cases, Clean Air Act cases, Clean Water Act cases, and the very first prosecution of a felony under the Act to Prevent Pollution from Ships. We also captured what was at that time, the longest prison sentence ever imposed by the Department of Justice for an environmental crime not involving a fatality. I learned a great deal about leading complex investigations, and about the importance of maintaining the highest standards of integrity when collecting and presenting the facts. If confirmed as Inspector General, I hope to bring the lessons I learned as a federal prosecutor to the Office of the Inspector General (OIG).

I was in my ninth year as a federal prosecutor, when our environmental work attracted the attention of Florida's new governor at that time, Jeb Bush, and David Struhs, his newly appointed Secretary of the Florida Department of Environmental Protection (DEP), one of Florida's largest agencies. I joined David Struhs' team at DEP as General Counsel in 1999. David was kind enough to write a letter for me, which has been submitted for these proceedings. That means a great deal to me. One of my first assignments at DEP was to lead the legal team representing Florida in the ACF Tri-State water wars. During this time, DEP was also litigating the Everglades restoration cases, TMDLs, and several other matters. It was a great experience for me to see the world from the perspective of a state.

We also endured more than our share of tropical storms and hurricanes, which create significant issues for hazardous waste sites. DEP also housed the Florida Energy Office, so we were heavily involved in offshore issues, pipelines and power matters. I left DEP as the next administration was coming on board and entered private practice. I then spent over 12 years in private practice as a partner, the last 7 years

of which were in Houston, Texas. The energy-based aspects of my practice led me to move to Houston in 2011, which was a great experience for both me and my sons, both of whom are now "Texans," and proud to say so.

My time in the private sector was just as interesting and rewarding as my time in the public sector. In fact, I probably learned more in the private sector, in many ways. I've represented energy companies, utilities, manufacturing, waste companies, railroads, airlines and others. Although I cannot disclose details, I led many teams conducting internal investigations for national and international companies. These investigations were conducted very much like the work of an Inspector General. In these situations, clients hire outside counsel in order to acquire independent findings. Several of these investigations began because employees stepped forward to report problems. I have first-hand experience with the critical role these employees play, and the need to protect such employees from retaliation.

I also did energy-related project work in the private sector. I managed environmental budgets for energy projects, and I gained first-hand experience with risk assessments from the perspective of the regulated entity. I was also lead counsel on several large procurement matters. I understand the importance of clear rules and expectations. My experience in the private sector will inform my views and expectations as Inspector General if I have the honor of being confirmed.

About a year ago, I joined Senator Barrasso's team on EPW. I had never worked for any legislative body, so I'm particularly grateful for this opportunity. Thank you, Senator Barrasso, for your kind comments. One of the things that I've learned during my time on the EPW staff, is that being responsive to Congress is critically important. Congress rightly expects thorough and complete information, which should be delivered in a timely way. Requests from Congress are an opportunity to get the facts straight and to communicate effectively with the American public. If confirmed, I will be both thoughtful and responsive to Congress.

As you know, the role of the Inspector General is not a policy making role. If confirmed, it would be my job to remain impartial, and to avoid demonstrating a preference for one policy over the other. What excites me most about this opportunity is to learn more about the ground-breaking work being done at the national laboratories. It's not an exaggeration to say that these facilities are contributing to the most significant areas of scientific research, with contributions to computing, medical technologies, energy related innovations and of course, national defense. If confirmed, I hope to advance these efforts by devoting OIG resources as needed to protect these world class facilities.

Thank you for your time and consideration. It is an honor to appear before the Committee today. I look forward to answering your questions.

The CHAIRMAN. Thank you, Ms. Donaldson. Thank you so much.

Ms. Evans, welcome to the Committee. We are pleased to hear your statement, recognizing that you have been nominated to be Assistant Secretary of Energy, Cybersecurity, Energy Security and Emergency Response.

Welcome.

STATEMENT OF KAREN S. EVANS, NOMINATED TO BE AN ASSISTANT SECRETARY OF ENERGY (CYBERSECURITY, ENERGY SECURITY AND EMERGENCY RESPONSE)

Ms. EVANS. Chairman Murkowski, Ranking Member Cantwell, and members of the Committee, thank you for the opportunity to appear before you today as the President's nominee to be the Assistant Secretary for Cybersecurity, Energy Security and Emergency Response at the Department of Energy.

It is an honor to be before this Committee, and I would like to thank President Trump and Secretary Perry for displaying their confidence in me by nominating me to this important position.

If I have the distinct honor of being confirmed by this Committee and the United States Senate, I look forward to working with each of you and your respective staffs to address the threats on our energy infrastructure and implementing the responsibilities associated with my role at the department in this new office.

The energy sector is the lifeline for all other critical infrastructure. It is only with the appropriate degree of preparedness and timely response to our threats and to the energy systems that we will reduce the risk and provide needed resiliency of the electric grid for the safety and the well-being of the American people.

I want to thank all of my family, those who are with me today and those who could not be. With me today are my husband of 35 years, Randy, and my two older sisters, Kathleen Schoonover and Karla Peard, who have supported me through all aspects of my life.

I'd like to recognize my two children, Jacob and Samantha, who could not be here but have helped me focus on the important things in life, and my parents who are no longer with us, but if not for their love and support through my life, I would not be here today, and especially my father who also dedicated his career to public service and who proudly served in our Armed Forces and achieved the rank of captain.

In 1978, while in college, I began my career as a GS–2 with the National Park Service and eventually achieved the rank of senior executive as the CIO at the Department of Energy, where I was responsible for the management and successful operation of the IT Program.

During my tenure as the CIO for the department, I also served as the Vice Chairperson for the Federal CIO Council. In that interagency post, I coordinated the council's efforts in developing the Federal IT Programs and improving information resource management practices.

In 2003, I was Presidentially appointed to the Administrator for the E-Government and IT Office at the Office of Management and Budget (OMB), now commonly referred to as the Federal CIO. In that role, I was responsible for overseeing the implementation of IT programs, including cybersecurity programs, throughout the Fed-

eral Government and advising the Director of OMB on the performance of IT investments.

Upon first retiring from the federal service, I focused mostly on cybersecurity and the related workforce issues, given the critical need that exists for all sectors of our nation, both public and private. As such, I developed and led the U.S. Cyber Challenge (USCC), which is a nationwide talent search and skills development program within the Center for Internet Security.

During my time at the USCC, the program has held an annual online qualifying competition for four summer camps which we have conducted in partnership with universities, community colleges, and high schools, and have been instrumental in identifying over 7,000 individuals with the goal of assisting 10,000 of America's best and brightest to fill the ranks of cybersecurity professionals and serve our nation.

In conjunction with my efforts at the USCC, I also co-chaired a two-year effort on behalf of the Center for Strategic and International Studies Cyber Policy Task Force to provide cybersecurity recommendations for the Administration to foster a secure and stable digital environment that supports our economic growth and ensuring personal freedoms and national security.

With the increasing cyber threats to our nation's critical infrastructure, the newly-formed office appropriately elevates the department's focus on energy infrastructure and protection and supports the expanded national security responsibilities assigned to the department. It is the intention that this office will enable more coordinated preparedness and response to cyber and physical threats and natural and manmade disasters. The dedicated and focused attention on these responsibilities will provide greater visibility, accountability, and flexibility to protect our nation's critical energy infrastructure and support our private industry partners.

If confirmed, I will lead the office by leveraging my cybersecurity and national security experience to reduce risks to our nation's energy infrastructure by ensuring redundancy and resiliency to our energy systems.

Chairman Murkowski, Ranking Member Cantwell, and Members of the Committee, thank you again for the opportunity to appear before you as the President's Nominee as an Assistant Secretary in the Department of Energy, and I look forward to answering your questions when you consider my nomination.

[The prepared statement of Ms. Evans follows:]

OPENING STATEMENT
KAREN S. EVANS

NOMINATION HEARING
UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

Chairman Murkowski, Ranking Member Cantwell, Members of the Committee, and staff: thank for the opportunity to appear before you as the President's nominee to be the Assistant Secretary for the Office of Cybersecurity, Energy Security and Emergency Response at the Department of Energy (CESER).

It is an honor to be before this Committee and I would like to thank President Trump and Secretary Perry for displaying their confidence in me by nominating me to this important position. If I have the distinct honor of being confirmed by this Committee and the United States Senate, I look forward to working with each of you and your respective staffs to address the threats on our energy infrastructure both natural and man-made and implementing the responsibilities associated with my role at the Department in this new office. The energy and communications sectors are commonly recognized as the lifelines for all other critical infrastructure. It is only with the appropriate degree of preparedness and timely response to threats to our energy systems that we will reduce risks and provide needed resiliency of the electric grid for the safety and the well-being of the American people.

I would like to introduce my family to the Committee. With me today are my husband of thirty-five years, Randy, and my two older sisters, Kathleen Schoonover and Karla Peard, who have supported me through all aspects of my life. I like to recognize my two children, Jacob and Samantha, who could not be here but have helped me focus on what are the important things in life and my parents who are no longer with us but, if not for their love and support through my life, I would not be here today especially my father who too dedicated his career to public service and who proudly served in our armed forces and achieved rank of Captain.

In 1978 while in college, I began my career as a GS-2 with the National Park Service and achieved the rank of Senior Executive Service as the Chief Information Officer at the Department of Energy where I was responsible for the management and successful operation of the Information Technology (IT) program. During my time as the CIO for the Department of Energy, I also served as the Vice-Chairperson of the Federal Chief Information Council. In that inter-agency post, I coordinated the Council's efforts in developing Federal IT programs and improving agency information resource practices.

In 2003, I was Presidentially appointed to the Administrator for E-Government and IT at the Office of Management and Budget, now commonly referred to as the Chief Information Officer for the Federal Government. In that role, I was responsible for overseeing the implementation of IT programs, including cybersecurity programs, throughout the Federal government including advising the Director of OMB on the performance of IT investments, overseeing the development of enterprise architectures within and across the federal agencies and overseeing the usage of E-Government Funds to support partnerships and innovation.

As part of my career, I held positions at multiple departments and agencies including the Department of Justice where I led my team to successfully navigate a major hacking incident by bringing to bear

managerial, technical and policy tools from across the Department to address the threat in a timely manner. The lessons I learned from that experience influenced my approach and appreciation for the significance and of providing redundancy and resiliency for service delivery.

Upon my first retirement from Federal service, I focused most intensely upon cybersecurity and the related workforce issues; given the critical need that exists for all sectors of our nation, both public and private. Fulfilling those desires to continue contributing to the betterment of our society, I developed and lead the US Cyber Challenge (USCC), which is a nationwide talent search and skills development program within the Center for Internet Security. During my time at the USCC, the program has held an annual on-line qualifying competition for the four summer camps we have conducted in partnership with universities, community colleges and high schools and has been instrumental in identifying over 7,000 individuals with the goal of assisting 10,000 of America's best and brightest to fill the ranks of cyber security professionals and serve our nation.

In conjunction with my efforts at the US Cyber Challenge, I also co-chaired a two-year effort on behalf of the Center for Strategic and International Studies (CSIS)'s cyber policy taskforce to provide cybersecurity recommendations for the Administration that sought to foster a secure and stable digital environment that supported our economic growth while ensuring our personal freedoms and national security.

With increasing cyber threats to our nation's critical infrastructure, the newly formed office (CESER) appropriately elevates the Department's focus on energy infrastructure protection and supports the expanded national security responsibilities assigned to the Department. It is the intention that this office will enable a more coordinated preparedness and response to cyber and physical threats and natural disasters. The dedicated and focused attention on these responsibilities will provide greater visibility, accountability and flexibility to protect our Nation's critical energy infrastructure and support our private industry partners. If confirmed, I will lead the Office of Cybersecurity, Energy Security and Emergency Response by leveraging my cybersecurity and national security experience to reduce risk to our nation's energy infrastructure by ensuring redundancy and resiliency to our energy systems.

Chairman Murkowski, Ranking Member Cantwell and Members of the Committee, thank you again for the opportunity to appear before you as the President's nominee as an Assistant Secretary in the Department of Energy. I look forward to answering your questions as you consider my nomination.

The CHAIRMAN. Thank you, Ms. Evans. We so appreciate that.

Dr. Fall, welcome to the Committee.

STATEMENT OF DR. CHRISTOPHER FALL, NOMINATED TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY

Dr. FALL. Chairman Murkowski, Ranking Member Cantwell, and Members of the Committee, thank you for the opportunity to appear before you as the nominee to be Director of the Office of Science at the Department of Energy.

I would also like to thank the President and Secretary Perry for their trust and confidence in nominating me.

I am deeply honored to be considered for this position, assisting the Secretary in the leadership of what I believe to be the world's preeminent science enterprise.

Please allow me to introduce you to my family from across the river in Arlington. My wife, Dr. Sandra Wilkniss, may be familiar to some of you from her time as staff for Senator Heinrich and Senator Bingaman before that. She's joined by our daughter Alex and our son Leo. I believe that some of my current and former colleagues are here today, and I appreciate their support.

Sandra and I came to Washington just about eight years ago from academia to do one-year science policy fellowships, and I had the great fortune to land at the Office of Naval Research to work on innovation strategies.

The Navy cleverly convinced me to stay longer with a remarkable trip out to an aircraft carrier at sea and I moved on to run the International Liaison Office, to be Deputy Director of Research for STEM and Workforce Programs, and, most recently, to briefly manage the Navy's Basic Research Portfolio and to be Acting Chief Scientist.

The Office of Naval Research was the first federal science-funding agency and it dates from the seminal policy decisions in 1946 to fund research at universities in order to assure our national security and to grow our national prosperity. The Office of Science continues in that tradition.

I was privileged to spend three of those years across two Administrations overseeing defense programs at the White House Office of Science and Technology Policy. For about half of that time, I led the National Security and International Affairs Division in the absence of a confirmed appointee.

In addition to defense issues, my team coordinated science and technology policy for the intelligence community, homeland security, biosecurity, nuclear security, as well as international science and technology cooperation.

All of this was in close collaboration with the departments and agencies that do science and technology and the various other policy councils of the Executive Office of the President.

From this experience, I believe that I have a deep appreciation for the larger context in which the Office of Science sits. I'm currently running ARPA-E, pending a nominee.

Secretary Perry is fond of saying that the most important job he's had is Governor of Texas but the coolest job is Secretary of Energy. ARPA-E is kind of like the special forces for science and technology

in the Department of Energy, and it's a really exciting place to be as a scientist and engineer.

ARPA-E might end up being the coolest job I ever have but I want to assure you all that I understand and appreciate the profound importance of the tradition, mission, and work of the Office of Science, our National Laboratories, and the many university and private sector scientists and engineers who contribute to our nation's leadership in science.

I've had the chance to visit most of the Office of Science and National Nuclear Security Administration laboratories and I visited Idaho National Lab under the Office of Nuclear Energy.

Two weeks ago, the Colorado Energy Research Laboratory hosted me for a fantastic visit to NREL, the three affiliated universities, and the oil and gas fields of Weld County.

I was also grateful for the opportunity to join my DOE colleagues at the Chairman's recent Energy Summit in Fairbanks. I did spend four of the best summers of my life working in Southeast Alaska for the U.S. Forest Service and for a fisheries company when I was much younger but I didn't fully appreciate the opportunities that remote and harsh environments present for developing, testing, and commercializing advanced energy technologies.

It's always a thrill to visit our incredible National Laboratories and I believe it's also important to get out of Washington to connect with the energy problems, opportunities, and solutions that exist outside of government.

If I'm confirmed as Director, my priorities will be those that the Secretary and the Under Secretary for Science have previously charted for you. Exo-scale computing, engineering biology, and artificial intelligence are all key new science priorities.

The Department has a great deal of capability relevant to the microelectronics industry and the nascent area of quantum information sciences presents a special opportunity for U.S. leadership. These are all fields of intense international competition. The best basic science is done collaboratively with the smartest minds from around the world, but I do expect that the Secretary will also ask me to assure that we are protecting our commercial and national security intellectual property appropriately.

Thank you again for the opportunity to appear before you. If confirmed, I promise my fullest effort and attention and I will work collaboratively and transparently with you and your staffs.

I look forward to any questions that you might have.

[The prepared statement of Dr. Fall follows:]

Opening Statement
Chris Fall
Nominee to be Director of the Office of Science at the Department of Energy
Nomination Hearing
U.S. Senate Committee on Energy and Natural Resources
June 26, 2017

Chairman Murkowski, Ranking Member Cantwell, and Members of the Committee:

Thank you for the opportunity to appear before you as the nominee to be the Director of the Office of Science at the Department of Energy. I would also like to thank the President and Secretary Perry for their trust and confidence in nominating me. I am deeply honored to be considered for this position assisting the Secretary in the leadership of what I believe to be the world's pre-eminent science enterprise.

Please allow me to introduce to you my family from across the river in Arlington. My wife, Dr. Sandra Wilkniss, may be familiar to some of you from her time as staff for Senator Heinrich and Senator Bingaman before that. She is joined by our daughter Alex and our son Leo. I believe that some of my current and former colleagues are here and I appreciate their support.

Sandra and I came to Washington just about eight years ago from Academia to do one year science policy fellowships, and I had the great fortune to land at the Office of Naval Research to work on innovation strategies. The Navy cleverly convinced me to stay longer with a remarkable trip to an aircraft carrier at sea, and I moved on to run the international liaison office, to be the deputy director of research for STEM and Workforce programs, and most recently to briefly manage the Navy's basic research portfolio and to be the acting Chief Scientist. The Office of Naval Research was the first Federal science funding agency, and it dates from the seminal policy decisions in 1946 to fund research at universities in order to assure our national security and to grow our national prosperity. The Office of Science continues in that tradition.

I was privileged to spend three of those years across two administrations overseeing defense programs at the White House Office of Science and Technology Policy. For about half of that time I lead the National Security and International Affairs Division in the absence of a confirmed appointee. In addition to defense issues, my team coordinated science and technology policy for the intelligence community, homeland security, biosecurity, nuclear security, as well as international science and technology cooperation. All of this was in close collaboration with the departments and agencies doing science and technology and the various other policy councils of the Executive Office of the President. From this experience I believe that I have a deep appreciation for the larger context in which the Office of Science sits.

I am currently running ARPA-E pending a nominee. Secretary Perry is fond of saying that the greatest job he's held was Governor of Texas but the coolest job is Secretary of Energy. ARPA-E is kind of like the special forces for science and technology in the Department of Energy, and it is a really exciting place to be as a scientist and engineer. ARPA-E might be the coolest job I

ever have, but I want to assure you that I understand and appreciate the profound importance of the tradition, mission, and work of the Office of Science, our national laboratories, and the many university and private sector scientists and engineers who contribute to our Nation's leadership in science.

I've had the chance to visit most of the Office of Science and National Nuclear Security Administration (NNSA) laboratories, and I've visited Idaho National Lab under the Office of Nuclear Energy. Two weeks ago, the Colorado Energy Research Collaboratory hosted me for a fantastic visit to NREL, the three affiliated universities, and the oil and gas fields in Weld County. I was also grateful for the opportunity to join my DOE colleagues at the Chairman's recent energy summit in Fairbanks. I spent four of the best summers of my life working in southeast Alaska with the U.S. Forest Service when I was much younger, but I did not fully appreciate the opportunities that remote and harsh environments present for developing, testing, and commercializing advanced energy technologies. It is always a thrill to visit our incredible national laboratories, and I believe that it is also important to get out of Washington to connect with the energy problems, opportunities, and solutions that exist outside of the government.

If I am confirmed as Director, my priorities will be those that the Secretary and the Undersecretary for Science have previously charted for you. Exascale computing, engineering biology, and artificial intelligence are all key new science priorities, the Department has a great deal of capability relevant to the microelectronics industry, and the nascent area of quantum information sciences presents a special opportunity for U.S. leadership. The best basic science is done collaboratively with the smartest minds from around the world, but I expect that the Secretary will also ask me to assure that we are protecting our commercial and national security intellectual property appropriately.

Thank you again for the opportunity to appear before you. If confirmed, I promise my fullest effort and attention, and I will work collaboratively and transparently with you and your staffs. I look forward to any questions you might have for me.

The CHAIRMAN. Thank you, Dr. Fall.

Mr. Simmons, welcome to the Committee.

STATEMENT OF DANIEL SIMMONS, NOMINATED TO BE AN ASSISTANT SECRETARY OF ENERGY (ENERGY EFFICIENCY AND RENEWABLE ENERGY)

Mr. SIMMONS. Thank you. Chairman Murkowski, Ranking Member Cantwell, distinguished members of the Committee, and staff, thank you for the opportunity and your interest and leadership on energy matters.

It is an honor to be the President's nominee for Assistant Secretary for Energy Efficiency and Renewable Energy at the Department of Energy.

If confirmed, I look forward to working with this Committee, Secretary Perry, and the dedicated workforce of the Department serving the American people.

Joining me for this hearing are my family and friends, without whom I would not be here today. You've seen my wife and three-year-old daughter previously. Hopefully they'll make a return at some point. We also have a four-year-old son who believed that there were many more places to play with trucks at the beach than there is at a Senate hearing, so he is with his grandmother and aunt and uncle who are hopefully watching online. My wife is my inspiration for public service following in her father's footsteps working at the State Department. Also joining me today is my father from Utah and my mother is watching online.

The house I grew up in was a passive solar double envelope home, which is a fancy way of saying that it's rather energy-efficient. Almost all the energy came from renewable energy in that house. My parents couldn't have known that choosing to build a passive solar double envelope home would spark a lifelong interest in this area. I'm grateful for my parents for stressing the importance of education as my mother was a kindergarten teacher and my father is a college professor.

For the last year, I've been the Principal Deputy Assistant Secretary in the EERE and for a time, the Acting Assistant Secretary. This has been a great job and only reinforces my desire to lead this office and fulfill its mission.

One of the best parts of the job has been visiting a number of the national labs. In the last year, I've visited NREL, PNNL, Oak Ridge, Argonne, Sandia, and INL. These trips have been educational and inspirational.

The best part of visiting the national labs is talking to the researchers and seeing the excitement they have for their work, from advancing hydropower and the electric grid of tomorrow at PNNL to innovative solid state heating and cooling technologies at Oak Ridge to Sandia's solar tower and their semi-conductor foundry to next generation battery work at Argonne, and, of course, I'm not forgetting NREL, the first lab I visited after joining EERE. EERE is the steward for NREL and NREL is at the cutting edge of many of the renewable energy and energy efficient technologies. At the most recent EERE all-hands meeting, NREL Director Martin Keller addressed EERE staff and talked about the innovative work NREL is doing for EERE and NREL's vision for the future.

The national labs are truly important assets, and it has been my honor to serve alongside the dedicated women and men who work in DOE's national labs.

Becoming the Principal Deputy Assistant Secretary, I have approached this job with an open mind and the eagerness to learn. I have focused on following Congressional direction while advancing the Administration's priorities.

I commend EERE staff for their work on executing the appropriations that Congress has given. Since the Omnibus Bill became law earlier this year, EERE has announced over $640 million in financial assistance, in addition to continued funding for our national labs in line with 2018 appropriations. As we look to the future, I think there are three things that are critical for the success of the technologies in EERE's portfolio.

First, we will continue to work to reduce the cost of these technologies. We need to have a real focus on energy affordability. We have seen large cost decreases of photovoltaic solar and onshore wind, for example, but we have not seen the same magnitude of reductions for other energy technologies.

Second, the price reduction in wind and solar are leading to increased amounts of these variable resources on the grid. It is critical, therefore, that we are working to improve grid integration, to increase the flexibility of these and other resources. One important area here is working with the Advanced Manufacturing Office on improved power electronics. Advanced power electronics enable wind and solar to contribute in more significant ways to grid reliability and resilience. Also, it is critical that EERE works with the Office of Electricity and with other energy offices through the Grid Modernization Initiative on technologies to support a more reliable, resilient, secure, and diverse electric grid.

The third priority is energy storage. The Office of Electricity conducts important research on grid scale batteries. EERE also works on energy storage in a multitude of ways, from next generation battery technologies for electric vehicles to energy-efficient, grid-connected building technologies (as I testified before this Committee last fall), DuPont Hydro, which is currently the largest source of energy storage on the grid today. We also work with EERE's H2@Scale Program which examines ways to generate, store, and use hydrogen for a variety of applications, from storage to the industrial processes. I believe that we need a portfolio approach to energy storage that allows us to think about storage as broadly as possible, and apparently my daughter has returned.

I have spent the last 20 years working on energy and environmental issues. My mindset has always been to work toward affordable and reliable energy that also continues to advance our clean energy success story in the United States. I believe that affordable energy is crucial for all Americans, especially for low- and middle-income families.

I am grateful for the opportunity I've had to lead EERE, to work toward advancing renewable energy technologies and improving energy efficiency. If confirmed, I will work to further advance these technologies to develop more abundant, reliable, clean, and diverse energy systems than ever before.

Members of the Committee, I wish to thank you for allowing me to be here today. It is indeed an honor to come before this Committee and I ask for your favorable consideration of the President's nomination.

I look forward to hearing your questions.

[The prepared statement of Mr. Simmons follows:]

OPENING STATEMENT
DANIEL R. SIMMONS

NOMINATION HEARING
UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

Chairman Murkowski, Ranking Member Cantwell, distinguished Members of the Committee, and staff: Thank you for this opportunity and your interest and leadership on energy matters.

It is an honor to be the President's nominee for Assistant Secretary for Energy Efficiency and Renewable Energy at the Department of Energy. If confirmed, I look forward to working with this committee, Secretary Perry, and the dedicated workforce at the Department serving the American people.

Joining me for the hearing are my family and friends, without whom I would not be here today: my wife, Laura Simmons, my inspiration for public service as she has followed in her father's footsteps in working for the State Department; children Weston age 4, and Vivian age 3. Also joining me today is my father from Utah and my mother is watching online. My parents couldn't have known that when they built the house where I grew up that decision to make it a passive solar double envelope home would spark my lifelong interest in this area. I am grateful for my parents for stressing the importance of education and learning, as my mother was a Kindergarten teacher and my father is a college professor.

For the last year I have been the Principal Deputy Assistant Secretary in EERE and for a time, the Acting Assistant Secretary. It has been a great job and only reinforced my desire to lead this office and serve to fulfill its mission.

One of the best parts of the job has been visiting a number of the National Labs. In the last year I have visited NREL, PNNL, Oak Ridge, Argonne, Sandia, and INL. These trips have been educational and inspirational. The best part visiting the National Labs is talking to the researchers and seeing the excitement they have for their work—from advanced hydro power and the electric grid of tomorrow at PNNL, to innovative solid state heating and cooling solutions at Oak Ridge, to Sandia's solar tower and semiconductor foundry, to the next-generation battery work at Argonne.

And of course, I'm not forgetting about NREL—the first lab I visited after joining EERE. EERE is the steward for NREL, which is at the cutting edge of many renewable energy and energy efficiency technologies. At the most recent EERE All Hands meeting, NREL Director Martin Keller addressed EERE staff and talked about the innovative work NREL is doing for EERE and NREL's vision for the future. The National Labs are truly important assets, and it has been my honor to serve alongside the dedicated men and women who work in DOE's National Labs.

Since becoming Principal Deputy Assistant Secretary, I have approached this job with an open mind and an eagerness to learn, and have focused on following congressional direction while advancing the administration's priorities. I commend EERE staff for their work to execute on the appropriations that Congress has given EERE. Since the omnibus bill became law, EERE has announced over $630 million in

financial assistance, in addition to continued funding of our National Labs in line with FY18 appropriations. I understand the Department is on track to get the weatherization funding.

As we look to the future, I think there are three things that are critical for the success of the technologies in EERE's portfolio. First, we will continue to work to reduce the cost of these technologies. We have seen large cost decreases for photovoltaic solar and onshore wind, for example, but we haven't seen the same magnitude of reductions in other technologies.

Second, the price reduction in wind and solar is leading to increasing amounts of these variable resources on the grid. It is critical, therefore, that we are working to improve grid integration to increase the flexibility of these and other resources. One important area here is working with the Advanced Manufacturing Office on improved power electronics. Advanced power electronics enable wind and solar to contribute in a much more significant way to grid reliability and resilience. Also, it is critical that EERE works with the Office of Electricity and the other energy offices through the Grid Modernization Initiative on technologies to support a more reliable, resilient, and diverse electric grid.

Third, is energy storage. The Office of Electricity conducts important research on grid-scale batteries. EERE also works on energy storage, from next-generation battery technologies for electric vehicles, to energy-efficient, grid-connected building technologies (as I testified on before this Committee last fall), to pumped storage hydro, which is currently the largest source of energy storage on the electric grid today. We also work on EERE's Hydrogen at Scale program, which examines ways to generate, store, and use hydrogen for a variety of applications, from transportation to industrial processes. I believe that we need a portfolio approach to storage that allows us to think about energy storage as broadly as possible.

I have spent the last 20 years working on energy and environmental issues. My mindset has always been to work toward affordable and reliable energy. I believe that affordable energy is crucial for all Americans, but especially for low and middle income families.

I am grateful for the opportunity I had leading EERE to work toward advancing renewable energy technologies and improving energy efficiency. If confirmed, I will work to further advance these technologies to develop a more abundant, reliable, clean, and diverse energy system than ever before.

Members of the Committee, I wish to thank you again for allowing me to be here today. It is indeed an honor to come before the committee, and I ask for your favorable consideration of the President's nomination. I look forward to hearing your questions.

The CHAIRMAN. Thank you, Mr. Simmons.

Thank each of you for being here and thank you for including your family members, each and all of them, young and old. We like to have them here before the Committee.

Let me begin with you, Ms. Evans. The Committee has focused a fair amount of attention to the issue of cybersecurity, making sure that we are properly paying attention not only in terms of resources but just really what we are doing from a broader perspective, recognizing that within DOE, DOE has been designated as the sector-specific agency for cyber.

With this new office, you are it. You are basically defining this cybersecurity office. So just very briefly, if you can share with the Committee how you anticipate moving forward with this new office, ensuring that there is a smooth transition here, ensuring that as you are standing this up, that the focus that we need to have on the issue of cyber more broadly does not get kind of moved aside because you are doing just more of the administrative stand-up. So if you can speak to the role of this new office and how you believe this office can help advance our cybersecurity.

Ms. EVANS. Thank you, Senator, for the question. Throughout my career, based on my experience, I've always had the opportunity to take advantage of being the first, which helps me institutionalize whatever that concept is within a department or an agency, and so I'm very excited with this opportunity and this new office going forward.

A lot of work has already been done in the Department of Energy as it relates to cybersecurity. They have recently released a multiyear cybersecurity plan. So a lot of the groundwork is there.

It is my intention to leverage that work and to partner with other offices, such as Bruce Walker's office that has led this effort, and to be able to implement and actually make a lot of these things actionable plans because the time now is not necessarily I don't want to admire the problem anymore. I think a lot of us have done that through the years.

It's really now to execute and to really start looking at how do you make these systems more resilient, how you ensure that you have a response plan, that you exercise that response plan, and you do it in partnership with private industry and state and local governments.

The CHAIRMAN. Well, I appreciate that and understand that your role will also be trying to figure out how this all intersects together, even outside of DOE, and the role that you have there.

Ms. Donaldson, I was impressed to learn of your background; you have clearly impressive credentials.

I think you know that as Inspector General there is an obligation, there is a duty, to report to Congress. There is also a requirement, if you will, or certainly an expectation that there be very clear independence within the Office of the Inspector General as audits and investigations that might move forward under DOE proceed.

Can you speak very quickly to how you will not only ensure the independence of your office with regard to audits but how you will ensure that the communication between the Office of the Inspector General and Congress is facilitated? I would also like your assur-

ance that you will respond to Members of Congress in a timely manner when requests for information are made.

Ms. DONALDSON. Thank you, Chairman.

The CHAIRMAN. You need to go ahead and push that button.

Ms. DONALDSON. On the issue of responsiveness, I think that's probably one of the most important things that the Inspector General must do. So it may take some time to marshal the facts and develop a thoughtful response but it will always be a top priority of mine to get back to Congress as quickly as possible with a thorough and complete response.

Having worked here for the last year, I have a greater appreciation for the importance of that. Things move very quickly in the halls and having all of the facts in place for the decision-makers is a mission-critical thing to do.

Preserving the independence of the Office of the Inspector General is equally important. In order to be able to evaluate the facts and render findings that people will respect, you have to maintain your impartiality and continue to be independent.

The Office of the Inspector General has done, in my view, so far an outstanding job of doing that. Their reports are very objective and balanced, the ones that I've reviewed, and the people that I've met in that office seem to really value maintaining the integrity and independence of that office. So I'd like to continue that tradition.

The CHAIRMAN. We appreciate that. Thank you.

Senator Cantwell.

Senator CANTWELL. Thank you, Madam Chair.

I do have questions for all of you, so if you can help me out as succinctly as possible, that will be great.

Ms. Evans, do you believe that we need to have a critical assessment threat about where we are with cybersecurity?

Ms. EVANS. Senator, I appreciate the question. I would ask about some specificity associated with the threat assessment.

Based on what I've read and what is available publicly, several threat assessments as relates to cybersecurity have been completed, for example from the intelligence community.

If you're asking specifically about the energy resources, it's my understanding that that has been done as a result of the Executive Order and, should I be confirmed, I would look at that threat assessment and see if there are any other additional gaps.

Senator CANTWELL. I think I should just follow up very specifically on what we think is missing and see if you can help us out with an answer there.

Ms. Donaldson, obviously Hanford is a big priority for our state and making sure that cleanup happens but making sure that contractors are accountable but also for protecting workers. Will you make Hanford one of your priorities and make sure that the accountability of contractors and worker safety is a priority?

Ms. DONALDSON. Yes, I will, Senator Cantwell.

Senator CANTWELL. Thank you.

Mr. Fall, on science and information, obviously we have a lot of concern that maybe certain science and information is not being made public. Will you make sure that the science community has

data and modeling on climate and what it will mean for our nation and infrastructure?

Dr. FALL. Yes, ma'am.

Senator CANTWELL. Thank you.

Okay. Now, Mr. Simmons, I wanted to ask you specifically, do you have any hesitation about your role at EERE as it relates to standards and the standards that must be set, so that we can move forward on energy efficiency?

Mr. SIMMONS. No.

Senator CANTWELL. Okay. If that is the case, why do we have such a backlog at the agency right now? I think we have 23 different proposals that are being considered—I am sorry. There are 23 missed deadlines for products that are being considered in this process. So do you think there is a big backlog?

Mr. SIMMONS. There is a backlog, and if confirmed, I will work to process through that backlog. There are two very important legal deadlines that we have. One is the date deadline for these regulations to review them every six years, to review test procedures every seven years, and also when we set standards, because of the no-backsliding provisions, we only kind of get one bite of that apple. That means we need to be very careful so that the rules withstand judicial scrutiny. So it's important to meet those deadlines and to really meet all of our legal obligations when we're promulgating those regulations.

Senator CANTWELL. So you feel qualified and experienced and full-throated, I guess, in going over to the House of Representatives, who has held up our energy policy that we have tried to pass because they do not want to look at things on the building side or appliance side, which we think are critical for getting consumers and businesses more energy efficiency?

Mr. SIMMONS. I'm not familiar enough with that disagreement to really comment on it. I'm sorry.

Senator CANTWELL. Okay. This will be a key part of your job. So maybe before we vote on you, you could take a look at that.

I have considered many nominees and usually to me what somebody says in their past job, whether they are a nominee to be a judge and were a college professor, in your case working for some institutions that did not support these policies, is less important than what they say now. But I need to know that this agency is going to operate in the most aggressive manner possible.

Coming from a state where energy efficiency has delivered over and over and over and over again for us, I have a whole economy being developed. I have a whole block in Spokane that plans on being a net zero block. They believe in it. They believe in moving forward, even though we have cheap hydro, you would think a $0.03 to $0.04 kilowatt rate, that they would not continue to be so adamant, but they are, and so I want that economy to move forward in my state and in our nation.

I need to know that you are going to be as aggressive as possible. So we will get you that information about the legislation and then you can take a look at it. It may be that you and I have to have further conversation about this, but we have seen a slow walking by some on this and I am telling you it is wrong-headed, it is the wrong approach, and our nation is going to be in the manufac-

turing base very, very competitive on international basis if we can drive down electricity costs. So that should be our mantra, and I hope you will lead that charge.

Mr. SIMMONS. I will not slow walk any of those regulations.

The CHAIRMAN. Senator Gardner.

Senator GARDNER. Thank you, Madam Chair. Thank you to the witnesses for your fine testimony today and, of course, for your willingness to serve our country. It is greatly appreciated. And to your families here, thank you very much for your commitment to public service.

Mr. Simmons, in your testimony, you mentioned the stewardship of the National Renewable Energy Laboratory (NREL) engagement with other national labs and financial assistance to industry and academia. Where does stewardship for NREL rank in your priorities for EERE? What investments are you prepared to make in the laboratory's infrastructure and equipment to sustain its impact, and if overall EERE funding were to vary, can we take steps to smooth the effects on NREL to make sure that it can do long-term planning?

Mr. SIMMONS. Oh, without a doubt. One of the—so when we, especially last year, when we were in the time of great budgetary uncertainty with the President's request, you know, being at a substantially different level, one of the things that we made sure to do was to pre-fund NREL to make sure that they had as many resources as they needed until we had more budget certainty.

Taking care of the resources of NREL, both the people and the physical assets, are very important. It's very important to me. You know, one downside to becoming nominated is I'm not visiting NREL as previously planned, but I will hopefully be able to in the future. But NREL is very important for us, and I think that we have a very good working relationship with NREL, with Martin Keller.

Senator GARDNER. Very good. To follow up on the question, where do you think NREL stands in terms of priorities for EERE? Where's the rank?

Mr. SIMMONS. Oh, from the EERE side, number one, without a doubt——

Senator GARDNER. Great.

Mr. SIMMONS. ——from all the national labs.

Senator GARDNER. Right answer. Thank you.

News reports have said that the Administration's Government Reorganization Plan might merge DOE's Applied Energy Offices into one Innovation Office. I understand it might merge EERE, Fossil, and Nuclear Energy Offices. How could this impact the National Renewable Energy Laboratory, NREL, as well as the Idaho Lab?

Mr. SIMMONS. I don't know is the simplest answer that I can give. I don't have more specifics on that plan, other than what was released the other day.

Senator GARDNER. Okay. I think it is important that we continue to strengthen our research development in science. I think that labs that we have under the jurisdiction of this Committee have done an incredible job and continue to do that, and if we are going to maintain our leadership in innovation and the advantages that

we have through those breakthroughs and the jobs that are created, we have to continue to increase our opportunities in research science, our support of the federal labs. Please know that when you come into the office, all of you, that will be something—well, maybe not all of you but at least certainly for two of you, that will be something that I talk about regularly, how we make sure that we maintain our leadership in innovation and technology.

Dr. Fall, I wanted to follow up with you on a question that we talked about during our time in the office. We talked a lot about looking into our competitors around the globe in terms of what they are doing from a security standpoint, from a weaponization standpoint, from a munitions standpoint and that kind of thing. Do we have a good look into what they are doing in basic research development science? Do we know what our competitors are doing when it comes to their breakthroughs and super-computers, quantum computing, those kind of things?

Dr. FALL. Senator, as we talked about in our meeting, I haven't tracked this as much while I've been back at the Office of Naval Research and at Department of Energy, but certainly when I was in the Office of Science and Technology Policy, this was something we paid a great deal of attention to.

I would say that we could stand to have more resources on the intelligence side looking at issues of basic science and technology. There's a lot of problems in the world and those folks are occupied with a lot of things and sometimes our competitiveness in basic science sort of takes a backseat to things like weapons and military and so forth.

Senator GARDNER. And the importance of that would be just give us a good look at what they are trying to do from an innovation standpoint for their economies. Is that why, or is there another reason I am missing?

Dr. FALL. Well, that's right. I mean, the mantra of the intelligence community is providing decision superiority. If we don't understand what's going on around the rest of the world in science and technology, we can't really adapt effectively.

Senator GARDNER. From our investments in science and the research, how do we prevent and stop leakage of that information, the intellectual property, from going to our adversaries or competitors?

Dr. FALL. That's a hard question. I understand that the Secretary has directed the department to look at it on a wider basis. I would say that ultimately the answer is to out-innovate and outcompete in science and that shorter-term measures, trade issues, et cetera, aren't as effective in science and technology because information is fungible.

Senator GARDNER. Thank you.

Ms. Evans, do you have counterparts in other agencies, and do you know who they are?

Ms. EVANS. For this particular office, no, sir, there are not counterparts as it's structured. However, in other agencies, there are those who have the lead as the sector-specific agency and so there are parts of organizations that will also have this type of function, but this is the first being organized this way.

Senator GARDNER. When you look overall at the whole of government, who do you report to from a cyber standpoint, whole of government? Secretary of Energy obviously.

Ms. EVANS. The Secretary of Energy, sir, and then I would also partner, depending on the circumstance, with Department of Homeland Security, in the NPPD group, Under Secretary Chris Krebs.

Senator GARDNER. And do you believe there is a clear plan of action when it comes to that coordination amongst the agencies from a cyber standpoint?

Ms. EVANS. I believe that people understand their roles and responsibilities. As far as clear coordination, we can always improve upon our coordination and we would always improve as we execute out our roles and responsibilities.

Senator GARDNER. Thank you. I am going to self-police here because the timer is not running, so I am not sure how much time I have but——

The CHAIRMAN. I was looking——

Senator GARDNER. ——I could go on.

The CHAIRMAN. ——at this, thinking I don't know how you got——

Senator GARDNER. This is the magic minute.

The CHAIRMAN. ——the golden ticket here.

Senator GARDNER. That is right. It is magic.

The CHAIRMAN. But I think I am going to take it away.

Senator GARDNER. I will have some questions to follow up, but I will be polite and hand it over to somebody else.

The CHAIRMAN. You are very generous. Thank you, Senator Gardner.

Senator Smith.

Senator SMITH. Senator Gardner is not interested in a long filibuster today, although it is very interesting.

Madam Chair, thank you so much for this Committee hearing and thank you so much to all four of you for your willingness to serve our country. I very much appreciate it.

I appreciate the questions around cybersecurity and also around the national labs, which I think are very, very important. I am glad to have had that discussion, but I would like to actually focus in a little bit on the Office of Energy Efficiency and Renewable Energy.

Mr. Simmons, am I saying that correctly?

Mr. SIMMONS. Yes, ma'am.

Senator SMITH. Yes.

Mr. SIMMONS. Yes.

Senator SMITH. Yes, thank you. So here is the thing. I am trying to jive your past career, which seems to me has been focused on working against renewable energy and climate science, with your role leading this agency which is focused on energy efficiency and renewable energy.

In 2013, you said, "No matter what the renewable energy guys say, what they won't admit is that their type of power, wind and solar, is more expensive and will increase the price of electricity. It is critical that we do everything we can to keep prices low." This matters to me in Minnesota where we have a thriving wind and

solar energy biosector, bioenergy sector. We are a leader in energy efficiency. So my question to you is this. Is it your view that the cheapest power is the best power, that cost should rule when we are making decisions about energy generation?

Mr. SIMMONS. No, I don't think that the cost should always rule, but my view is that consumers should be able to choose the type of energy that they want to power their lives with.

One of the—you know, the way that I see my role here in the Office of Energy Efficiency and Renewable Energy is to reduce the cost of renewable energy so to enable people to use those sources more often. As I mentioned earlier, I grew up in a solar home. I think that in the late '70s, as my parents were considering building that home, near the '80s, that we had hoped that the price of solar would come down then. Well, it's come down now and particularly over the past five years. I mean that's one of the things that's changed since I made that statement.

Senator SMITH. So I would agree with you. I think that cost is important. I believe that we should have affordable, reliable and clean energy, and for me clean energy means that it is good for public health and it is also good for mitigating the impacts of climate change. Would you agree with that?

Mr. SIMMONS. I would. Yes, I would, I would.

Senator SMITH. Okay. Good. I think this public health issue is a really important issue. The Supreme Court has ruled that the negative public health consequences of climate change are a reason that greenhouse gas emissions should be regulated by the government and be reduced under the Clean Air Act.

Would you agree then that if cost is not the only driver, as you say, that the Supreme Court is right and that public health, the public health consequences of greenhouse gas emissions should also be considered as we are looking at what kind of power we want to generate?

Mr. SIMMONS. Well, I agree that greenhouse gas emissions are definitely a factor that people can consider in making these decisions.

Senator SMITH. Okay, okay. Let me just ask one other question in the minutes, couple of minutes, I have left.

Let me just find my question here. This is a question having to do with the budget of your department. In your interim role at DOE, you have been involved in preparing the budget. It is, I think, a challenge to be preparing budgets for the Office of Energy Efficiency and Renewable Energy in an Administration which seems to not be that favorable to that work. The President's current budget request would cut that budget by, I think, 65 percent. How would you jive that kind of budget cut with what I think, maybe you would agree, is the extremely important work that we have to do maintaining our competitive advantage when it comes to research and development around renewable?

Mr. SIMMONS. Well, I believe that at the President's request level, which is, you know, in the ballpark of about $700 million, particularly by focusing on early stage research and development, we can do a lot of good at that level. For example, we had in the budget, in the FY '19 budget request, it included this Beyond Batteries idea, this concept, where we're trying to think as broadly as

possible about energy storage and using innovative ways to store energy and new concepts.

That said, Congress has the final say when it comes to appropriating dollars and so I wanted to make crystal clear that (1) I understand that and work very hard to make sure that we act on the budget that Congress has given us since, as I also mentioned in my opening statement, the Omnibus Appropriations Bill was passed, we have obligated $640 million, not obligated, we have announced $640 million in new funding and selections in that time period, that it is very important for me in this role to act on the budget that Congress gives.

Senator SMITH. Well, I agree with that. I think, though, that it is extremely important that this department—we are looking at massive investments by China and others in energy efficiency and renewables and I am quite concerned that we have a risk of losing a competitive advantage as a country if we do not really pursue this in a full-throated way, and I would look for this department and for you to be pursuing that.

Madam Chair, I realize I do not have a golden ticket here. I appreciate your responses, and I have a few more questions which I will submit for the record.

The CHAIRMAN. Thank you, Senator Smith.

Senator Portman.

Senator PORTMAN. Thank you, Madam Chair, and I appreciate all four of you being willing to step up and continue to serve.

The Department of Energy is very lucky to get Karen Evans to be the Assistant Secretary for Cyber and Energy Security and Emergency Response. I got to work with her on her E-Government and Information Technology role when I was at the Office of Management and Budget and she is a consummate professional, a career person who worked her way up through the system. Karen, thank you for your service. Congratulations. I am not going to ask you any tough questions. That is your reward for your service.

Simmons, on the other hand—no.

[Laughter.]

So Dan Simmons is up for Assistant Secretary of Energy Efficiency, and you know this job well because you have been there as acting and we have had a chance to interact. I appreciate your answers to Senator Smith and, as you know, I have been working on this energy efficiency legislation for quite awhile with Senator Shaheen. It has actually been seven years and some of it has been passed, some of it has passed the Senate but not the House.

Senator Murkowski has been key to getting this through the Senate with a big vote because she included it in her broader energy legislation, and she, among others on both sides of the aisle, are very supportive of energy efficiency.

By the way, I would like to say it is the equivalent of taking 22 million cars off the road in terms of the savings on emissions over a period of 15 years, and there are no jobs lost. In fact, the one estimate is it creates about 190,000 new jobs.

So energy efficiency is a way to achieve environmental objectives that many of us have but to do so without hurting the economy. In fact, in many respects helping the economy and making our workers more efficient, therefore more able to compete in global

marketplaces. It is a win-win-win sort of approach, and I just appreciate your commitment to it.

Secretary Perry was here before us talking about his interest in energy efficiency, so you have a boss who cares about it.

Let me ask you about the Tenant Star program. We are finally getting that up and going. That is one of the things that did pass and it incentivizes tenants, as you know, to have energy-efficient structures. It is like the ENERGY STAR program. As you know, it lets them have a certificate, a placard up. We have, I think, 47 different tenants who have now stepped forward, said they want to be part of this program. One in Cleveland, Ohio, by the way, Forest City. I commend Forest City for their advocacy for a long time. What is your view of the Energy Efficiency Program generally and specifically Tenant Star and its implementation?

Mr. SIMMONS. So I think energy efficiency is very important. Energy efficiency really is one key driver to overall economic efficiency.

A couple weeks ago, I had the opportunity to go to Pennsylvania and to visit Martin Guitars. They made acoustic guitars for Crosby, Stills & Nash, Paul Simon, and other people I like. But what's fun about visiting the factory is seeing what they've done with their chiller and cooler to become, you know—I think it was to reduce their electricity consumption by about a half and we were recognizing them through DOE's Better Plants Program as in companies that have been leaders and are willing to share what they're working with others. So that is one thing that they're doing and it's great to highlight those activities.

The Tenant Star program, I'm not familiar enough with that to comment on it, but I will look into it.

Senator PORTMAN. Yes, I appreciate you looking into it and making sure it is implemented properly and, again, we are finally launching it. It passed in 2015 in this body and the House, so it has been a couple years. It is time for us to get it up and going and people are excited about it. The real estate industry is excited about it, and it is going to help with regard to efficiency in buildings.

The other building efficiency part of our legislation that passed the Senate but not the House is to update and develop better building codes and we have this as part of the legislation because we know that a critical part of energy efficiency is buildings—commercial buildings, residential, all the above.

It requires the Department of Energy to provide model building codes but also provide the states with technical assistance to adopt and implement building codes and ensure that we have the opportunity to get best practices from around the country. When Secretary Perry, again, appeared before the Committee, he said he was supportive of that.

Specifically, will you commit today to working with me to advance building codes and ensure that DOE remains engaged in the building code development process?

Mr. SIMMONS. Yes, we will. We will definitely remain engaged in the building code development process.

Senator PORTMAN. Is there more you think the Department of Energy should be doing in terms of energy efficiency absent our legislation?

Mr. SIMMONS. Not familiar enough with the legislation to add on to it at this point, but I don't know of any additions in terms of energy efficiency.

Senator PORTMAN. Yes. I am suggesting even without the legislation, is there more you would like to do, but we will continue this conversation. I appreciate your commitment today on the building codes front and look into Tenant Star and be sure that is being implemented properly. We look forward to, once again, under the leadership of Senator Murkowski, getting some legislation to the President's desk.

Thank you.

Mr. SIMMONS. Thank you.

The CHAIRMAN. Thank you, Senator Portman.

Senator Cortez Masto.

Senator CORTEZ MASTO. Thank you. Welcome. Congratulations. Welcome to all of your family.

Ms. Evans, let me start with you. Hydropower accounts for about 40 percent of the renewable energy that is produced in Nevada. While the Presidential Policy Directive on Critical Infrastructure Security and Resilience from 2013 designates DOE as the sector-specific agency with responsibility for the power grid, DHS is also responsible for the dam sector. How will you work with DHS and DOE's Hydropower Program and the Water Power Technologies Office to address threats at our hydropower facilities?

Ms. EVANS. Thank you, Senator, for that question. It's my understanding that in this new role with the aspect of energy security, that I would be partnering directly with Department of Homeland Security as it relates to my responsibilities as a sector-specific agency and so, if confirmed, I would look at more details and would be happy to work with you and your staff going forward as we develop some of these plans and details of how to exercise out on them.

Senator CORTEZ MASTO. I appreciate that. So you are still in the process of kind of fleshing out all the specifics with——

Ms. EVANS. Yes, ma'am.

Senator CORTEZ MASTO. ——respect to authority. Thank you. I look forward to working with you.

In your view, how are the threats to our water and power infrastructure assets evolving over time?

Ms. EVANS. It's my understanding, based on my previous experience, many of these systems are run by industrial controls types of systems and those types of things and so those are more operational technology types of activities. So, if confirmed, I would have to really dive deep into that to look at some of those implementation plans, some of those operational plans, and I do know, based on the plan that has been released by the Department in the Multiyear Cybersecurity Plan, that that takes into consideration both IT and operational technologies. So it would be a risk-based approach to look at that and then to actually get to those details and implement and develop those plans.

Senator CORTEZ MASTO. Thank you. I know you just mentioned cybersecurity. I know there is some conversation regarding that issue.

The public and private sectors must compete for a limited pool of highly-trained cyber experts. We have been having these conversations on the challenges we face in addressing this. We know because of that competition it creates a shortage of cybersecurity leadership and expertise. How can DOE develop the workforce to stay at the forefront of cyber defense?

Ms. EVANS. I am so happy you asked me that question. I'm very excited. That has been the basis of my work since I've left government is to close the gaps in cybersecurity, and I think that if I'm confirmed that DOE could really lead the way through a lot of innovative approaches to identifying talent, such as some of the approaches that we've taken with the U.S. Cyber Challenge using competitions, to identify certain skill sets that you're looking for.

For example, one of the things that we did was actually lay out SCADA systems. What would be the correct response when you are executing out on an incident in a SCADA system? Then we developed the competition around that and then we put it online and then we had people compete in that competition and then, based on their performance, we brought them to a boot camp. Then what we try to do is open up that aperture so that they can see all the possibilities of what they can do in a cybersecurity professional job.

So there are a lot of activities that are going on immediately as well as long-term through STEM and through working with colleges and changing their curriculum. I think that DOE, if I am confirmed, could really lead the way here.

Senator CORTEZ MASTO. Thank you. You know, I have to say, sitting in my last profession as the Attorney General, I chaired, kind of, a cyber task force and this is one of the issues that we were always tackling. It is so great to see and hear a federal agency that is actually focused on workforce and how to develop it and create a wonderful model that I think other agencies can emulate. So thank you. I so appreciate your response to that.

Mr. Simmons, I have a quick minute here. On June 21st, the White House released a proposal to reorganize the Federal Government with specific implications for DOE. Specifically, DOE's Applied Energy Programs would be consolidated into one office. It sounds like your position might be eliminated or folded into other offices. How does this proposal affect your job to support and propel the implementation of the EERE technologies?

Mr. SIMMONS. Well, I don't think that that reorganization proposal necessarily affects—well, I mean, who knows. It might eliminate the Assistant Secretary.

Senator CORTEZ MASTO. Have you seen any——

Mr. SIMMONS. I don't know that. I don't know. I don't see this proposal as eliminating the support for renewable energy and energy efficiency.

What I think this reorganization is trying to do is to have better coordination across the Department. One of the real challenges that we face in the Department of Energy is you have, say, the Office of Science working on a bioenergy issue, one of the offices in EERE, the Bioenergy Technology Office, I mean that's what they

do, as well, and then you have ARPA-E that's also funding bioenergy issues, and so it's important to coordinate across all three and this is by no means—this is just one example.

There are many examples of where there can be and should be better cross-office coordination. In that specific example, the people working on bioenergy all met recently to coordinate and that's a good thing. We need to continue that, but one of the real benefits I see to that reorganization proposal is kind of greater integration across the Department on people that are working on similar things.

Senator CORTEZ MASTO. Thank you. I noticed my time is up.

Congratulations again to all of you. Thank you.

The CHAIRMAN. Thank you, Senator.

Senator King.

Senator KING. Thank you, Madam Chair.

First, I think the record should show that it is impossible that Ms. Evans is old enough to have worked with Rob Portman at OMB——

[Laughter.]

——unless they hired teenagers.

The first thing I want to say is, and this is no disrespect to the Inspector General nominee, a very important position, but I think these three jobs are three of the most important positions in the United States Government.

Number one is cyber. It is something that is a crucial challenge facing us and I hope, Ms. Evans, as you are in the counsels of the Administration, there are two things I would urge you to urge.

One is to set up a structure so that there is one point of authority on the issues of cyber throughout the United States Government. I go to these hearings all the time and everybody says the "whole of government." When I hear that, I think none of government. That means nobody's in charge and nobody's accountable. I believe that we need a leadership position because there are at least seven or eight agencies by my count that have responsibilities in cyber, not to mention working with the private sector. So that's number one. Please urge the Administration to think about a cyber coordination function.

Secondly, we need a cyber doctrine or a strategy to make our adversaries understand that they will pay a price for a cyberattack on this country. Right now, there is no deterrence. We are entirely defensive and ultimately that is a losing strategy. So those are two things that I think are critically important to defending this country. Otherwise, we know that a cyberattack is coming at some point. It is the longest wind-up for a punch in the history of the world, and shame on us if we are not prepared for it. The best way to prepare for it is to deter it so that those who would attack us in this means understand that there will be a price to be paid. It will be a serious one. It will be proportional to the attack.

With that, I hope those are two messages that you can carry back.

Ms. EVANS. I would be happy to do that, sir.

Senator KING. Thank you.

Dr. Fall, no real questions, except to say for the work that you do in terms of science overall is absolutely critically important

going back to 10 or 15–20 years to the science support from the Department of Energy that led to the fracking revolution that changed the energy face of America, an incredibly important position. I am delighted to have a person of your qualifications and history in that position.

Mr. Simmons, I apologize. I was late for the introductory statements and I read your pre-filed testimony. I noticed that you said that your father is here from Utah and I have scanned the audience and I think I've——

[Laughter.]

Thank you, sir, for being here.

Mr. Simmons, you and I had what we would characterize and communicate as a full and frank discussion yesterday, and I think there are some points that you have made that are very important and I really appreciate them.

One is the emphasis on storage. I think that is the next big issue as we develop renewables. Storage is a crucial element and I really appreciate your looking at that and looking at it in a broad way, not just batteries but other kinds of storage, and efficiency, which you discussed with Senator Portman. The cheapest kilowatt hour is the one you don't use and there's tremendous potential for further efficiency developments.

Finally, I express my concern because your career prior to this job was in more conservative think tanks and critical of renewable energy and the development of these energy forms and your office provided a speech that you made to the Department that I think was reassuring to me.

So in the remainder of my time, give me some assurance that you are not here to diminish or undercut developments moving us toward a renewable future but, in fact, you are entering into this job not someone who is inimical to the mission but is supportive of the mission of the agency to which you have been appointed.

Mr. SIMMONS. Well, let me say to start with is that there is no other place in DOE that I would rather be than in the Office of Energy Efficiency and Renewable Energy, that the last year that I have spent there has been great and very fulfilling, and I have the opportunity to work with what I think are the best people in DOE, no offense to my other panelists.

You know, I believe in EERE's mission, which is to advance American leadership in renewable energy and energy efficiency, that this is a different job than jobs that I've had in the past. This job is to advance that leadership and to do it with the tools that Congress has given the leader of that office.

For the most part, that is to focus on R&D through funding and so it is critically important, as I view that role, that we are making sure that the funding gets—that we work hand-in-hand with the national labs, that we have a good R&D kind of roadmap, that we are talking with industry, that we're talking with stakeholders.

One of the things that I've worked very hard to do over the last year is to take meetings with almost everyone that would come and talk to me to hear their concerns, to hear from the industry about is this the correct roadmap, are we going in the right place, and so it's important from my perspective to talk to the solar industry, to talk to the wind industry, you know, industries that we've had

policy differences in the past, it is fair to say, to make sure that in this job, in this role, in promoting research and development, that, you know, we—well, that the Department is aligned with what research and development makes the most sense, that that is what I see as the role of the Assistant Secretary at EERE and, if I'm fortunate enough to be confirmed, that's what I will continue to do.

Senator KING. And will you commit to me that you will faithfully implement the policies established by Congress and the funding that are established by Congress for this office?

Mr. SIMMONS. Yes. One of the key parts to me about doing this job is to be a good soldier. I have tried to do that for the last year in the role as Principal Deputy Assistant Secretary, and I will do that in the future.

Senator KING. Thank you. Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator King.

I thank each of you. I have a couple more questions, having posed in the first round both to Ms. Donaldson and Ms. Evans. Mr. Simmons and Dr. Fall, again I appreciate both of you being up in Alaska in May—the engagement that you had not only with the leaders of our national labs but with Alaskans to better understand some of the challenges but also the opportunities that we have there. Mr. Simmons, I appreciate your comments this morning really keying in on how we work to address the affordability aspect of energy because in my state we are still the highest cost energy state. We are struggling but we have so many opportunities that we get very, very excited about and we are starting to see some of that.

Senator King will be interested to know that a company based out of Maine is now working with us in Alaska with the Marine Hydrokinetic Project, and they were successfully awarded a grant to move forward this summer with their river turbine. This is exciting for us as we deal with, again, the opportunities that come with challenges.

One of the things that I would ask you, Mr. Simmons, to commit to working with us on is this definition of microgrid, recognizing that the Department's definition of the term still stipulates that it has to be to connect and disconnect from the grid and, of course, in many parts of Alaska and in Hawaii, we have situations where independent microgrids are really the only means of providing electricity.

There are no grids to connect to or to disconnect from and knowing that we want to ensure that all these funding opportunities are made available—we do not want them to be confined by a definition. Hopefully, after your observations of what is going on in Alaska, you can help us work with that.

I would note that we have been successful recently, Cordova's project, allowing us to move forward. That again is one of those things where we want to know that we don't have anything that is holding us back there. So we would look forward to working with you on that.

Mr. SIMMONS. We will work with the Office of Electricity on fixing that definition.

The CHAIRMAN. Great, thank you. And, Dr. Fall, I wanted to mention to you the issue of critical minerals. As a Committee, we have spent a fair amount of time here trying to shed some light on just the overall importance of critical mineral dependence and, as you know, this is not just a matter of digging the minerals out of the ground. It is our ability to know where our resources are, to have reasonable regulations for our mining industry, and, third and fourth, and these are areas that you can help, is we have to be able to provide some low-cost energy to many of these mining facilities. They are in very remote places.

You want to talk about disconnected from the grid. There is no grid for hundreds of miles practically and so innovation with micro generators and microgrids. I look at some of the innovation that can go on in this space and think about the role that your office can take in really working to help support critical minerals and materials and also working with the Department of the Interior, along with DOE, to move the ball forward on establishing domestic supplies of critical minerals and critical materials.

I put this on your radar screen because, again, it is something we talk a lot about. Where we have been with oil—the World Gas Conference is this week—so there is a lot of discussion about what is going on with gas. It was not too many years ago where we were talking about building the import terminals for natural gas. We were on our last legs when it came to oil and so we recognize that with technologies, changes can come and can come in sometimes astounding ways.

I am very concerned, though, that we have a view toward our minerals that is very narrow. We are willing to take it from anywhere else on the globe, oftentimes at not only very high environmental costs but also very high human costs. The way these minerals are being extracted in certain countries is really not only wrong, it is a humanitarian issue. It is akin to a level of conscription that is just not acceptable. Knowing that your office would help us address some of these issues as they relate to critical minerals would be greatly appreciated.

Dr. FALL. Yes, ma'am, and I would offer that there are policy considerations, as you mentioned, and also, you know, developing technology to reduce the dependence on some of those critical minerals is something that we can help with, as well.

The CHAIRMAN. Very good. Well, I appreciate the testimony from each of you. I appreciate your willingness to serve.

To colleagues, I will just let you know that we are looking to schedule a hearing in the not-too-distant future here on these proposals that are floating around right now from the Administration about some of this reorganization.

I know about as much as you know about it in the sense that we are reading it in the trade journals, but I think for purposes of much of the discussion that we have heard here from these nominees for DOE, there are a lot of questions that we all have about how would this work, how would this mesh.

Mr. Simmons, I think your answer is very honest in saying I don't know yet. Well, we do not know yet either and we would like to get a little more information because it will certainly impact you.

Again, I thank you all for your willingness to serve. I thank the families that have joined you not only here in person today but telephonically and who give you that support to do important work for our country.

With that, this Committee stands adjourned.

[Whereupon, at 11:31 a.m., the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

U.S. Senate Committee on Energy and Natural Resources
June 26, 2018 Hearing: *Pending Nominations*
Questions for the Record Submitted to Ms. Teri L. Donaldson

Questions from Chairman Lisa Murkowski

Questions: How will you prioritize office of inspector general (OIG) resources when determining which reviews and investigations to undertake? How will you ensure that information from outside the government that may be relevant to an inquiry or an investigation will be considered by OIG personnel and accounted for in reports provide to Congress and the public?

Answer: OIG resources are currently prioritized using a risk-based approach. If confirmed, I intend to utilize a risk-based approach so that OIG resources will continue to be directed to the most significant areas of inquiry. OIG also currently relies upon information from outside of the government to fulfill its mission, and I intend to continue that practice, if confirmed.

Questions from Ranking Member Maria Cantwell

Question 1: Congress created the Office of Inspector General within DOE, as within other agencies, to provide an independent and objective unit to ensure the integrity of the Department. The Inspector General must detect and deter waste, fraud, and abuse by maintaining constant vigilance over the Department's programs and operations, report any problems she finds to the Secretary and Congress, and recommend corrective actions that are needed. But, at the end of the day, all the reports and recommendations in the world don't make a difference if no action is taken on them. How will you make sure that your recommendations are heeded and that the Department takes corrective action?

Answer: The most effective manner for the OIG to encourage the implementation of its recommendations is to make clear and practical recommendations, and then track and report the Department's implementation efforts.

Questions from Senator Ron Wyden

Question 1: The Hanford site is the most contaminated nuclear site in the United States, and DOE must be accountable for cleaning up its nuclear legacy there. I appreciate your response to my colleague, Ranking Member Cantwell, that you would make Hanford a priority. I believe that major changes in culture are required to ensure safety is the highest priority. One aspect of safety is protecting whistleblowers who come forward with concerns from their experience on the ground.

If confirmed, will you commit to protecting whistleblowers?

Answer: Yes.

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If confirmed, what specific steps will you take to improve the whistleblower protection culture at DOE?

Answer: I will commit to you that whistleblower safety and transparency will be a top priority for me if confirmed. Because I'm not currently employed at DOE, I have no direct experience with the culture of the Department.

Question 2: I am also concerned that despite spending billions of dollars over the past 25 years, not a single gallon of high-level radioactive waste in these tanks has been treated and there's no end in sight. I think it is time to fundamentally rethink the way in which the federal government is going about cleaning up Hanford. The mission of the Office of Inspector General is "to strengthen the integrity, economy, and efficiency of the Department's programs and operations."

If confirmed, will you commit to creating a public report that summarizes DOE operations at the Hanford site and makes recommendations to improve the integrity, economy, and efficiency of that program?

Answer: Cleaning up the waste at Hanford is one of the Department's most critical missions. If confirmed, I look forward to working with you and your staff to ensure the Hanford site has an efficient workforce, transparent review processes, and ample whistleblower protections.

Questions from Senator Mazie K. Hirono

Question 1: Congress and the public count on the inspectors general to ensure that federal agencies fulfill their responsibilities with efficiency and without fraud or abuse. If you are confirmed, you would be expected to be an independent voice within the DOE. Will you commit to standing up to pressure to do something that would be contrary to facts and against the public interest in your judgement?

Answer: Yes

Question 2: What would you do if you felt that your audits or recommendations were being ignored or delayed by the leadership of the Department?

Answer: The most effective manner for the OIG to encourage the implementation of its recommendations is to make clear and practical recommendations, and then track and report the Department's implementation efforts.

Question 3: To ensure the fitness of nominees for any of our appointed positions, I ask every nominee who comes before me to answer the following two questions:

a. Since you became a legal adult, have you ever made unwanted requests for sexual favors, or committed any verbal or physical harassment or assault of a sexual nature?

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Answer: No.

b. Have you ever faced discipline, or entered into a settlement related to this kind of conduct?

Answer: No.

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Questions from Chairman Lisa Murkowski

Question 1: This month Secretary Perry and Israeli Energy Minister Steinitz signed an agreement to establish the U.S. – Israel Research and Development Center, a joint energy research program between our two nations. One of the primary focuses of the Center is on energy cybersecurity. What role will CESER have in promoting that joint research? More broadly, what level of coordination do you see CESER having with our international partners, particularly with our North American neighbors?

Answer: If confirmed, I look forwarding to learning more and partnering with our international allies. I am unclear on the role CESER will play in international cybersecurity agreements, but I believe it is critical we share information with our allies regarding threats and system improvements mitigating threats and reducing risks to the energy infrastructure.

Question 2: I understand that there are many people in industry awaiting security clearances – what role do you think that you will be able to play in encouraging a better process at ensuring the right people have a clearance at the right time?

Answer: I have not been fully briefed on this issue and I look forward to learning more should I be confirmed as Assistant Secretary. Industry stakeholders having the appropriate clearance is a critical factor for information sharing as it relates to cyber threat mitigation.

Question 3: The Committee heard testimony at its March 1, 2018 hearing on cybersecurity risks for the energy sector that there is a need for what has been called consequence-driven cyber-informed engineering or CCE. The idea behind CCE is to lead to systems and equipment for industrial control that are designed and built with an understanding of cyber threats and risks such that those systems can be more readily defended. What is your view of CCE and are you open to making it a priority? If so, would multi-year funding enable greater operational support for CCE?

Answer: It is my understanding the idea behind CCE is to engineer out the cyber risk from the systems based on determining critical functions and high consequence events by understanding the vulnerabilities with the control systems. If confirmed, I would look forwarding to learning more about CCE in order to determine the appropriate processes and priorities for the reduction of cyber threats and risks associated with the energy infrastructure. I would work with Congress in accordance with the Department's budget processes to recommend the appropriate funding level request.

Question 4: I can envision two types of training for a cybersecurity attack. The first would involve the Information Technology (IT) specialists that work behind the scenes in keeping computers up and running throughout the grid. The second would involve the actual operators of those computers.

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- What are your objectives in ensuring that both will have access to the best training that they can get?

  Answer: The main objective is to ensure sustainability of our energy infrastructure during a cybersecurity incident. In order to accomplish this result, if confirmed, I would leverage existing training programs, address gaps in the training programs which could be identified through exercising existing response plans and adjust the training programs. As the threats are constantly changing, the training would need to be adapted to address reducing the associated risks.

- Do you think that cybersecurity training for our grid operators is sufficient at this time? What needs to be improved?

  Answer: I am not fully briefed on this issue at this time but should I be confirmed, I look forward to learning what type of training is in place as our grid operators should have the necessary skill sets in order to have situational awareness of the risks associated with their environment.

- Does training need to reach down to all grid operators, and not just a few?

  Answer: Just like system redundancy can mitigate cyberattacks, training redundancy can as well by ensuring all employees and stakeholders have the relevant skills sets to identify and mitigate an intrusion.

Questions from Ranking Member Maria Cantwell

Question 1: Over the past year, my colleagues and I have sent two letters to the President asking for an increased focus at DOE on cyber threats to energy infrastructure. While I appreciate the focus of the new CESER office, I am not convinced that the actions of the administration have kept pace with its rhetoric. True, the Cybersecurity for Energy Delivery Systems budget line item received a marginal 13 percent increase in funding in DOE's budget request. But that is not nearly enough to keep pace with the ever evolving threats. And the money is being taken out of other critical offices for grid reliability.

—The Transmission Reliability and Resilience Office is being reduced by 64 percent;

—the Resilient Distribution Systems office is being slashed by 80 percent.

Compare these numbers to this Committee's bipartisan energy bill that would double funding for cybersecurity at DOE without decreasing funding for other resilience programs.

- If confirmed, how will you make sure that DOE's focus on cybersecurity keeps pace with the evolving threat?

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Answer: By creating CESER, Secretary Perry is elevating the issue and I look forward to the challenges of running a new office with such an important mission, if confirmed. Information sharing with Congress and industry will be a major focus in addressing the evolving threat.

- How will you do so given the modest funding increase, which comes at the expense of other resilience programs?

  Answer: Many of the threats associated with the energy infrastructure can be addressed by ensuring basic hygiene is maintained for systems. Having situational awareness through information sharing with the private sector would assist in the resiliency needed.

Question 2: The new Cybersecurity, Energy Security, and Emergency Response office will have vast and critical responsibilities in addition to cybersecurity. The Infrastructure Security and Energy Restoration responsibilities include coordinating a national effort to secure U.S. energy infrastructure against all hazards, and coordinate emergency response efforts. In an energy crisis such as the one this country is still experiencing in Puerto Rico, your office will be in the national spotlight and the lives of potentially millions of Americans will be at stake. In Puerto Rico, the inability of patients to refrigerate their insulin and power their nebulizer machines have had devastating and fatal consequences. Given your IT background, but apparent lack of experience in energy infrastructure emergency response and coordination, how will you ensure that the federal government is fulfilling its duties in potential life threatening crises?

Answer: I have not been fully briefed on the Department's specific role in the Puerto Rico recovery process. From what I understand, one of the divisions of CESER, Infrastructure Security and Emergency Response (ISER), plays a critical role in the immediate response to emergencies that have affected energy infrastructure. However, I believe my IT experience is applicable as the concepts and skills are the same as many of the systems I have supported in the past were mission critical and needed to be operational at all times. If confirmed, I look forward to learning more about the Department's role in the disaster relief process, specifically the role ISER has in the process.

Question 3: I am particularly concerned about the threat Russia poses to the electric grid. Last year in Congressional testimony Admiral Michael Rogers suggested that Russia holds the cyber capability to cripple our infrastructure. In December 2015 and 2016, the Russians allegedly hacked several Ukrainian utilities, blacking-out hundreds-of-thousands of customers for several hours. Last June, I led a letter with 18 of my Senate colleagues requesting a thorough threat and vulnerability assessment with respect to Russia and U.S energy infrastructure. I and several of my colleagues received a classified briefing, but our group of 19 Senators is still awaiting a formal, public, written response to our request dated June 22, 2017 to President Trump and Secretary Perry. If confirmed, will you ensure that the 19 Senators, 6 of whom sit on this committee, receive a formal, written, public response that we and the country deserve?

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Answer: If confirmed, I look forward to being briefed on this issue in order to provide an appropriate response to the Congressional request.

Question 4: The CEDS cyber R&D program has a substantial track record in delivering key innovations with industry and utilities to harden the power system. This success is due in large part to strong engagement with other aspects of the OE R&D portfolio related to grid operations, control and protection systems developments. How do you envision maintaining this strong connection between cyber R&D and the balance of grid R&D within OE?

Answer: If confirmed, I believe one of my top priorities will be ensuring a close working relationship with OE. Establishing a positive working relationship in the early months of the formation of the Office will address the concern of maintaining the connection into the future.

Question 5: Security and resilience are a fundamental part of the DOE Grid Modernization Initiative which spans OE, FE, EERE, NE and now CESER. It has over 100 industry and state partners and strong support by this Committee. Please share your vision for how the CESER charter aligns with the Grid Modernization Initiative and its multi-year program plan, and your level of commitment to ensuring that CESER contributions to the overall Grid Modernization Initiative.

Answer: I am not fully briefed on the Department's Grid Modernization Initiative. If confirmed, I look forward to learning and participating collaboratively with the program offices within the department as well as the national laboratories, universities and private sector as appropriate.

Question 6: In the above referenced June 22 letter to President Trump and Secretary Perry, 19 Senators requested within 60 days an analysis of: a) the scope of Russian capabilities to use cyber-warfare to threaten our energy infrastructure; and b) the extent to which the Russians have already attempted cyber-intrusions into our electric grid, pipelines, and other important energy facilities. In previous hearings I have called for a cyber vulnerability and cyber threat assessment to be performed with respect to the nation's energy infrastructure.

The executive order that I believe you referenced at today's hearing ("Presidential Executive Order on Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure" of May 11, 2017) does not in any way address what I have called for. Instead, the executive order called for an assessment of "Electricity Disruption Incident Response Capabilities" which focuses solely on an assessment of the consequences of an incident, and not the threats posed to energy infrastructure or the specific vulnerabilities of the infrastructure to such threats.

Recognizing that the referenced executive order and the administration's response to the order does not address what I have called for, do you believe a vulnerability and threat assessment needs to be performed? When will you be able to present such an assessment to the committee?

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Answer: At the hearing I also referenced the "Worldwide Threat Assessment" which includes a cyber component. From what I understand based on question #3, you received a classified briefing that highlighted the threats to our energy infrastructure. If confirmed, I look forward to working with your staff on this issue and the information you seek.

Questions from Senator Ron Wyden

Question 1: I believe that multi-factor authentication is critical for cybersecurity. Right now, agencies are only required by the Federal Cybersecurity Enhancement Act of 2015 to utilize multi-factor authentication for administrative accounts on agency information systems. I think that multi-factor authentication should be required for all agency employees accounts.

If confirmed, would you advocate for DOE to utilize multi-factor authentication for all employee accounts on agency information systems?

Would you also evangelize the importance of multi-factor authentication to the energy sector?

Answer: Multi-factor authentication for information systems reduces risks. If confirmed, I look forward to working with you and your staff to ensure the Department's information systems are as safe as possible and addressing the importance of level of security for the energy sector as well.

Question 2: According to public reports, there is a lengthy backlog for DOE clearances. This means that many of the tech experts working for energy companies can't see the classified cyber threat data that DOE shares with the energy industry.

How concerned are you about this clearance backlog and its impact on energy sector cybersecurity?

Answer: I have not been fully briefed on this issue and I look forward to learning more and addressing this issue in an appropriate manner should I be confirmed as Assistant Secretary.

If confirmed, what will you do to speed things up?

Answer: I have not been fully briefed on this issue and I look forward to learning more should I be confirmed as Assistant Secretary. I also look forward to working with you and your staff to reach a viable solution.

Question 3: DOE is considering an emergency order to support coal and nuclear power plants, arguing they are necessary for the energy security of the United States. This contradicts the position of grid operators such as the PJM Interconnection, which said there is no immediate threat to system reliability. The effect this order would have is raising Americans' utility bills, potentially by as much as $65 billion per year.

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If confirmed, what range of stakeholder input would you consider if you were asked to determine whether the retirement of coal and nuclear plants threatens the energy security of the United States?

Answer: I have not been fully briefed on this issue and I look forward to learning more and addressing this issue in an appropriate manner should I be confirmed as Assistant Secretary.

Question 4: Part of the mission of this new office is responding to energy emergencies. Hurricanes Irma and Maria had a terrible impact on the grids on Puerto Rico and the U.S. Virgin Islands, and caused suffering for millions of Americans.

Given that your background is in information technology and cybersecurity, what specific steps will you take so that you are prepared to respond to energy emergencies?

What lessons from the response to Hurricanes Irma and Maria will you use to improve DOE's response to future emergencies?

Answer: I have not been fully briefed on the Department's specific role in the Puerto Rico recovery process. From what I understand, one of the divisions of CESER, Infrastructure Security and Emergency Response (ISER), plays a critical role in the immediate response to emergencies that have affected energy infrastructure. However, I believe my IT experience is applicable as the concepts and skills are the same as many of the systems I have supported in the past were mission critical and needed to be operational at all times. If confirmed, I look forward to learning more about the Department's role in the disaster relief process, specifically the role ISER has in the process.

Questions from Senator Joe Manchin III

Questions: As you may know, in 2015 and 2016, Ukraine experienced attacks on its power grid. These attacks moved across energy infrastructure and, because of the interdependencies the electric grid with other systems, an entire region was quickly and easily affected. Because of recent attacks in the US, my concern is only growing as these attacks are reportedly becoming more frequent and more complex.

From your perspective, what has been the single most helpful strategy or approach in helping owners and operators to stop these attacks in time to mitigate damage?

As you see it, are there policies at the federal or state level that you believe are hindering the ability to address cyber security?

Answer: The cyber threat landscape is constantly changing. It is important for owners and

operators to understand their operating environment and the associated risks. With this understanding, they would be able to implement risk mitigation plans to identify the attacks and implement appropriate responses. If confirmed, I look forward to reviewing DOE's role in helping prevent such attacks or the quick recovery from such attacks.

Questions from Senator Martin Heinrich

Question 1: Under sec. 215 of the Federal Power Act, the electric utility sector is the only critical infrastructure sector that has mandatory and enforceable standards for cybersecurity. However, the security of the interstate gas pipeline system shares many of the same control and data acquisition systems as power generators and the transmission grid. In your opinion, given the increasing dependence on natural gas in power generation, are current cybersecurity protections for natural gas pipelines sufficient? Or are additional or even mandatory measures needed to protect the interstate gas pipelines used for power generation?

Answer: Similar to the electric sector, physical and cybersecurity of crude oil, petroleum, and natural gas pipelines are critical. The Fixing America's Surface Transportation Act (FAST Act) codifies the role of the Department as the Sector-Specific Agency for energy cybersecurity. If confirmed, I look forward to working on ensuring pipeline security by working with industry and government partners.

Question 2: Investment in new power transmission infrastructure is essential to the future deployment of new pollution-free generation that will boost energy security and help diversify our power generation resources. What do you see as DOE's role in encouraging regional planning and investment in new transmission infrastructure that will enhance the reliability and resilience of the grid?

Answer: Investments in grid security and resilience, where needed, are critical to the security of our Nation and the affordability of electricity. If confirmed, I look forward to learning more about the Department's role in this space.

Questions from Senator Mazie K. Hirono

Question 1: Your testimony highlighted your past efforts on building up a cybersecurity workforce. The University of Hawaii and other colleges in my state have set up degree programs to meet the demand for qualified people to work in the Department of Defense, the private sector, and elsewhere. What lessons would you bring about cybersecurity workforce development, and how would you change what DOE is doing on the issue?

Answer: Ensuring a skilled cybersecurity workforce of the future is critical for the security of our energy infrastructure and the Nation as a whole. If confirmed, I look forward to ensuring DOE takes every opportunity to work towards achieving that goal.

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Question 2: As industrial control systems used in the power grid, pipelines, and other infrastructure become more complex, they becoming more connected and potentially more vulnerable. On the other hand, technical advances could potentially make these systems easier to protect because they can incorporate the latest state of the art security technology such as advanced encryption algorithms and other measures. In your opinion, is progress being made to ensure industrial control systems in the energy industry are more secure as the technology becomes better, or are we losing ground because these systems are becoming more complex and inherently more vulnerable to advanced persistent cyber threats?

Answer: The interdependencies of industrial control systems makes the energy sector more vulnerable to attack. Increasing the redundancy of these systems can make our critical infrastructure more secure, but not immune to cyberattacks. As these systems continue advance, it is possible to use machine-to-machine event management to identify and mitigate risks.

Question 3: In your view, how can the federal government help utilities and other energy industry members better understand and respond to cybersecurity threats?

Answer: Many of the threats associated with the energy infrastructure can be addressed by ensuring basic hygiene is maintained for systems. Having situational awareness through information sharing with the private sector would assist in understanding of cybersecurity threats in order to respond to the increasing risks.

Question 4: As an island state, Hawaii shares many of the same vulnerabilities of Puerto Rico, starting with the fact that each island is its own grid. If confirmed, you would be responsible for leading DOE's efforts to help restore power and other emergency response efforts. What have you learned from the federal government's response to the large-scale loss of power in Puerto Rico after last year's hurricanes, and how will you help speed up the pace of getting energy resiliency solutions in place if you are confirmed?

Answer: It is my understanding the Department recently released their report regarding the response and support of Puerto Rico. If confirmed, I look forward to learning about the lessoned learned in the Department's response and applying them for future emergency response efforts.

Question 5: To ensure the fitness of nominees for any of our appointed positions, I ask every nominee who comes before me to answer the following two questions:

a. Since you became a legal adult, have you ever made unwanted requests for sexual favors, or committed any verbal or physical harassment or assault of a sexual nature?

   Answer: No.

b. Have you ever faced discipline, or entered into a settlement related to this kind of conduct?

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Answer: No.

Question from Senator Tammy Duckworth

Question: The newly created Office of Cybersecurity, Energy Security, and Emergency Response (CESER) is tasked with protecting our energy infrastructure from natural disasters and other security threats. 2017 has already experienced a significant number of natural disasters, including heat waves, hurricanes, flooding and drought. Extreme weather events heavily tax the grid and threaten consumers' access to reliable electricity. As the United States Geological Survey observed:

"With increasing global surface temperatures the possibility of more droughts and increased intensity of storms will likely occur. More heat in the atmosphere and warmer ocean surface temperatures can lead to increased wind speeds in tropical storms. Rising sea levels expose higher locations not usually subjected to the power of the sea and to the erosive forces of waves and currents."

Ms. Evans, if confirmed to be Assistant Secretary of CESER, how will you direct the Office to address the growing threats to the electric grid from climate change?

Answer: From what I understand, CESER focuses on coordinating preparedness and response to cyber and physical threats and natural and man-made disasters to the energy infrastructure. If confirmed, I look forward to looking into this and working with your staff.

Questions from Senator Catherine Cortez Masto

Question 1: On January 8, the Federal Energy Regulatory Commission (FERC) unanimously rejected DOE's grid resiliency proposal to provide support for failing coal and nuclear plants, saying there is no evidence that any past or planned retirements of coal-fired power plants pose a threat to reliability of the nation's electric grid. Subsequently, a leaked DOE memo from May 28 would compel grid operators to buy electricity from at-risk plants under the auspices of national security. Considering there is no emergency to respond to, it's hard to envision how propping up at-risk coal and nuclear plants might be implemented under the auspices of national security. What would such an emergency look like that would keep these plants online, that couldn't be rectified with the grid system and resources we already have today?

A. Do we know for sure that keeping obsolete plants would provide a benefit to the electric grid?

   Answer: I was not involved in the decision making processes for either the proposal or the leaked memo cited above. However, baseload generation, such as coal, nuclear, and hydropower, provide cheap, reliable energy to the grid. This office is to address energy security by ensuring the nation has ample resource adequacy that can help prevent and

recover from emergencies, such as cyberattacks to the grid. If confirmed, I look forward to learning more about this issue and providing the necessary information to the appropriate policy makers.

B. Since there is no energy shortage and these plants are not low-cost generators, is it possible that these plants would be kept from retirement – yet also not generate any power?

Answer: I am not fully briefed on this issue and if confirmed, I look forward to learning more and providing the necessary information to the appropriate policy makers.

C. If the plants are neither retired nor generating power, what would the net effect be on employment and rates in the related markets? Essentially, who would be benefitting, just the owners?

Answer: I am not fully briefed on this issue and if confirmed, I look forward to learning more and providing the necessary information to the appropriate policy makers.

Question 2: Are there vulnerabilities to cleaner energy sources, such as natural gas or renewables, as that other power sources do not experience, or vice-versa? For instance, is cyber security somehow a larger concern for these resources than for coal or nuclear?

Answer: Natural gas pipelines add another level of vulnerability as they are susceptible to attack. Renewable sources are variable and integrating them onto the grid is more difficult because sometimes supply and demand do not match. As all delivery systems rely on technology and become more complex, risks and vulnerabilities will continue to increase. If confirmed, I look forward to learning more about energy sources and potential associated risks in order to provide the necessary information to the appropriate policy makers.

Question 3: Would you agree that there is no industry immune to cyber threats?

Answer: Yes

Question 4: Shouldn't we should be focusing our resources on the resilience of the system rather than propping up companies that aren't economically viable under the veil of national security?

Answer: The resilience of the electric system is paramount and if confirmed, I will commit to work to ensure we have a reliable, resilient grid.

Question 5: It is my understanding that 96 percent of electricity outages are from transmission and distribution problems, not from a lapse in generation. Under your leadership, what would CESER do to create a stronger, more resilient electric grid?

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Answer: From what I understand, traditional outages on the transmission and distribution system is more within the jurisdiction of the Office of Electricity, Delivery, and Energy Reliability at the Department.

Question 6: How will you work with DHS and DOE's Hydropower Program in the Water Power Technologies Office (housed within the Office of Energy Efficiency and Renewable Energy – EERE) to address threats to our hydropower facilities?

A. Can you elaborate on the respective authorities and responsibilities in this context?

   Answer: It is my understanding that DOE works with DHS in their role as the Sector Specific Agency for the energy sector to address these threats. If confirmed, I look forward to learning more about the specific threats to ensure associated roles and responsibilities are appropriately addressed.

B. In your view, how are the threats to our water and power infrastructure assets evolving over time?

   Answer: I am not fully briefed on the threats at this time in this area. If confirmed, I look forward to gaining a better understanding of the threat landscape.

C. What resources are further required to meet the threat today and in the future?

   Answer: I am not fully briefed on the threats at this time. If confirmed, I look forward to conducting the analysis to identify the necessary resources to address the threat on an on-going basis.

D. What are some of the threats you see that aren't getting enough attention?

   Answer: I am not fully briefed on the threats at this time. If confirmed, I look forward to conducting this analysis and working your staff to address concerns you may have.

Question 7: In 2017, the State of Nevada created the Office of Cyber Defense which serves as the primary focal point for cyber threats and security across the state. Along with the State Cyber Defense Coordinator, this office serves as the primary conduit with the federal government, as well as the primary entity managing cyber threat issues across the State of Nevada. How can the federal government best coordinate with State cyber offices like Nevada's to perform cyber threat analysis and reporting of threat information?

Answer: Based on my experience, the Multi-State ISAC shares information from multiple sources such as DHS with state, local and tribal governments. Additionally, it is my understanding DOE has information sharing resources as well and this information coordinated with DHS. If confirmed, I look forward to learning more regarding our efforts for sharing information in order to better coordinate preparedness and response to incidents.

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Question 8: I am very concerned that the White House recently eliminated the cybersecurity advisor role and separated those responsibilities to two lower-level staffers. Eliminating this role only increases the concern that this administration is short-handed and unprepared to deal with increasing cybersecurity threats. Does the threat from cyber security attacks, whether it be on the electric grid, transportation systems, electoral systems, corporate assets, etc. not warrant a heightened level of prominence within the highest levels of decision-making for our country?

A. Would you recommend reinstating this position?

Answer: The cybersecurity threat is real and that is why Secretary Perry has created this Office for which I have been nominated to lead. If confirmed, I would ensure the Secretary and other policy makers receive the appropriate information regarding threats to the energy infrastructure for decision-making.

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Questions from Chairman Lisa Murkowski

Question 1: During Alaska National Lab Day I know you heard quite a bit about the opportunities for partnerships between Department of Energy's National Labs and Alaska's innovators – at the University of Alaska, in private industry, and in our local communities. I was wondering if you could share any particular thoughts on how you, if confirmed, can help build meaningful partnerships to find solutions to our common national Arctic challenges.

Answer: The Office of Science is actively engaged in Alaska primarily through its programs under Biological and Environmental Research that actively monitor, sample, and model the region and science related to the Arctic. This research plays an important part in maintaining resilient infrastructure and communities in the Arctic. I had the opportunity to spend an afternoon touring the Geophysical Institute at the University of Alaska at Fairbanks, and to discuss with the Director additional opportunities for collaboration with DOE. I look forward to working with you and your staff on the issues important to the Alaska and the Artic.

Question 2: ARPA-E has had tremendous success by being nimble, innovative, and bringing collaborative groups together to scope out highly focused and impactful R&D programs. It has also had success in translating DOE-sponsored R&D into commercial concepts. While I recognize that the Office of Science works in a much different R&D space, are there particular lessons learned or best practices that you learned from your time at ARPA-E that you plan to bring with you to your new role as the Director of the Office of Science?

Answer: ARPA-E benefits from unique authorities granted by the Congress, including special personnel authorities that allow for term-hire "tours of duty" by exceptional technical experts, and no-year money for S&T funding. In addition, there is a culture of reducing bureaucracy and pushing decision making down to levels where it is most effective. I do believe that many of the cultural aspects of ARPA-E are translatable in part to the Office of Science and, if confirmed, it will be a goal of mine to do this.

Question 3: You've probably heard me discuss the loss of U.S. global leadership in nuclear energy. I've also often discussed the challenge posed to the U.S. by our competitors, like China, in commercializing and deploying other clean energy technologies – notably energy storage, solar, and advanced vehicles. I know that we still have the greatest minds in our universities and National Labs, and that our private industry is ready to aggressively innovate, but we have to build public-private partnerships that accelerate our innovation. The U.S. cannot afford to allow China to corner the international markets on all of these advanced clean energy sectors.

- Are you concerned about a loss of U.S. global leadership in clean energy technology?

  Answer: It is a critical national security and economic issue that America remains the global leader in all energy technologies. Many of these technologies are also dual or multi-use with applications to national security, space, and other areas.

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- Consistent with the President's "energy dominance" agenda, how can, and will, the Department of Energy work to reverse these trends and reestablish U.S. global leadership on clean energy technologies?

  Answer: Most advanced clean energy technologies are highly dependent on advances in materials. In addition to existing enablers like advanced computing and future game changers like fusion energy, the Office of Science most directly contributes to renewable energy technology by maintaining world leadership in basic materials sciences.

- Are there other Department of Energy technologies or research areas, for example exascale computing, quantum information science, or microbiome research to name a few, that are particularly important for the U.S. to maintain or reestablish global leadership?

  Answer: Global leadership in science and technology is a key competitive deterrent for national and economic security. Adding to this list I would include artificial intelligence and machine learning, and Quantum Information Sciences is a key opportunity for U.S. leadership. If confirmed as Director, I will work with my counterparts across other offices such as Fossil Energy and Energy Efficiency and Renewable Energy and other agencies to reduce our reliance on foreign supply of critical minerals.

Questions from Ranking Member Maria Cantwell

Question 1: Do you commit to support and advocate for the mission of the Office of Science for delivery of scientific discoveries and major scientific tools to transform our understanding of nature and to advance the energy, economy, and national security of the United States? Do you commit to support the Scientific Integrity Policy and protecting the scientific integrity of DOE's work?

Answer: Yes.

Question 2: A bipartisan Commission recently recommended that the national labs be sufficiently funded to maintain their critical capabilities and facilities. The Commission also recommended numerous reforms targeted at the Department of Energy to improve the effectiveness of the Labs. Secretary Moniz and Secretary Perry have committed to implement these reforms.

- Will you commit the Department of Energy to continue to value and support the important work of the National Labs?

  Answer: Yes.

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- Will you commit to continue to implement the recommended reforms of the Commission to Review the Effectiveness of the National Energy Laboratories?

  Answer: Yes

Question 3: If confirmed, you will be responsible for stewarding some of the most advanced scientific facilities and research capabilities in the world, and among the world's best and brightest minds in climate science and related disciplines.

- What are you views on climate change and the human role in climate change?

  Answer: Being careful to highlight that I am not a climate scientist and that I have not studied the issue in any professional detail, I do agree that the climate is changing and that humans contribute to such change.

- Do you believe it is in our nation's best interest to continue to collect and make available to the scientific community the data and modeling capabilities necessary to understand how our climate is changing, and what it means for our national security, our infrastructure investments, our economy and our citizens?

  Answer: Having a transparent data collection process is a necessary step in reaching valid scientific conclusions.

- Will you commit to defending these programs at DOE, ensuring that they are adequately funded, and protecting the integrity of the science they generate from political interference?

  Answer: If confirmed, I will provide my best and most honest counsel to the Secretary, I will represent and defend the Secretary's positions, and I will follow any guidance that the Administration and the Congress agree upon. I will assure that the programs I oversee are conducted with scientific integrity.

Questions from Senator Ron Wyden

Questions: Scientific integrity, and the independence of scientists are very important to me. For the Office of Science to fulfill its mission, DOE employees must be able to do their jobs. This means ensuring sound science without consideration or fear of political interference

Will you commit to protecting the Office of Science from political interference?

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Answer: Yes.

Will you advocate to Secretary Perry and the President for the resources necessary for the Office of Science to fulfill its mission?

Answer: Yes.

Questions from Senator Debbie Stabenow

Question 1: First, I would like to express my appreciation to the Administration for requesting $75 million for the Facility for Rare Isotope Beams in the FY2019 budget. As I've emphasized on many occasions to Secretary Perry, the FRIB project, administered by the Office of Science in partnership with Michigan State University, will play a critical role in advancing new national defense, environmental science, and medical technologies. FRIB will be the world's most powerful radioactive beam facility providing more than 1,000 new rare isotopes for research and will generate approximately $187 million in new tax revenues and $4 billion in state-wide transactions.

Recognizing the importance of FRIB, the State of Michigan and Michigan State University have made significant financial commitments to ensure this project is realized. And, as you may know, FRIB is on schedule for completion in FY2021 – with federal funding for the project continuing on a downward path to $5.3 million in FY2021.
Are you familiar with this project, and could you provide me with an overview of how the Office of Science will continue its support for the project through construction?

Answer: I am familiar with this project but have not been briefed in any great (or non-public) detail other than that the Office of Science considers completion to be a key priority, that it is ahead of schedule, and that the project has been, in their opinion, well managed. I have been briefed on the extensive and exemplary Office of Science project management framework, and from what I can tell it should lead to the timely and efficient completion of the project. I plan to visit FRIB in July.

Questions from Senator Joe Manchin III

Questions: I would like to hear your thoughts on what you believe the DOE's role should be for the commercialization of technologies. I think it is fair to say the Administration is prioritizing early stage research and development, and allowing the private sector to step in when the time comes to take new technologies to commercialization. That's fine – but there are some instances where the private sector is not willing to finance and needs the right signals to keep innovative technologies born in our labs and universities from falling into the innovation gap or "valley of death". Congress recognized that this was a potential problem and has armed the DOE with a

few tools in its toolbox to help finance promising technologies. Unfortunately, these programs like Title XVII and ARPA-E have come under fire.

What role do you think to DOE should take when it comes to financing commercialization activities?

Answer: The Department and, in particular, the Office of Science, focuses on early-stage and fundamental research. DOE regularly collaborates with the private sector on research and discovery that enables the development and refinement of technologies, and makes available an extraordinary array of user facilities for such work. It is my understanding that the Administration believes that financing the commercialization of technologies should primarily be a responsibility of the private sector.

Do you support the Title XVII Loan program?

Answer: I am not familiar in any detail with the Title XVII Loan Program, which is a responsibility of the Under Secretary for Energy. I would defer judgement about this program to those responsible for it.

Questions from Senator Martin Heinrich

Question 1: I was pleased to see the Office of Science's 2019 budget request restored full funding for the energy storage innovation hub known as JCESR. If you are confirmed, will you make it a priority to complete a five-year renewal of this important, cutting-edge research partnership among private industry, universities and the national labs?

Answer: If confirmed, I will work to ensure that energy storage remains a priority for the Office of Science. Storage has the potential to transform the electric grid in a positive way, with industry, universities, and the Labs all playing critical roles. I will follow the funding allocations that the Congress and the President agree upon.

Question 2: New Mexico has two of DOE's national security labs, Los Alamos and Sandia; both play key roles in a number of the Office of Science's cutting-edge research programs, including battery storage, bioenergy, nanotechnologies and advanced computing. What do you foresee as the future role for the NNSA labs to contribute to SC's mission?

Answer: The NNSA laboratories are already well integrated into the programs of the Office of Science, and I believe that this should continue and to grow. The NNSA laboratories have unique capabilities useful well beyond the NNSA mission.

Question 3: I continue to be very interested in the potential of electric power from fusion energy. Recently, we've seen some very exciting new developments out of MIT on high-field superconducting magnets. What are your thoughts on the prospects for fusion energy and DOE's future role in fusion research?

Answer: While we are still far from achieving useful fusion technology, the potential benefits from fusion are so great that I believe we should continue to support this work. It is also notable that there is significant private sector investment in even early stage fusion research, which speaks to the perceived importance of the technology and which will allow DOE to better leverage government investment.

Question 4: You cite your previous position at the Navy directing STEM and workforce programs. The Office of Science also has a workforce development program for teachers and scientists. In your view, is the United States on track to graduate enough people with STEM degrees to fill demand in the energy sector? Can you identify the holes in the educational pipeline that is leading to this gap and what more can the Office of Science do to help fill this gap?

Answer: The energy sector is highly dependent on STEM skills both for research and development and for operations, and one concern is the rapid aging and pending retirement of a large cohort of STEM talent across many sectors. In general, experiential learning through internships and educational visits (to labs or energy infrastructure) are a great way to get students of all levels interested in STEM relevant disciplines such as energy, and to attract them to the private sector or to the government. One opportunity that could be better leveraged is technical vocational training for operation of both our laboratories and our energy infrastructure. Veterans often have great technical ability and training and are ideal candidates for such programs. I do recognize and support the idea that the Office of Science has a special responsibility for stewardship of the pipeline of highly trained scientists critical to the physical sciences mission it leads for the U.S.

Question 5: I continue to be very supportive of NNSA's and the Office of Science's cross-cutting Advanced Scientific Computing initiative, a unique private-public partnerships among the National Labs, the U.S. computing industry, and academia that will reassert our preeminence for exascale and quantum supercomputing. Do you agree there should continue to be a high degree of coordination between NNSA's and SC's ASC programs to maximize benefits and take full advantage of synergies among the national laboratories?

Answer: Yes. Coordination and exploitation of synergies are both important, as is supporting more than one approach to this critical area of technology competition.

Questions from Senator Tammy Duckworth

Question 1: The Long-Baseline Neutrino Facility/ Deep Underground Neutrino Experiment is an internationally designed, coordinated and funded program to study neutrino science and proton decay. This experiment seeks to answer fundamental questions about the universe and

will result in revolutionary discoveries in physics. Fermi National Lab in Illinois is a key institution in this endeavor.

The project has 32 partner countries, more than 1,000 scientists, and $300 million in financial contributions from other countries. Dr. Fall, if confirmed, will you commit to continuing the Office of Science's support for critically important research project?

Answer: Yes, presuming Congress and the Administration continue to make it a priority.

Question 2: On June 21, 2018, the White House released its reform plan and reorganization recommendations for the Federal Government, which included restructuring the Office of Science. This plan stated that the Trump Administration is "evaluating several proposals to merge and consolidate field and headquarters activities to improve efficiency and reduce costs." The proposal also references streamlining the office and reducing staff. This is particularly concerning in light of the President's fiscal year 2019 budget submission that proposed dramatically cutting Office of Science funding by 14 percent.

Dr. Fall, if confirmed, would you oppose drastically cutting the Office of Science's funding by 14 percent and will you commit to opposing staff reductions and closing offices as part of a consolidation or restructuring effort?

Answer: If confirmed, I will defend both the Administration's budget proposals and the Administration's proposed reorganization plan. I also will fully and transparently execute the guidance that the Congress and the President agree upon regarding spending and organization of the Department.

Questions from Senator Tina Smith

Question 1: In December, the White House released the latest scientific update to the National Climate Assessment (the Climate Science Special Report). It found that the earth is rapidly warming and that it will continue to do so unless greenhouse gas emissions are drastically reduced. This is leading to all sorts of negative environmental and public health consequences. Do you accept what your own scientists are telling you—that the climate is rapidly changing?

Answer: Being careful to highlight that I am not a climate scientist and that I have not studied the issue in any professional detail, I do believe that the climate is changing.

Question 2: Do you accept that this change is overwhelmingly driven by human emissions of greenhouse gases?
Answer: Being careful to highlight that I am not a climate scientist and that I have not studied the issue in any professional detail, I believe that anthropogenic emissions of greenhouse gases contribute to climate change.

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Question 3: Do you accept that a changing climate will bring costs and benefits in terms of economics and human health?

Answer: Yes

Question 4: Do you believe that it is important that we predict and quantify such impacts?

Answer: Yes

Question 5: Will you pledge robust and continued support for DOE Office of Science research on economic, environmental, and health consequences of climate change?

Answer: If confirmed, I will follow the guidance that Congress and the President agree upon regarding this issue.

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Questions from Chairman Lisa Murkowski

Question 1: With regard to rural energy prices, Alaska has more than 200 rural and remote communities, and many of them are still paying $9 a gallon for home heating fuel. This is the biggest challenge facing rural Alaska, and I cannot overstate the importance of reducing those costs. Will you commit to working with me – and, again, many other Alaskans – to help us tap into our renewable energy potential, expand microgrid research, and otherwise help us find ways to resolve our rural energy crisis?

Answer: Yes.

Question 2: According to the Alliance for Green Heat, in most northern states, including Alaska, 25 percent or more households use wood or pellets for primary or secondary heat. Even if burning woody biomass is not an "early stage" technology, there is certainly plenty of room for innovation. If confirmed, will you support the continued modernization of wood and pellet heating energy technologies in your role as Assistant Secretary for EERE?

Answer: Yes.

Question 3: There are nearly 100 villages in Alaska that could benefit from the promise of marine hydrokinetics – or marine renewable energy – should the right resources be provided to the program. I know you are familiar with the marine energy project and research and development that has gone on and will be, thanks in part to EERE, continuing in Igiugig. As you have now spent over a year in an acting capacity for the role for which you are now nominated, what is your view of marine hydrokinetics as a future electricity source? Has that view changed at all based on your experiences at EERE over the last year or so?

Answer: My views on marine hydrokinetics have definitely changed over the last year. The biggest thing I have learned is about the potential for marine hydrokinetics to help generate electricity in remote locations including for remote villages or on islands. If confirmed, I will work to increase the viability of this technology through efforts to drive down deployment costs.

Question 4: What is your view on the appropriate role of hydropower as part of our nation's electricity portfolio? Will you highlight the role of hydropower as a renewable resource and commit to supporting it?

Answer: I support all generation sources and believe hydropower is a critical generation source. Hydropower is a low-emissions, reliable, renewable source that will play a crucial role in the grid of the future.

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Questions from Ranking Member Maria Cantwell

Question 1: You were leading EERE for over a year prior to your nomination. What are your priorities for the organization?

Answer: My priority is to support affordable and reliable energy to enhance economic growth and energy security. EERE advances research and development to make renewable energy and energy efficiency technologies more affordable and support the integration of renewables into the electric grid. For example, we are taking a holistic view of energy storage to make sure that we drive down the cost of energy storage while exploring other technologies that can provide grid services similar to batteries.

Question 2: Have you played any role in Secretary Perry's efforts to stop the closing of unprofitable coal and nuclear power plants?

Answer: No.

- If so, please describe.
- Do you think it is the Department's role to keep uncompetitive, high-cost power generators in business?

Answer: If confirmed, it will be my role to help reduce costs of all renewable and energy efficiency technologies.

Question 3: Have you played any role in the Administration's proposal to sell off Bonneville, TVA, and federal transmission assets?

Answer: No

- If so, please describe.

Question 4: The Trump administration's proposed 2019 budget recommended funding EERE at $696 million, a cut of $1.3 billion below the 2017 budget.

- As the Acting Assistant Secretary for EERE, were you aware of the level of funding that would be proposed by the President's budget prior to its public release?

Answer: Yes

- What role did you play in any of the decision-making behind these proposed cuts?

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Answer: I worked with EERE staff to prioritize funding based on the proposed budget. For example, we prioritized the early-stage research and development being conducted at the National Renewable Energy Laboratory.

- Did you have any role in determining which EERE offices would need to be cut or eliminated if this level of funding was enacted and how did you prioritize the efficacy of existing programs over others?

Answer: Yes, I worked with EERE staff to identify and support early-stage research and development that had the potential for the highest impact on our priorities: affordable and reliable energy.

- If EERE was funded at the President's 2019 budget request, how many FTEs do you estimate would have needed to be eliminated at EERE or national labs that are funded by EERE?

Answer: The EERE FY 2019 Program Direction Budget Request is adequate to maintain and support a world-class Federal workforce that manages mission critical early-stage research and development and regulatory functions in sustainable transportation, renewable power, and energy efficiency. The Budget Request will also adequately address our Nation's energy and environmental challenges. In keeping with the direction to generate efficiencies and reduce the cost of government, and to align with reductions in technology program budgets, the Department proposes to reduce EERE-funded Full-Time Equivalents by approximately 34 percent from the FY 2017 level. The specific reduction will be adjusted as required. If Congress appropriates an R&D program significantly higher than the request, the associated Program Direction funding level would need to be similarly increased to avoid FTE reductions.

- The President 2018 budget request also proposed a radical cut to EERE's budget to $636 million, if you are confirmed will you work to better align the President's future budget requests to Congress' clear preference to maintain at least level funding for EERE?

Answer: I support the President's budget and recognize the important role Congress plays in determining the Department's funding levels and I will follow the budget decisions that the Congress and the President agree upon.

Question 5: Appliance standards will have saved consumers and business nearly $2 trillion by 2030. The average U.S. household saves about $500 per year on their utility bills thanks to existing, common sense efficiency standards, while modern appliances provide more features and cost less in real dollars than appliances available even a few years ago.

- Do you have any disagreement with these savings estimates? If so, please explain.

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Answer: There are large estimated consumer savings from appliance standards. Advances in energy efficiency have been driven over time by a combination of market-driven efficiency improvements and federal appliance standards. I support the Department's efforts to examine the full range of benefits and costs for these standards, including the upfront cost of new appliances, reductions in energy and water consumption over time, distributional effects, payback period, the time value of money, and the effects of consumer behavior on energy consumption.

Question 6: You've been at EERE for over a year and during that time DOE has missed 23 deadlines for products. How many standards will you finalize by the end of the year?

- When can we expect to see the ANOPR on the process rule?

Answer: Per the information provided in the Spring Unified Agenda, DOE is currently working on a Notice of Proposed Rulemaking (NPRM) for the Process Rule and plans to publish a proposal in the Federal Register in the coming months. The Department is currently engaged in preparation of the Fall 2018 Unified Agenda, which will provide an updated timeline for the rulemaking. We will follow the legally required process in EPCA, APA, and the Process Rule in the promulgation of our rulemakings. When we reach conclusion of the process, we will issue final rules.

- There are three standards that were upgraded on the spring regulatory agenda from "long term action" to "active" – commercial water heaters, furnaces, and external power supplies. Please provide an update of what DOE is working on related to these three standards and what the next steps are, with dates.

Answer: Per the information released in its Spring Unified Agenda, DOE expects to take action on commercial water heaters, furnaces, and external power supplies in the coming months. In the Agenda DOE indicated that it expects to release a final action on external power supplies in July 2018, a supplemental notice on furnaces in September 2018, and a determination on commercial water heaters in October 2018. The Department is currently engaged in preparation of the Fall 2018 Unified Agenda, which will update the timelines for these rulemakings. When that edition of the Agenda is published, the information about DOE rulemakings will be accurate for the time of its release. Each subsequent edition of the Agenda will likewise be updated to provide information as each DOE rulemaking moves through the various stages of the required process.

- Please provide the same update for the four standards that have been on the Active list since the fall 2017 regulatory agenda (fluorescent lamp ballasts, room AC, cooking products, clothes dryers).

Answer: Per the information released in its Spring Unified Agenda, DOE expects to take action on fluorescent lamp ballasts, room air conditioners, cooking products, and clothes dryers in the coming months. It is important that DOE has test procedures in place prior to engaging in

rulemaking to revise or establish an energy conservation standard. This is necessary to ensure parties understand the technical parameters that will be assessed in considering whether more stringent standards are justified for a particular product. Accordingly, these standards will be preceded by any necessary updates to the existing test procedures for those products, which adds context to DOE's timeframes for these standards. We also note that DOE recently received a petition for rulemaking to withdraw the cooking products test procedure. DOE is currently seeking public comment on that request.

In the Agenda DOE indicated that it expects to release a preliminary analysis on clothes dryers in August 2018, a supplemental notice on cooking products in October 2018, a preliminary analysis on fluorescent lamp ballasts in November 2018, and a preliminary analysis on room air conditioners in December 2018. The Department is currently engaged in preparation of the Fall 2018 Unified Agenda, which will update the timelines for rulemakings. When that edition of the Agenda is published, the information about DOE rulemakings will be accurate for the time of its release. Each subsequent edition of the Agenda will likewise be updated to provide information as each DOE rulemaking moves through the various stages of the required process.

- What is DOE's next step on manufactured housing?

Answer: Currently, this matter is in litigation. It is my understanding that DOE does not comment on matters in litigation.

Question 7: According to DOE's February report on appliance standards, DOE has missed 23 statutory deadlines for products with another 40 upcoming deadlines. It's hard not to see this as intentional when the President's Budget set a goal of completing only 3 appliance standards in FY19. In the 6-26-18 hearing, you said the appliance standards backlog was partially due to needing to get the standards right because statutory anti-backsliding rules prevent DOE from fixing rules. DOE has had this statutory role for 40 years.

- Please explain this apparently new concern about getting the rules right.

Answer: While DOE is striving to meet its legal obligations, the Department is also committed to undertaking the necessary steps to ensure that its regulatory actions are well informed and appropriately analyzed. As I noted in the nominations hearing, this involves working toward the statutory deadlines as well as ensuring the rules can withstand judicial scrutiny. As a result of the anti-backsliding provision, we need to ensure the rulemaking has been conducted in a manner that is consistent with applicable statutory requirements before issuance.

- DOE already runs a robust and transparent process for rule development and review. Why is the current process insufficient and what does DOE intend to change about the process by holding these rules up?

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Answer: DOE has worked hard to establish a process that includes a wide spectrum of stakeholders in the development of new energy conservation standards. These stakeholder perspectives are a crucial component of the rulemaking process at the Department.

Careful deliberation is necessary upfront in the rulemaking process because these standards affect nearly every American household and because it is not possible to revise these standards retrospectively. This deliberation helps to guarantee that affected households and businesses will benefit from any new standards, and that new standards will not result in distributive effects that have disparate impacts on particular regions, low-income households, or small businesses.

Question 8: The last two budget proposals eliminated both the Weatherization and State Energy Programs.

Did you recommend that these programs be eliminated?

- If confirmed, will you recommend their elimination again?

Answer: I did not specifically recommend the elimination of those programs. I support the President's budget and recognize the important role Congress plays in determining the Department's funding levels.

Question 9: I am concerned about the ability of the Office of Energy Efficiency and Renewable Energy to have the talent and human-power to accomplish its mission. I understand there are many fewer career federal employees at EERE than there were when this Administration started.

- What was the staffing level when this you started and what is it now? Please provide detailed data on both federal and contractor staffing levels for every EERE program office and support operations.

Answer: EERE's federal staffing levels in January of 2017 was 702 and currently the federal staffing level is at 602. EERE has over 3,000 contractor staff across 13 National Laboratories and other support contracts. The overall contractor staff has not decreased since we were able to maintain, and in some cases increase, our overall funding to the National Laboratories. With the budget uncertainty at the start of FY18, EERE made a concerted effort to forward fund the labs to ensure that they would not experience fluctuations in funding which could adversely affect the workforce.

- Has there been any changes to SES positions?

Answer: Since the start of the Administration, EERE has had nine SES members leave EERE as a result of retirement or to seek opportunities within the Department or outside of Federal

Government. EERE has made several internal reassignments to fill vacancies and has pursued limited term appointments to put people into roles on a temporary basis until a permanent replacement can be recruited.

- I also understand that despite career staff leaving there have been virtually no new ones hired – how many staff from outside EERE have you brought in since you've been acting Assistant Secretary and PDAS?

Answer: Eleven new career staff have been brought on board to date. EERE was conducting hiring actions on a conservative basis due to the disparity between House and Senate marks for our program direction account. Once a final bill was released, EERE has been actively working to backfill critical vacancies. Several positions have already been posted for recruitment and EERE is continuing to pursue additional new hires. EERE anticipates bringing an additional 20-30 staff onboard before the end of the fiscal year.

- How many vacancies do you have at this time?

Answer: EERE's target FTE count is 625. Based on that target, EERE currently has 23 vacancies.

- How can you provide for your mission, and wisely use the resources Congress has provided for you, without bringing in new people? If confirmed, do you plan to hire full time staff in EERE?

Answer: Yes, if confirmed, I plan to continue to recruit federal resources.

- How will you work with the Secretary and other parts of the Department to ensure that you attract talented civil servants, and in a timely manner?

Answer: EERE has been identifying critical hiring needs and working with the Secretary and other parts of the Department to ensure that these positions are approved for hire. If confirmed, I will continue to ensure that EERE's critical hiring needs remain a priority and communicate that need to Departmental leadership.

Question 10: In the past you have made statements related to climate change that indicate you think investing in technologies that help the country avoid carbon pollution isn't of the highest priority. Please describe your current views on climate change and how those views will impact your leadership of EERE.

Answer: I believe the climate is changing and human activities play a role. I believe that for carbon dioxide reduction technologies to become widespread, they need to be cost effective. This is one reason that a focus on research and development to increase the affordability of renewable energy and energy efficiency technologies is of critical importance. If confirmed, I will work to

continue to support research and development to make the carbon-dioxide reducing technologies in the EERE portfolio more affordable and reliable.

Question 11: The Grid Modernization Laboratory Consortium has been a strong partnership between EERE and OE and enabled the national laboratories to work more efficiently together on clearly defined outcomes. As Assistant Secretary will you continue to support GMLC and work with the leadership of PNNL and NREL?

Answer: Yes.

Question 12: Buildings represent over 70% of electricity consumed in the U.S. The EERE Buildings Technology Office supports cutting edge R&D in transactive and advanced controls, sensors and machine learning to optimize building performance and ultimately provide grid services. Do you support these program and how to they contribute to DOE's "Beyond Batteries" initiative?

Answer: Yes. The "Beyond Batteries" program is an exciting initiative that I hope can lay the groundwork for technological advancements in a number of areas related to energy storage. We are taking a broad view of energy storage that includes batteries but also explores other technologies that can provide similar grid services, including transactive controls.

Question 13: There are numerous examples of troubling travel patterns among political appointees in the Trump Administration.

- Please provide a detailed accounting of all of your official travel as Acting Assistant Secretary, including complete itineraries, travel purpose and justification, and cost to taxpayers.

Answer: See the attached accounting.

- Are you confident that EERE has the appropriate travel policies and procedures in place to ensure the appropriate use of Congressionally appropriated funding?

Answer: Yes

Question 14: In 2012 you wrote in U.S. News and World Report that "Wind is expensive because wind cannot be relied upon to produce electricity when people want it, unlike coal, natural gas, nuclear, and hydro." Statements like this make me concerned that leading the government office whose mission it is to research, develop, and promote the adoption of wind energy may not be the right fit for you.

- What assurances can you provide that statements like this --which contradict the mission of EERE and is representative of many similar statements you made throughout your career-- will not guide your decision-making if you are confirmed to this position?

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Answer: Wind energy is a variable, non-dispatchable source and I support research and development on wind technologies. I think my views will serve as motivation to not only drive down the costs of wind, but also to advance technologies like energy storage to decrease the variability issues that are associated with wind. Identifying the technical challenges of every energy source will help us focus and overcome those challenges through research and development.

- What role do you think EERE can and should play in changing the levelized price of wind as compared to coal, natural gas, nuclear, and hydro in 5, 10, and 20 years?

Answer: As I stated at the confirmation hearing, the levelized cost of wind energy has decreased substantially over the last several years. EERE should fund research and development to help drive further LCOE reductions in wind technologies.

- Do you believe there is an upper limit to the amount of wind that can be part of a particular balancing authority area? If yes, what is that level and what analysis and real world examples have you used to make that conclusion?

Answer: It is my understanding that regional interconnections and balancing authorities are researching this issue and I look forward to learning about the results of that research.

Question 15: In his 2015 book "Crippled America," President Trump called renewable energy "really just an expensive way of making the tree-huggers feel good about themselves."

- Do you agree with the President's conclusions? If not, please explain in detail how your viewpoint may differ.

Answer: The costs of various sources of energy generation change over time and the costs of wind and solar are very good examples. We have seen dramatic cost reductions in the last few years that change the calculus. A few short years ago I argued that wind and solar were expensive and not competitive, but that calculus has changed in many situations. If confirmed, my job would be to drive continued progress in the affordability of energy efficiency and renewable energy technologies.

- On the campaign trail, President Trump claimed that solar panels only last 10 years and have a 28 year payback period, do you share this analysis?

Answer: I cannot speak for the President. Some solar panels, particularly certain ones sourced in China, have not performed well. While the majority of U.S. PV systems have been installed in the past 5 years, they are expected to have operational lives well in excess of 25 years. Commercial manufacturer warranties (for nothing below a 15% decline in initial output after 25-30 years) are standard on virtually all PV modules sold today. Power delivery contracts signed between PV system owners and electric utility companies cover a time range of 22.5 years to 34

years (Bolinger et al, 2017). The energy payback period for current modules varies depending on numerous circumstances.

- If not what do you believe is a more accurate range for the longevity and payback period for the typical residential, C&I, and utility-scale project?

Answer: Again, payback periods depend on a variety of circumstances, so averages can be of limited usefulness. Nevertheless, one calculation of the average financial payback period for residential PV system quoted in late 2017 was 7.4 years (EnergySage, 2018). Businesses which own and operate commercial and utility PV systems often utilize rate of return (RoR) rather than payback, meaning they want to get paid back and receive a profit. The vast majority of utility-scale PV systems are owned by independent operators, with multiple investors; each with its expected investment time horizon in the project and expected return. Tax equity investors are usually involved in a project for 5-10 years and receive a rate of return between 8%-10%. Debt providers loan funds to build and operate projects and receive interest rates between 3%-6% for a period of 7 to 20 years. Sponsor equity investors receive their return over the life of the asset, typically after tax equity and debt has been paid off. These sponsor equity investors rely on the long length of power contracts and often assume a merchant tail, meaning they expect to continue to sell power after the expiration of the power contract (Chadbourne and Park, May 2015; Feldman and Schwabe, 2017).

Question 16: Your paperwork submitted to the Committee indicates that you are currently a Senior Advisor in the Office of Environmental Management at DOE. Please describe your role at EM and what you intend to accomplish.

Answer: I am a Senior Advisor in EM. I hope to perform duties as assigned. Given the short amount of time between my transfer to EM and the confirmation hearing, I have not engaged in any substantive work for EM yet, but hope to do so.

Questions from Senator Ron Wyden

Question 1: While you were Vice-President for Policy at the Institute for Energy Research and American Energy Alliance, those organizations questioned the value of government investment in renewable technologies, and called for the elimination of the office which you have been nominated to lead. Now, in response to a question from my colleague, Senator King, you said "I believe in EERE's mission, which is to advance American leadership in renewable energy and energy efficiency."

Why has your opinion regarding EERE changed so radically?

Answer: A point of clarification: I did not write the post in question from the American Energy Alliance. I think the post was flawed because it did not treat all forms of energy similarly. More

importantly, as I have worked at EERE for the past year, I have learned a lot more about EERE's work and believe it advances American leadership in renewable energy and energy efficiency.

Do you think federal policy to reduce greenhouse gas emissions is appropriate?

Answer: If confirmed as Assistant Secretary, it would not be within my job scope to formulate or change policy in this space per se. What would be within my job scope is to work on bringing down the cost and improving the integration of non-greenhouse gas emitting energy sources as well as working to improve energy efficiency.

Question 2: You testified that your vision for EERE is focusing on early-stage research.

Are there current EERE programs or projects that you view as not being early-stage research? If so, what would you do with those programs or projects?

Answer: Yes. One example is the Weatherization Assistance Program (WAP) and another example is the Federal Energy Management Program (FEMP). For programs like WAP, as we have previously done, if Congress funds the program, we will faithfully execute the program to the best of our abilities. FEMP conducts a number of non-early stage programs required by statute. If confirmed I will work to make sure we meet our statutory requirements, even if they are not early stage research.

Question 3: You've described growing up in a home with a wood-burning stove, as part of a story about how experiences with renewable energy have shaped your perspective. There are households in many states, including Oregon, that use wood or pellets for primary or secondary heat. DOE has run several Wood Stove Design Challenges to create cleaner and more efficient wood stoves for home heating.

What role do you envision for the Wood Stove Design Challenge going forward?

Answer: Given our commitment to sustainably converting our Nation's abundant biomass resources to affordable energy, we envision support for future Wood Stove Design Challenges. The Wood Stove Design Challenge is a part of EERE's overall strategy to develop affordable bioenergy technologies to convert our nation's abundant biomass resources into fuels, power, and other products. This competition can help stimulate development of more efficient and cleaner technologies which then can be incorporated into new products. The Department has partnered with the Alliance for Green Heat to hold the fourth Wood Stove Design Challenge on the National Mall from November 9-14, 2018.

Question from Senator Bernard Sanders

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Question: The Department of Energy's (DOE) Regional Test Centers for Solar Technologies (RTCs) are an integral part of the Office of Energy Efficiency and Renewable Energy's SunShot Initiative to reduce the price and increase adoption of solar technologies. That is why I was pleased to see the minibus that recently passed the Senate included my amendment offered with Senators Nelson and Cortez Masto to set aside $4.05 million for the continued operation of all currently operating RTCs.

If confirmed, will you commit to ensuring all of the RTCs receive this funding from the DOE?

Answer: Yes. RTCs including the non-National Lab sites at VT, NV, and FL will receive the $4.05M in FY 19 for R&D work if the funding were allocated by Congress. DOE would like to retain the original plan to transition the non-National Lab RTC sites to a self-sustaining model where federal funding is not provided for O&M of the sites, but the directed funding in FY19 would be used to delay such a transition until FY20 and provide ramp down funding to smooth the transition.

Questions for the Record from Senator Joe Manchin III

Question 1: If confirmed you will oversee the Weatherization Assistance Program and the State Energy Program. These important programs help lower-income Americans weatherize their homes. That leads to reduction in energy waste and money saved for West Virginians – many who suffer the disproportionate impacts of high energy costs due to their modest incomes. Since 2010, West Virginia has received $19 million from the Weatherization Assistance and State Energy Programs. That has resulted in thousands of homes being weatherized, meaning low-income families are saving money. We want to see the number of families that can benefit from this program grow. Nationally, WAP has helped weatherize 7.4 million low-income households over the life of the program. While I always appreciate spending taxpayer dollars wisely, I have serious concerns over proposed cuts to these two important programs that reduce environmental impacts, create jobs, and put some extra cash in the wallets of our neighbors that need it the most.

Do you believe this program should be eliminated?

Answer: I support the President's budget. I do not believe that the program should be eliminated, but that it should be funded at the state level. Also, given that Congress' position has been very different from the proposed budget, I commit to making sure that WAP funding is expeditiously processed by EERE to go to the states on time.

Question 2: I would like to hear your thoughts on what you believe the DOE's role should be for the commercialization of technologies. I think it is fair to say the Administration is prioritizing early stage research and development, and allowing the private sector to step in when the time

comes to take new technologies to commercialization. That's fine – but there are some instances where the private sector is not willing to finance and needs the right signals to keep innovative technologies born in our labs and universities from falling into the innovation gap or "valley of death". Congress recognized that this was a potential problem and has armed the DOE with a few tools in its toolbox to help finance promising technologies. Unfortunately, these programs like Title XVII and ARPA-E have come under fire.

What role do you think to DOE should take when it comes to financing commercialization activities?

Answer: It is the Administration's position that the Department of Energy focus on early-stage research and development when funding energy technologies and that commercialization of technologies should be the primary responsibility of the private sector. DOE's Office of Technology Transitions works with the private sector to commercialize emerging technologies, including research and development that comes out of the National Laboratories. EERE also funds a variety of initiatives aimed at increasing collaboration with the private sector. For example, in January EERE announced a solar prize competition to encourage private-sector innovation in domestic solar manufacturing.

Do you support the Title XVII Loan program?

Answer: The Loan Programs Office (LPO) is not managed by EERE, so I will not have any role in managing programs or projects in LPO.

Question 3: According to the Department of Energy, approximately 2.2 million Americans are employed in the design, installation or manufacturing of energy efficiency jobs. Energy efficiency jobs can broadly be defined as services that reduce end-use energy consumption. This includes the design, manufacture, and installation of ENERGY STAR appliances and ENERGY STAR labeled products. Demand for energy efficiency employment is expected to increase again in 2017 with energy efficiency employers projecting a nine percent growth rate for 2017 and construction employers projecting 11 percent energy efficiency job growth. In West Virginia, we have approximately 6,400 energy efficiency jobs and over 20,000 jobs that in some way touch or relate to energy efficiency. The Department of Energy also noted in its energy employment report that the trend of energy efficiency job growth is likely to continue and will outpace other sectors.

If confirmed, will you commit to work with the energy efficiency community to find ways to support their work and create jobs in this growing sector?

Answer: Yes. I have met with and delivered remarks for a number of companies and other stakeholders engaged in the energy efficiency community, including the Alliance to Save Energy, the Business Council for Sustainable Energy, and the National Association of Energy

Service Companies. EERE works with energy efficiency stakeholders through a variety of programs, including the Better Buildings and Better Plants programs. If confirmed, I am committed to continuing these and other important collaborations with the energy efficiency community.

Questions from Senator Martin Heinrich

Question 1: I understand you recently visited the Solar Tower at Sandia Labs in Albuquerque. The NSTTF provides critical experimental engineering data for the design, construction, and operation of components and systems used in solar thermal electrical plants for large-scale power generation. What do you see as the future role for this one-of-a-kind test facility?

Answer: The technology used in the Solar Tower at Sandia is truly exciting and has the potential in the future to contribute large-scale generation to the grid. One of the critical functions of EERE is working to drive down the costs of technologies to ensure Americans have affordable, reliable energy and I believe this technology can be a part of that picture in the future. I believe this well-established, time-tested facility at Sandia is important for the proper evaluation of materials, processes and equipment identified in early stage concentrating solar research.

Question 2: I understand there are 52 pending requests since March from solar power companies for exclusions of particular products from the president's safeguard tariffs on certain imported solar cells and modules under section 201 of the Trade Act. If you are confirmed, will you work with USTR and the Department Commerce to help expedite the pending exclusion requests and assure a decision on each request is made in a timely manner?

Answer: Yes. I think it is very important to resolve the issue of exclusions as expeditiously as possible. I have empowered the EERE's Solar Energy Technology Office to work closely with USTR and the Department of Commerce in this process. I believe SETO has provided invaluable information to USTR and the Department of Commerce to understand the solar industry.

Questions from Senator Cory Gardner

Question 1: As an applied research laboratory, NREL is a vital bridge between DOE's research investments and America's technology startup companies. NREL Strategic Partnership Program (SPP) has 750 active partnerships with a variety of small and large companies, universities, and federal agencies.

- What is your vision for NREL's SPP work, and how does it complement the research EERE is funding at the lab and elsewhere?

Answer: I'm a fan of SPP work by the labs, especially NREL. SPP work shows that the lab passes the market test—that the lab capabilities that the private sector is willing to pay to access. Second, SPP work leverages taxpayer dollars and investments in the facilities. NREL has impressive user facilities, including the National Wind Technology Center and the Energy

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Systems Integration Facility. SPP is an important tool for the private sector to leverage these unique capabilities.

- Directly funding lab infrastructure and streamlining partnership agreements can lower the overhead rates and speed the technology transfer to those partners. Can more be done in these areas to make it easier to speed technology to US companies and sustain American innovation?

Answer: EERE has provided direct investment for the ESIF facility and has directly funded NREL site-wide expenses to lower the overhead rates of the lab, and these changes have had a positive impact in removing barriers to the establishment of new partnership agreements. I believe more can be done. If confirmed, I will be focused on streamlining oversight of laboratory activities to improve the speed of business between laboratories and US businesses. By streamlining laboratory oversight in a responsible manner, we can more quickly support partnerships with American entrepreneurs to stimulate innovation.

- My work on the Foreign Affairs Committee puts me in contact with leaders from less-developed countries, and I am often asked if they can get help from NREL. NREL has a variety of analysis tools to identify the most cost-effective generation and transmission investments in a developing country, and those plans may lead to investment and construction opportunities for US businesses. What can be done to encourage and streamline those types of agreements with friendly foreign governments to re-enforce our diplomatic efforts, while keeping safeguards to protect US intellectual property?

Answer: The national laboratories, including NREL, are encouraged to work with international partners, consistent with the DOE mission. We continue to work to streamline this process in order to maintain the world's leading position of our national laboratories in research and innovation. Furthermore, we continue to highlight our capabilities and opportunities for collaboration with our national laboratories in our meetings and discussions with international counterparts.

Question 2: The President was very thoughtful to include in his proclamation on solar tariffs a process for excluding products which have not been manufactured in the US, like the 1500 volt panels used in the utility scale solar industry. I understand DOE has been an active participant in the interagency process on exclusion requests and we certainly appreciate the attention and expertise on energy markets that DOE brings to the deliberations with USTR. As you may know, I sent a letter along with several of my colleagues in support of the 1500 volt exclusion – can you give us an update on what DOE has done to make sure its voice is heard in the interagency process with USTR & Commerce? Can you tell us when we might expect a decision on this exclusion request?

Answer: The Office of the United States Trade Representative (USTR) established February 2018 as the deadline for product exclusion requests. Those requests, including the request made for utility scale solar products, are currently in review. The USTR is managing the exclusion

review process in consultation with the Departments of Commerce, Energy and U.S. Customs and Border Protection. DOE has provided USTR and agency counterparts with significant available data on manufacturing, market and technology inputs throughout the 201 process. DOE's Solar Energy Technology Office has had a seat at the table to inform USTR and others about the various technologies at issue and to provide technical input that supports the implementation and administration of the tariff and related exclusions so that the goals of the tariff (to support US manufacturing) can be achieved. The Department of Energy also recently launched the $3 Million, American-Made Solar Prize (www.americanmadechallenges.org) to further support US solar manufacturing efforts. The schedule for releasing decisions with respect to product exclusions is at the discretion of USTR. DOE has and will continue to endeavor to provide input to USTR as quickly as possible as the process advances.

Question 3: We are experiencing the beginning of wildfire season in Colorado and the West, and the drought reminds us of the interrelationships between water and energy. Wildfires are a threat to the transmission lines of our bulk power system, and electricity is vital to pump water to where it is needed. Low water in our reservoirs can impact hydroelectricity production and impact cooling water for power production. Internationally water desalination is a major consumer of power, and we may see that happening here before long. NREL is well-suited to analyze and develop technologies at the energy/water nexus, and if you share my interest and concern in this area, would you consider establishing a center of excellence at NREL?

Answer: Currently EERE invests in a diverse set of performers in the Energy/Water Nexus interest area. Since March, EERE has supported the development of the Critical Water Issues Prize Competition RFI, announced the Solar Desalination FOA selections, and released the Notice of Intent to issue Energy-Water Desalination Hub FOA. The upcoming Energy-Water Desalination Hub FOA will be a competitive opportunity to which NREL and others will have the ability to apply. NREL is one of the National Laboratories that has experience addressing the Energy/Water Nexus and to date, EERE has leveraged NREL's modeling, analysis and High Performance Computing capabilities to address the energy/water nexus research priorities. EERE will consider exploring the feasibility of establishing a center of excellence on the Energy/Water Nexus.

Questions from Senator Mazie K. Hirono

Question 1: As recently as 2006, Hawaii relied on imported fossil fuels for 92% of its energy production. Research, technical assistance, and grants from the Department of Energy, particularly the EERE's State Energy Program, have been instrumental in supporting Hawaii's shift towards locally produced renewable energy. In 2014, the DOE renewed a memorandum of understanding with Hawaii to provide technical assistance and collaborate on the Hawaii's goals of energy technology innovation and eliminating the state's reliance on imported oil. Hawaii has increased renewable electricity production to 27.6% in 2017, progressing towards the state's goal of 100% renewable electricity by 2045. If you are confirmed, can the State of Hawaii count on

continued support from EERE as it seeks to become energy independent and a leader in the clean energy economy?

Answer: Remote states and communities have unique energy challenges. I will commit to following the guidelines in the MOU and working to ensure Hawaii has access to affordable, reliable, renewable electricity.

Question 2: While working for the Institute for Energy Research in 2013, you spoke against state renewable energy standards and incentives for renewable energy. Are those still your beliefs? And if so, do you believe that fossil energy sources should continue to get support, like the permanent support in the tax code, estimated by the Congressional Research Service to have a value of $5.2 billion in 2016?

Answer: In the past, I have authored numerous articles that highlight how subsidies and mandates increase electricity rates and harm low and middle income families by increasing the amount of money they pay for energy. If confirmed as Assistant Secretary, it will be my job to lead early stage research and development of renewable technologies, not to alter current incentive structures for any generation source. My goal is to make renewable energy a more affordable option for American families and businesses while improving energy efficiency.

Question 3: The President's Budget for FY2019 called for a 66 percent cut to DOE's energy efficiency and renewable energy programs. Secretary Perry testified in support of the cuts, saying "We consider that to be meeting the goals that we put in place, and if you meet the goals — those are mature and they don't need to be funded going forward." If the DOE's renewable energy programs are so successful and being managed so well, isn't the appropriate response instead to give them new goals and new funding to further reduce costs for technologies like solar energy, energy storage, and energy efficiency?

Answer: I support the Department's shift to focus on early-stage research and development, which requires less taxpayer funding. This strategy focuses taxpayer funding on early stage technologies to further empower the private sector to drive innovation.

Question 4: To ensure the fitness of nominees for any of our appointed positions, I ask every nominee who comes before me to answer the following two questions:

a. Since you became a legal adult, have you ever made unwanted requests for sexual favors, or committed any verbal or physical harassment or assault of a sexual nature?

Answer: No

b. Have you ever faced discipline, or entered into a settlement related to this kind of conduct?

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Answer: No

Questions from Senator Angus S. King, Jr.

Question 1: In the past, you have been a critic of subsidies for renewable energy. Have you also opposed subsidies for fossil fuels and other forms of energy? If so, could you please provide previous statements, speeches or other documents to demonstrate that?

Answer: Yes, I have consistently opposed subsidies for all forms of energy, including fossil fuels. In a January 6, 2011 blog post on the Institute for Energy Research website, I wrote: "Energy subsidies do one thing—they increase the price of energy of all Americans and line the pockets of the special interests that promote these discriminatory policies. To build a stronger economy and create more jobs, we should reduce all federal energy subsidies and set-asides—the [sic] means no subsidies for oil, coal, natural gas, wind, solar, or any other type of energy." https://instituteforenergyresearch.org/analysis/top-5-energy-issues-the-new-congress-should-tackle/

Question 2: Will you commit to continuing the goals previously outlined by the Department regarding the Offshore Wind Advanced Technology Demonstration Program, as directed by Congress, and will you visit the University of Maine to see the work being done there under the program?

Answer: If confirmed, I will commit to following Congressional direction regarding all programs within EERE. A couple weeks ago I had the opportunity to talk with Dr. Habib Dagher, the Executive Director of the University of Maine's Advanced Structures and Composites Center, at an offshore wind conference in Boston. He invited me to come to Maine to see the facilities. I told him that I would come and I very much look forward to fulfilling that commitment if confirmed. I will also work with your office to plan a visit the University of Maine.

Questions from Senator Tammy Duckworth

Question 1: I recently introduced the Energy Jobs for our Heroes Act of 2018 (S. 3088) with Senators Michael Bennet and Lindsey Graham. Our bipartisan bill would establish a U.S. Department of Energy program to prepare Veterans for careers in the low-carbon emissions

sectors or zero-emissions sectors of the energy industry, including solar, nuclear, wind and cybersecurity.

Mr. Simmons, if confirmed to be Assistant Secretary for Energy Efficiency and Renewable Energy, will you commit to working with our offices to pass and then effectively implement the Energy-Ready Vets Program to provide our recently discharged Veterans with standardized training courses and industry-recognized certification and training programs that are necessary to secure jobs and careers in the innovative clean energy industry?

Answer: If confirmed, I look forward to working with your staff on this issue. If the legislation is passed, I commit to following its direction.

Question 2: Mr. Simmons, your past work experience raises serious questions over your views and commitment to advancing renewable energy and energy efficiency initiatives. Prior statements questioning the reliability, cost and value of wind and solar power have proven incorrect. They also appear to contradict your recent statements made as the Principal Deputy Assistant Secretary at the Office of Energy Efficiency and Renewable Energy, such as your May 2017 statement, "I like renewables and efficiency."

Please provide clarity of how, if confirmed, you would lead the Office of Energy Efficiency and Renewable Energy. Will you promote and support development of renewable energy and energy efficiency technologies, including wind and solar power? In addition, do you disavow your previous statements questioning the value of wind and solar power?

Answer: The mission of EERE is to advance American leadership in renewable energy and energy efficiency. As my year of leading EERE shows, I believe in that mission. During the last year I have faithfully executed on EERE's mission of promoting renewable technologies. As stated during the hearing, since the budget deal in March EERE has issued new funding opportunity announcements and selections totaling over $638 million, consistent with congressional direction. As for previous statements, the cost of technologies change over time, and I adjust my views to account for new information.

Questions from Senator Catherine Cortez Masto

Question 1: DOE has spent a lot of the last year considering the question of how to ensure electricity reliability and resiliency. Some of this focus has been on ensuring fuel availability, some has been on guaranteeing baseload resources. Many of the fuel and technology types within EERE also support a diverse and secure grid. Geothermal in particular, which is abundant and booming in Nevada, gets high marks across the board when it comes to resiliency attributes. It doesn't just have 30 days of fuel onsite – it has 100s of thousands of years. Any energy resiliency strategy that ignores this industry and these virtues for the grid is inadequate. As Assistant Secretary, will you take steps to make sure the baseload and fuel-secure attributes of geothermal are accommodated in any policies that are developed in the name of energy resiliency?

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Answer: If confirmed, I commit to advancing the affordability and reliability of all renewable generating sources including geothermal.

Question 2: Will you support continuing the good work the National Renewable Energy Lab (NREL) has done, and is doing, on geothermal permitting and pathways to increase deployment?

Answer: Yes.

Question 3: EERE's Regional Test Centers (RTCs) for Solar Technologies is an integral part of the Sunshot Initiative. These facilities have the goal to reduce the price and increase the adoption of solar technologies. However, I was dismayed to hear that DOE is not planning to provide funding for the three (of five) RTC that are not located on DOE property – those in Nevada, Florida, and Vermont. The Nevada site, in particular, has characteristics that set it apart from the other facilities that many believe to be an asset in solar research and testing. Can I have your commitment to support these solar facilities, even those not located on DOE property, such as the one in Nevada?

Answer: Yes.

Question 4: DOE remains involved in the Section 201 Solar trade case that was brought on by concerns from manufacturers of residential-scale solar panels, and the subsequent solar tariffs that the President placed on imported solar cells and modules. However, those residential-scale panels involved in this dispute are very different from the panels used by utility-scale developers. And utility-scale panels aren't made domestically at anywhere near the levels required to meet demand in the U.S. Despite this fact, the President decided to impose tariffs on all panels. Since then, users of high-voltage panels have sought to be excluded. Can you tell us what you personally are doing to make sure that DOE's voice is heard in this interagency process with USTR and the Commerce Department in responding to these exclusion requests?

A. Can you tell us when we should expect a decision?

Answer: DOE has been intimately involved with providing USTR with information throughout this entire process and in meeting with USTR and the Commerce Department. The most important thing I have done is made sure that DOE's Solar Energy Technology Office has had a seat at the table to inform USTR and others about the various technologies at issue and group requests into categories that make sense. The Department expects a decision in the near future.

Questions from Senator Rob Portman

Question 1: A big piece of my energy efficiency legislation with Senator Shaheen, the Energy Savings and Industrial Competitiveness Act, is to develop and update model building codes. The

bill would require the Department of Energy to develop model building codes and would provide the states with technical assistance to adopt and implement building codes. Will you commit to working with me to advance building codes?

Answer: Yes.

Question 2: What are you doing to ensure that DOE remains engaged in the building code development process?

Answer: DOE participates in the industry model code development processes and provides technical assistance to support code implementation. In particular, EERE is actively engaged in the ANSI/ASHRAE/IES Standard 90.1 and International Energy Conservation Code (IECC) review and update processes, the statutory national model energy codes for commercial and residential buildings, respectively. DOE and its national laboratory staff provides analysis and support to these industry proceedings to help quantify the energy and economic impacts associated with code updates. DOE views these activities as critical to ensuring appropriate savings, cost-effectiveness and affordability to American home and business owners, and will continue to fulfill its statutory role surrounding building energy codes.

Questions from Senator Tina Smith

Question 1: Recently, the White House released a report reiterating the overwhelming scientific consensus that the climate is warming rapidly, with severe consequences for our country and the world. DOE contributed to that "Climate Science Special Report" and DOE concurred with the report's release.

Do you accept what scientists are telling us—that the climate is rapidly changing?

Answer: I believe the climate is changing and that humans play a role.

Question 2: Do you accept that this change is overwhelmingly driven by human emissions of greenhouse gases?

Answer: I believe that humans play a role in climate change by emitting greenhouse gases.

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Simmons EERE Travel Details June 2017 to June 2018

Name	Travel Start Date	Travel End Date	Travel City	Travel State	Travel Country	Duration (Days)	Purpose of Travel	Attachments	Costs
SIMMONS, DANIEL R	6/13/2017	6/14/2017	DENVER	CO	USA	2	Visit National Renewable Energy Laboratory in Golden, CO	NA	1,212.62
SIMMONS, DANIEL R	7/17/2017	7/20/2017	SAN DIEGO	CA	USA	4	Speaking Engagement to NARUC and ALEC events (San Diego)	https://www.naruc.org/summer-policy-summit/2017-summer-policy-summit/	2,138.01
SIMMONS, DANIEL R	7/25/2017	7/26/2017	KNOXVILLE	TN	USA	2	Visit Oak Ridge National Laboratory	2017 July 25-26 Simmons Chalk EERI	892.56
SIMMONS, DANIEL R	8/16/2017	8/17/2017	TAMPA	FL	USA	2	Speaking engagement: FEMP 2017 Energy Exchange event	FW: SI speaking in the Energy...	774.76
SIMMONS, DANIEL R	9/10/2017	9/12/2017	LAS VEGAS	NV	USA	3	Solar Power International 2017 Convention (speaking engagement and media interviews) • MEDIA INTERVIEW - Christian Roselund, PV Magazine • MEDIA INTERVIEW: Rebecca Kern Bloomberg BNA • MEDIA INTERVIEW: Amy Harder, Axios • MEDIA INTERVIEW: Julia Pyper, Greentech Media • MEDIA INTERVIEW - Michael Copley- S&P	NA	1,083.69

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							Global • Press Announcement		
SIMMONS, DANIEL R	10/2/2017	10/4/2017	IDAHO FALLS	ID	USA	3	Visit Idaho National Laboratory	NA	1,437.27
SIMMONS, DANIEL R	10/12/2017	10/14/2017	DENVER	CO	USA	3	To make a funding opportunity announcement (FOA) at 2017 Solar Decathlon and attend the U.S. - China Energy Efficiency Forum	FOA.PDF US-China EE Forum Remarks....	1,648.61
SIMMONS, DANIEL R	10/22/2017	10/26/2017	RICHLAND	WA	USA	5	Visit Pacific Northwest National Laboratory (Richland, WA) and attended the Biomass Power Association annual meeting (SF,CA)	NA	2,597.47
SIMMONS, DANIEL R	11/3/2017	11/3/2017	CHICAGO	IL	USA	1	Attended the 2017 NAR Conference and Expo in Chicago.	NA	463.92
SIMMONS, DANIEL R	11/8/2017	11/10/2017	LONG BEACH	CA	USA	3	Attended the 2017 Fuel Cell Seminar and Energy Exposition (Long Beach, CA)	NA	1,268.47

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SIMMONS, DANIEL R	11/15/2017	11/17/2017	ANCHORAGE [INCL NAV RES]	AK	USA	3	38th Annual Alaska Resource Conference	38th Annual Alaska Resource... Re: 38th Annual Alaska Resour...	2,426.46
SIMMONS, DANIEL R	12/5/2017	12/13/2017	NEW DEHLI		IND	9	Please note Daniel received premium class approval due to HSST Hearing prep. On December 6-12, Daniel Simmons, EERE's Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy and Alex Fitzsimmons, EERE's Senior Advisor, with EERE's International and DOE-International Affairs will be in New Delhi and Bangalore, India, to conduct meetings with senior Indian officials in support of the Strategic Energy Partnership and EERE bilateral objectives and prep for S1's upcoming trip to India. Simmons will host 2-3 industry roundtables, and will discuss the U.S.-India Partnership for Clean Energy, and meet with EERE partners.	Daniel Simmons premium INDIA 12-1 HSST Hearing Advancing Solar Ene DoE Schedule-Dec 4 ... A. Schedule and Overview.pdf B. Meeting Memos Thur 12.7.2017.pdf	12,025.59

U.S. Senate Committee on Energy and Natural Resources
June 26, 2018 Hearing: *Pending Nominations*
Questions for the Record Submitted to Mr. Daniel Simmons

								E. Meeting Memo Tue 12.12.2017.pdf	
SIMMONS, DANIEL R	1/28/2018	1/29/2018	AUSTIN	TX	USA	2	Spoke at the Renewable Energy Law conference. Monday, January 29, 2018 – 9:00 a.m. to 10:00 a.m. (1.00 hr = 60 minutes) (Austin, TX)	NA	1,132.48
SIMMONS, DANIEL R	2/6/2018	2/7/2018	REYNOLDS	GA	USA	2	Toured the Lake Oconee Pumped Storage facility	Draft Agenda_PSH tuis... Draft Agenda_PSH tuis...	681.53
SIMMONS, DANIEL R	2/12/2018	2/15/2018	LEMONT	IL	USA	4	Visited Argonne National Laboratory (Lemont, IL) and the USCAR facility (Detroit).	Feb 13 ANL Visit Agenda 021218...	1,101.3

U.S. Senate Committee on Energy and Natural Resources
June 26, 2018 Hearing: *Pending Nominations*
Questions for the Record Submitted to Mr. Daniel Simmons

								Feb 14-15 Auto OBM Visits Agen...	
SIMMONS, DANIEL R	2/25/2018	3/3/2018	TOKYO-TO		JPN	7	On February 28, Daniel Simmons, EERE's Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, will be a keynote speaker at the 2018 World Smart Energy Week in Tokyo, Japan. As a keynote speakers, Simmons will provide a high- level government perspectives on the Office of Energy Efficiency and Renewable Energy and Satyapal will provide an overview of hydrogen and fuel cells progress, status and opportunities, with a focus on early research and development and the H2@Scale concept as an enabler for energy security and resiliency across multiple energy sectors. The event is open press.	WSEW2018 Official Events Invitation Let 20180223172646330 .pdf	6,999.85
SIMMONS, DANIEL R	4/7/2018	4/13/2018	COPENHA GEN		DNK	7	Daniel Simmons attended a Wind Manufacturing Site Visit in Denmark, then spoke at the Kenan-Flagler Energy Center at UNC-CH at the Meeting the Challenges of Renewables Intermittency Conference. On April 13, Daniel Simmons, EERE's Principal Deputy Assistant Secretary, will speak at the 2018 Renewables Intermittency Conference in Chapel Hill, NC. The event is organized by UNC's Kenan-Flagler Energy Center. The 20 minute speech will focus on "How the current debate on renewables intermittency is affecting Administration energy policy." A 10 minute Q&A will follow the speech.	2018 Renewables Intermittency Confer Denmark_Schedule and Overview.pdf	4,013.02

U.S. Senate Committee on Energy and Natural Resources
June 26, 2018 Hearing: *Pending Nominations*
Questions for the Record Submitted to Mr. Daniel Simmons

SIMMONS, DANIEL R	4/19/2018	4/20/2018	DALLAS	TX	USA	2	-On April 19, Daniel Simmons, EERE's Principal Deputy Assistant Secretary, will give the keynote at the E-Capital Summit, part of the EARTHx conference in Dallas, TX. He will be giving 15-20 minute remarks, followed by 0-15 minutes of Q&A. -On April 20, Daniel Simmons, EERE's Principal Deputy Assistant Secretary, will give the welcome and introduction (30 minutes) at the EARTHx Policy - Energy Done Right forum, part of the EARTHx conference in Dallas, TX. -On April 20, Daniel Simmons, EERE's Principal Deputy Assistant Secretary, will give the keynote at the EARTHx Solar, part of the EARTHx conference in Dallas, TX.	EARTHx Tick Tock Apr 18-22.docx EDR Invitation.docx	893.68
SIMMONS, DANIEL R	5/13/2018	5/15/2018	ALBUQUERQUE	NM	USA	3	Visit Sandia National Laboratory (Sandia, NM)	NA	1,318
SIMMONS, DANIEL R	5/23/2018	5/25/2018	MADISON	WI	USA	3	Speaking engagement at the WI Energy Innovation Summit on Thursday, May 24th (Madison) and then traveling to Ypsilanti, MI to meet with the American Center for Mobility.	Agenda_WI Energy Innovati...	1,363.8
SIMMONS, DANIEL R	5/29/2018	6/1/2018	FAIRBANKS	AK	USA	4	Attended National Lab Day in Fairbanks, AK	NA	1,769.68
SIMMONS, DANIEL R	6/6/2018	6/7/2018	BOSTON	MA	USA	2	Keynote Speaker at the 2018 US Offshore Wind Conference & Exhibition in Boston, MA	Scheduling Request Regard...	881.94

U.S. Senate Committee on Energy and Natural Resources
June 26, 2018 Hearing: *Pending Nominations*
Questions for the Record Submitted to Mr. Daniel Simmons

							6/6: Visit with Steve Pike at MassCEC WTTC; U.S. Offshore Wind Opening Reception will follow 4:00 - 7:00	USOW FINAL Invite Mass.docx US Offshore Wind 2018 Brochure...	
SIMMONS, DANIEL R	6/4/2018							VCH235409.pdf	

									AUTH311254.pdf

Air Conditioning Contractors of America

2800 Shirlington Road, Suite 300, Arlington, VA 22206 • 703.575.4477 • 703.575.4449 (F) • www.acca.org

June 19, 2018

The Honorable Lisa Murkowski
United State Senate
Chairwoman
Committee on Energy and Natural Resources
Resources Washington, D.C. 20510

The Honorable Maria Cantwell
United States Senate
Ranking Member
Committee on Energy and Natural
Washington, D.C. 20510

Re: Pending Nomination – Daniel Simmons, Assistant Secretary Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy

Dear Chairwoman Murkowski and Ranking Member Cantwell:

The Air Conditioning Contractors of America (ACCA), the national trade association representing more than 600,000 professional heating, ventilation, air conditioning, and refrigeration (HVACR) professionals in every state, write in strong support of Daniel Simmons to serve as the next Assistant Secretary of the Office of Energy Efficiency and Renewable Energy (EERE) within the U.S. Department of Energy (DOE). ACCA believes there are many issues that require immediate attention and the sooner an Assistant Secretary for the Office of EERE can be confirmed the more certainty there will be for ACCA's members as well as their customers.

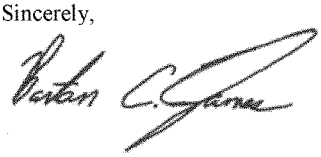
ACCA's members install, service, and maintain the systems that are the largest consumers of energy in our country, which our economy depends on to provide comfort, make modern medicine possible, keep our food fresh, and ensure our information systems are operational. Our members understand firsthand the importance of having the strongest possible leaders at DOE, and support the expedited confirmation of Mr. Simmons.

For over fifteen months Mr. Simmons has been serving as *Acting*-Assistant Secretary for EERE, and from our work together it is clear he is a passionate steward of the energy efficiency. In his acting capacity, Mr. Simmons has brought a measured and thoughtful approach, as well as a new understanding to DOE that our country and DOE must begin to focus on "realized efficiency" to truly advance meaningful and measurable energy efficiency gains.

ACCA strongly supports Mr. Simmons' nomination to become Assistant Secretary for the Office of Energy Efficiency and Renewable Energy at DOE and urges the Committee to advance his nomination for consideration by the U.S. Senate as quickly as possible.

If you have any questions, please contact me at (703) 824-8841 or barton.james@acca.org.

Sincerely,



Barton C. James
Senior Vice President of Government Relations
Air Conditioning Contractors of America

Cc: Members of the Senate Committee on Energy and Natural Resources

July 3, 2018

The Honorable Lisa Murkowski
Chairman
Senate Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Senate Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

Re: Nomination of Karen Evans to be Assistant Secretary of Energy for Cybersecurity, Energy Security and Emergency Response

Dear Chairman Murkowski and Ranking Member Cantwell:

We write today in support of the nomination of Karen S. Evans to serve as Assistant Secretary of Energy for Cybersecurity, Energy Security, and Emergency Response (CESER). We are all former senior government officials with cybersecurity or national security experience in administrations of different parties or on Capitol Hill. We believe that Karen is an excellent choice to lead this new and critically important office at the Department of Energy, particularly given the threats our nation and the energy industry faces in cyberspace today.

The Department of Energy plays a central role in working with industry to confront cyber threats head-on, including threats from nation-states, like Russia, who seek to establish long-term footholds in our critical infrastructure networks. Moreover, given DOE's key national security responsibilities, having a strong cyber leader in the Department is an important priority.

In many ways, Karen is a perfect choice for this position. Karen's experience in government, having served for over five years in the White House's Office of Management and Budget (OMB) as the Administrator of the Office of Electronic Government and Information Technology saw her overseeing nearly $71 billion annually in information technology funds across the government, directing the activities of federal CIO Council, and providing strategic direction for key cyber initiatives throughout the administration. When combined with Karen's prior experience serving as DOE's Chief Information Officer and in various other agencies working cyber issues, including the Department of Justice and Department of Agriculture, there can be no question that Karen has exactly the type of deep expertise navigating cyber issues in government that it critical for this position.

At the same time, the person running the new CESER office must have strong private sector credentials, as industry outreach and collaboration for collective defense is critical when it comes to protecting the nation in cyberspace. Specifically, Karen's most recent roles include

running the U.S. Cyber Challenge, providing strategic advisory services to global information technology companies, serving as an independent director for key publicly traded companies and non-profit entities, and serving as the co-chair of the Center for Strategic and International Studies' Cybersecurity Taskforce for the 45th Presidency.

Many of us have worked with Karen in her various public or private roles and, as a group, we are confident that Karen will be a strong, effective leader within the Department of Energy. Given the scope and scale of the threats facing our nation, including in the energy sector, the diverse skill set and ability to get things done that Karen will bring to the job can provide the Department of Energy—and the government writ large—just the kind of leadership it needs on these critical issues.

Thank you for the opportunity to write to you today and we look forward to answering any questions you may have.

Sincerely,

Gen. (ret.) Keith B. Alexander
Former Director, National Security Agency & Founding Commander, U.S. Cyber Command

J. Michael Allen
Former Special Assistant to the President and Senior Director for Counter-Proliferation Strategy, National Security Council, The White House

Michael Assante
Former Infrastructure Strategist, Idaho National Laboratory

Rich Baich
CDR (ret.), United States Navy

Stewart Baker
Former General Counsel, National Security Agency

Jeremy Bash
Former Chief of Staff, Central Intelligence Agency & Department of Defense

Richard Beutel
Former IT Policy Lead & Senior Counsel, U.S. House Oversight and Government Affairs Committee

Dr. Sameer Bhalotra
Former Senior Director for Cybersecurity, National Security Council, The White House

Frank Cilluffo
Former Special Assistant to the President for Homeland Security, The White House

Gus Coldebella
Former Acting General Counsel, Department of Homeland Security

Robert B. Dix, Jr.
Former Staff Director, U.S. House Subcommittee on Technology & Information Policy

Thomas Donahue
Former Senior Director for Cyber Operations, National Security Council Staff

Michael Geffroy
Former General Counsel, U.S. Senate Select Committee on Intelligence

Sarah Geffroy
Former Chief Counsel, U.S. House Permanent Select Committee on Intelligence

Margie Gilbert
Former Associate Deputy for Cyber, and Director of Technical Counterintelligence, Office of National Counterintelligence Executive, Office of the Director of National Intelligence

John M. Gilligan
Former Chief Information Officer, Department of Energy & U.S. Air Force

Ryan Gillis
Former Director, National Security Council, The White House

Gen. (ret.) Michael V. Hayden
Former Director, Central Intelligence Agency & National Security Agency

Matthew R.A. Heiman
Former Attorney-Advisor, National Security Division, Department of Justice

Jamil N. Jaffer
Former Associate Counsel to the President, Office of the Counsel to the President, The White House

Frank R. Jimenez
Former General Counsel of the Navy, Department of Defense

Tiffany Olson Jones
Former Deputy Chief of Staff, President's Critical Infrastructure Protection Board, The White House

Myriah Jordan
Former Special Assistant to the President for Policy, Office of the Chief of Staff, The White House

Ely Kahn
Former Director for Cybersecurity, National Security Council, The White House

Geof Kahn
Former Policy Director, U.S. House Permanent Select Committee on Intelligence

Andy Keiser
Former Senior Advisor, U.S. House Permanent Select Committee on Intelligence

Rob Knake
Former Director for Cybersecurity, National Security Council, The White House

Norma Krayem
Former Deputy Chief of Staff, Department of Transportation

Paul Kurtz
Former Senior Director for Cybersecurity, National Security Council, The White House

Robert F. Lentz
Former Deputy Assistant Secretary of Defense for Cyber Security & Chief Information Security Officer, Department of Defense

Dr. James A. Lewis
Former Member, Senior Executive Service, Departments of State & Commerce

Jane Holl Lute
Former Deputy Secretary, Department of Homeland Security

Bruce W. McConnell
Former Deputy Under Secretary for Cybersecurity, Department of Homeland Security

Mike McConnell
Former Director of National Intelligence

Jenny Menna
Former Director, Stakeholder Engagement and Cyber Infrastructure Resilience, Department of Homeland Security

John C. Nagengast
Former Principal Director for Corporate Strategy & Assistant Deputy Director for Information Assurance, National Security Agency

Jake Olcott
Former Counsel, U.S. Senate Commerce Committee & U.S. House Homeland Security Committee

Christopher Painter
Former Coordinator for Cyber Issues, Department of State

Ben Powell
Former General Counsel, Office of the Director of National Intelligence

W. Price Roe
Former Counselor to the Secretary, Department of Homeland Security

Paul Rosenzweig
Former Deputy Assistant Secretary for Policy, Department of Homeland Security

Norman Roule
Former National Intelligence Manager for Iran, Office of the Director of National Intelligence

Marie O'Neill Sciarrone
Former Special Assistant to the President for Homeland Security & Senior Director for Cybersecurity and Information Sharing Policy, The White House

David Shedd
Former Acting Director, Defense Intelligence Agency

Bryan Smith
Former Budget Director, U.S. House Permanent Select Committee on Intelligence

Megan Stifel
Former Director for International Cyber Policy, National Security Council, The White House

Tony Summerlin
Special Advisor for Modernization and Chief Data Officer, Federal Communications Commission

Hugo Teufel III
Former Chief Privacy Officer, Department of Homeland Security

Mark Weatherford
Former Deputy Under Secretary for Cybersecurity, Department of Homeland Security

Amit Yoran
Former National Cybersecurity Director & Founding Director, US-CERT, Department of Homeland Security

June 25, 2018

The Honorable Lisa Murkowski
United State Senate
Chairwoman
Committee on Energy and Natural Resources
Washington, D.C. 20510

The Honorable Maria Cantwell
United States Senate
Ranking Member
Committee on Energy and Natural Resources
Washington, D.C. 20510

RE: Pending Nomination – Daniel Simmons, Assistant Secretary Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy

Dear Chairwoman Murkowski and Ranking Member Cantwell:

On behalf of the Association of Home Appliance Manufacturers (AHAM), Air-Conditioning, Heating, and Refrigeration Institute (AHRI), National Electrical Manufacturers Association (NEMA), National Manufacturers Association (NAM), Air Movement and Control Association International (AMCA), Plumbing-Heating-Cooling Contractors Association (PHCC), and Heating, Air-Conditioning, Refrigeration Distributors (HARDI), and the U.S. Chamber of Commerce we write in strong support of Daniel Simmons to serve as the next Assistant Secretary of the Office of Energy Efficiency and Renewable Energy (EERE) within the U.S. Department of Energy (DOE).

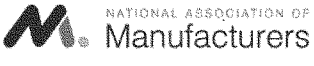
Mr. Simmons is currently serving as *Acting*-Assistant Secretary and is a passionate steward of the energy efficiency and renewables portfolio within the DOE. In his acting capacity, Mr. Simmons has brought a measured and thoughtful approach to achieving the Administration's principal goal of achieving regulatory reform while working to harness further efficiencies within the federal Appliance Standards Program. We believe there are many issues that require immediate attention and the sooner an Assistant Secretary for the Office of EERE can be confirmed the more certainty there will be for manufacturers and consumers of residential and commercial appliance products.

The Office of Energy Efficiency and Renewable Energy plays a significant role for the residential and commercial appliance manufacturing industry given the programs of notable importance within its portfolio: specifically, the federal Appliance Standards and ENERGY STAR programs. The federal Appliance Standards Program sets important minimum energy efficiency levels that manufacturers of both residential and commercial products must meet in order to satisfy the Energy Policy and Conservation Act (EPCA). In addition, EERE administers certain aspects of the ENERGY STAR program, which is a shared program within the department and the U.S. Environmental Protection Agency.

Over the past year, we have appreciated Mr. Simmons' collaborative approach to his work with both the Appliance Standards and ENERGY STAR programs. We believe his openness to dialogue among all stakeholders will serve both programs well in order to ensure energy efficiency and effective administration of these important programs is successful in the years ahead.

We strongly urge the Committee to support Mr. Simmons' nomination to become Assistant Secretary for the Office of Energy Efficiency and Renewable Energy and move the nomination for consideration by the U.S. Senate as quickly as possible.

Sincerely,



U.S. CHAMBER OF COMMERCE

June 25, 2018

Senator Lisa Murkowski
Chairman
Senate Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Murkowski:

On behalf of Citizens for Responsible Energy Solutions (CRES), I am writing in support of the nomination of Daniel Simmons to serve as an Assistant Secretary, U.S. Department of Energy, and to lead the Office of Energy Efficiency and Renewable Energy (EERE).

Mr. Simmons has been leading EERE for more than a year, and he has established himself as a leader who understands the role that the free market and innovation play in developing new energy technologies. If confirmed, CRES looks forward to continuing to work with Mr. Simmons to promote policies that will increase abundant, affordable and environmentally friendly energy production.

CRES urges the Committee to support the nomination of Mr. Dan Simmons to serve as Assistant Secretary.

Sincerely,

Heather Reams

Heather Reams
Managing Director

CITIZENS FOR RESPONSIBLE ENERGY SOLUTIONS/ CitizensFor.com/ 601 Pennsylvania Ave. NW/ South Building/ 9th Floor/ Washington DC 20004

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Executive Director
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General Counsel
JEFFREY C. GENZER

July 5, 2018

The Honorable Lisa Murkowski, Chair
The Honorable Maria Cantwell, Ranking Member
U.S. Senate Committee on Energy and Natural Resources
Washington, D.C. 20510

Dear Senator Murkowski and Senator Cantwell:

The National Association of State Energy Officials (NASEO) offers our strong support for the confirmation of Daniel Simmons as U.S. Department of Energy (DOE) Assistant Secretary for Energy Efficiency and Renewable Energy (EERE). NASEO represents the 56 governor-designated State and Territory Energy Directors and their offices from across the nation.

The states are encouraged by Mr. Simmons' forward-looking remarks on a range of issues, such as the imperative to advance building and electric grid integration; energy storage; promotion of energy and water efficiency retrofits at federal, state, and local facilities through energy savings performance contracting; and more recent comments on increasing support for rural and remote community energy access, affordability, and reliability.

While we have strong disagreements on the Administration's position opposing support for the Weatherization Assistance Program, U.S. State Energy Program, and Low Income Home Energy Assistance Program, as well as a number of key energy efficiency and renewable energy programs, we find Mr. Simmons "open door" and solutions-oriented approach to working with the states refreshing and impactful.

State Energy Offices are working collaboratively with the private sector, small businesses, R&D institutions, and local governments to find solutions to the myriad of energy opportunities and challenges facing communities across the nation. Innovation in energy markets requires a holistic approach to energy policy and planning – a great strength of every State Energy Office. Based on our experience with him over the past year, we believe Mr. Simmons recognizes the value of working collaboratively.

Moreover, a strong state-federal relationship is essential to help move new energy technologies from the National Laboratories to the state research institutions and the private sector for market adoption. Mr. Simmons' approach to working across various programs within the Office of Energy Efficiency and Renewable Energy, as well other DOE offices, can help us bridge these gaps and leverage efforts.

We appreciate your consideration of this letter of support for Daniel Simmons as Assistant Secretary of EERE, and are pleased to answer any questions.

Best regards,

David Terry
Executive Director, NASEO

cc: Robert Jackson (Michigan), Chair, NASEO Board of Directors
Andrew McAllister (California), Vice Chair, NASEO Board of Directors
William (Dub) Taylor (Texas), Treasurer, NASEO Board of Directors
Molly Cripps, (Tennessee), Secretary, NASEO Board of Directors
Paul Miller (Louisiana), Parliamentarian, NASEO Board of Directors
Vaughn Clark (Oklahoma), Past Chair, NASEO Board of Directors

DEIRDRE M. O'CALLAGHAN
4 PILOT HOUSE LANE
GEORGETOWN, ME 04548

June 22, 2018

The Honorable Angus King
133 Hart Senate Office Building
Washington DC 20510

RE: Nomination of Karen Evans for Assistant Secretary of Energy for Cybersecurity, Energy Security and Emergency Response

Dear Senator King:

It is with pleasure that I write to you to express my strong support for the nomination of Karen Evans as Assistant Secretary of Energy for Cybersecurity, Energy Security and Emergency Response.

I believe that Karen's experience and accomplishments speak for themselves in terms of her qualifications for the position, so my comments focus on my personal observations of her talents and abilities. For the past 5 1/2 years, I have served as Chief Counsel for the Center for Internet Security, Inc. ("CIS"), a 501c3 not for profit focused on cybersecurity, where Karen has been on the Board of Directors for eight years, and currently serves as the organization's Treasurer. CIS has a particular focus on both developing cybersecurity protection standards and assisting US State, local, tribal and territorial governments with cybersecurity protection. Karen has been an active and invaluable board member, providing great insight into both cybersecurity matters generally and federal policy in particular. Despite a very busy schedule, she is always available to me and to other senior CIS staff to help with questions or to help us make connections with policy makers and technology leaders. In her role as Treasurer of our organization, she has helped to guide CIS in its largest period of growth. Simply put, she is a person who can make things happen.

On a personal note, I have thoroughly enjoyed working with Karen. She has an open and direct approach, which I appreciate. She also has a strong interest in the professional development and well- being of the employees of CIS. Her acceptance to the position of Assistant Secretary will be a loss to CIS, but will be of great benefit to the country as a whole.

Thank you for the opportunity to express my support for Karen's nomination; I am happy to answer any questions you might have.

Sincerely,

Deirdre M. O'Callaghan

cc: Hon. Lisa Murkowski, Hon. Maria Cantwell

ATTORNEYS AT LAW

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West Palm Beach

Edward J. Page
813.229.4308 direct
epage@carltonfields.com

June 21, 2018

VIA U.S. MAIL

Senator Lisa Murkowski
United States Senate
Room 522 Hart Senate Office Bldg.
102 Constitution Ave. NE
Washington, DC. 20002

Re: Letter of Support for Teri L. Donaldson

Dear Senator Murkowski:

I write in support of Teri L. Donaldson's nomination as the Inspector General for the U.S. Department of Energy.

I have practiced law in Tampa, Florida with Carlton Fields, P.A., a 350 large law firm since 2000. Before that, I served as a state, federal, and special prosecutor in Washington, DC for 18 years.

I've known Ms. Donaldson since 1990. We worked together as federal prosecutors in Tampa, the Middle District of Florida (MDFL) in the early 1990s for nearly five years. I served as her direct supervisor for a time in the Major Crimes Section of the U.S. Attorney's Office. We have remained friends since we both left the U.S. Attorney's Office and entered private practice. My support letter will speak to both Ms. Donaldson the person and Ms. Donaldson the lawyer.

Ms. Donaldson is an exceptional lawyer. She is smart and possesses great intellect. Her academic accomplishments demonstrate that, but her work product does as well. She had good training at the U.S. Attorney's Office and in her other legal positions. She has occupied leadership positions in the past. She has actually tried jury trials to verdict and prevailed. She has a knack for environmental law. Ms. Donaldson established the environmental crimes section at the U.S. Attorney's Office for the MDFL and led its successful prosecution of numerous cases. She also actively served on the Environmental Crimes Task Force in the MDFL. Her legal positions since leaving the U.S. Attorney's Office have been with excellent law firms. She is the complete lawyer. She will, in my view, discharge her obligations as the Inspector General, without fear or favor and with the utmost respect for the legal process.

Ms. Donaldson is also an exceptional person. She is a single Mother. She raised two fine boys while working full time in legal positions at respected law firms that demand a lot of time, energy, and devotion. I've socialized with Ms. Donaldson over the years. She has been to our house for dinner. She makes great company, has a wonderful sense of humor, and is easy to get along with. She is calm. She has a tremendous work ethic. I think one of Ms. Donaldson's many strengths is her ability to listen with the intent to understand rather than merely reply. It's a strength few have, but it's so important. She is a complete person with the right stuff. Finally, I think her personal ethics are outstanding and that's what we should want in a person serving in such an important role as the Inspector General.

I have no reservations concerning my support of Ms. Donaldson for this important position. The United States will be well-served with Ms. Donaldson in the position of Inspector General.

Please feel free to contact me directly at (813) 229-4308 or by email to epage@carltonfields.com should you have any questions about my comments or want me to expound further.

Sincerely,

Edward J. Page

Edward J. Page

115098846.1

Fortalice

June 25, 2018

Senator Lisa Murkowski
Chairman

and

Senator Maria Cantwell
Ranking Member

Senate Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

As the former White House CIO during President George W. Bush's Administration and the current CEO of Fortalice Solutions, LLC, I am writing in support of the nomination of Karen Evans to serve as an Assistant Secretary, U.S. Department of Energy, to run Cybersecurity, Energy Security and Emergency Response.

Karen Evans and I worked closely together at the Executive Office of the President and have remained colleagues in security over the years. She has established herself as a leader who understands the role that the free market and innovation play in developing new energy technologies. If confirmed, I look forward to the good work that Ms. Evans will be providing to promote a safer, more secure, and operationally resilient energy sector.

I urge the Committee to support the nomination of Ms. Evans to serve as Assistant Secretary.

Sincerely,

Theresa Payton, CEO of Fortalice Solutions, LLC
Former White House CIO