

DAN R. BROUILLETTE NOMINATION

HEARING BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

ON THE

NOMINATION OF DAN R. BROUILLETTE TO BE ASSISTANT SECRETARY
OF ENERGY (CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS)

JULY 18, 2001



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DAN R. BROUILLETTE NOMINATION

WEDNESDAY, JULY 18, 2001

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

The committee met, pursuant to notice, at 9 a.m. in room SD-366, Dirksen Senate Office Building, Hon. Jeff Bingaman, chairman, presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

The CHAIRMAN. The committee will come to order. The committee has two hearings scheduled this morning. The first is on President's Bush's nomination of Dan Brouillette to be the Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. Immediately following the hearing on Mr. Brouillette's nomination, the committee will begin a second hearing on energy research and development legislation. Without objection, Mr. Brouillette's written statement to the committee, his answer to the committee questionnaire, and his financial disclosure statements will all be introduced into the record.

Let me call on Senator Murkowski to make any opening statement he wants and then we will call on Senators Landrieu and Chairman Tauzin to introduce Mr. Brouillette.

STATEMENT OF HON. FRANK H. MURKOWSKI, U.S. SENATOR FROM ALASKA

Senator MURKOWSKI. Thank you, Senator Bingaman. I appreciate the pronunciation correction. We in Alaska would have probably been a little more basic on the Brou side of it but nevertheless, I don't want to go into that. That's how we would spell it. He is certainly an excellent selection and I want to congratulate those that bear some responsibility, namely the gentlelady from Louisiana and our good friend, Chairman Tauzin. I don't know if this gentleman knows anything about duck hunting.

Representative TAUZIN. A little bit.

Senator MURKOWSKI. Well, then he's had some good training. If you can't trust a duck hunter, I don't know who you can trust. He certainly will fit into the position of Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. We feel a little slighted over here, but Senator Landrieu is going to have to make up for it because of the long association with the House.

This gentleman had, and he is responsible as I understand it, for all congressional and intergovernmental affairs. I would emphasize

that there is another body other than the House. I don't want to go into that at great length because it would take up the whole morning. But while at the House he was responsible, as I understand it, for energy and environmental and health issues, all significant issues in the Department of Energy's portfolio. He comes with an association with the late Duffy Wall, and we all know his reputation and contribution around here. He is a gentleman who is certainly missed, and those who associated with him certainly have my high esteem because Duffy was an extraordinary gentleman and his association with the Alpine Group as well. He has worked on a number of issues, including utility deregulation. I think that combination of practical experience and good solid Louisiana background, which is only perhaps second to Alaska, but I don't want to go down that pipeline this morning. The fact that he has the support of the Louisiana delegation is good enough for me and the strong endorsement of the Administration. I hope that we can proceed with his nomination with dispatch and I'm very pleased we could have Congressman Tauzin here this morning as well as our Senator from Louisiana.

The CHAIRMAN. Thank you very much. Let me start with Senator Landrieu to make any introductory statements she wants to make and then Chairman Tauzin.

**STATEMENT OF HON. MARY L. LANDRIEU, U.S. SENATOR
FROM LOUISIANA**

Senator LANDRIEU. Thank you, Mr. Chairman and I thank the Senator from Alaska for those kind words of support to a wonderful nominee. And welcome Dan and your family—the little one particularly who is particularly excited about his father's nomination this morning. And to his parents that are up here from Louisiana. We welcome all of you to the committee. And my most able colleague and chairman, Congressman Tauzin, will give more detailed remarks, so I will be very brief—only to say that Dan, you have my full and complete support and confidences. It was clear that your work with Congressman Tauzin in helping to draft some of the most important pieces of legislation that have come to Congress and through Congress in the last couple of years in the telecommunications side that you are most able to handle complicated, difficult work and do it well. Your tenure was marked by very many high achievements and several landmark pieces of legislation in that area. In addition to the battles that he waged so ably on behalf of this Congressman and many of our colleagues, he also, I want to commend to my colleagues, he was a tank commander and his performance in the service as a tank commander in one of the Nation's most decorated line units in the Army from 1982 to 1987. So, his experience on Capitol Hill, as well as his experience in and with our military, I think, completely arms him for the task that is before him. So, I want just to honor again his family, his four children, Julia, Danielle, Stephen and Samuel. His wife, Adrienne, is also with us, and his parents, Ronald and Deanna are here. I welcome them and I am confident that Dan possesses the necessary ability, temperament and experience to service our country well. Congratulations.

The CHAIRMAN. Chairman Tauzin, why don't you go right ahead.

**STATEMENT OF HON. BILLY TAUZIN,
U.S. REPRESENTATIVE FROM LOUISIANA**

Representative TAUZIN. Mr. Chairman, thank you. This is our first chance to officially congratulate you on your chairmanship and to signify officially again what we have done privately and that is to assure you and your Senate colleagues the close cooperation of our House Energy and Commerce Committee and the vital work we will do this year on energy.

But I am here on a much more pleasant and personal matter this morning. And I say personal matter because Dan Brouillette is not just an extraordinary public servant, but he is a close, personal friend. When I was a young lad, I got invited to come to Washington, D.C. by a young man who is now a circuit court of appeals judge in Louisiana, Randy Parreau, who was then an assistant to then-Congressman Pat Caffrey. Mary, you might remember Pat from New Iberia, one of my predecessors. Randy asked me to come to Washington to get confirmed to practice before the U.S. Supreme Court, which would be a high honor. And so I traveled to Washington back then from Louisiana in my double knit suit and met Randy who was in a double knit suit and we showed up at the Supreme Court building with all our documents ready to get sworn into the Supreme Court. Randy was handed a paper that contained the words of introduction which basically said, Mr. Chief Justice, members of the Supreme Court, I present to you the Honorable Billy Tauzin. He is licensed to practice, et cetera, all the credentials. Randy read it once and said, I got it, and threw it away. He had it memorized. And we walked into the chamber. It happened to be the first day of the Burger court and Chief Justice Burger and the entire court were assembled. It was opening day of the session—the most austere, most intimidating room I've ever been in and every Philadelphia lawyer and New York lawyer was there in tux and tails with their sons and daughters to get them sworn into the Supreme Court. And Randy and I were standing in our country double knit suits there, in complete awe of this operation, and they called upon him and he completely blew it. He forgot his line; he forgot what he was supposed to say and I'll never forget his introduction because it was unique in the annals of the Supreme Court. In very broken and kind of nervous voice, he said Mr. Chief Justice and members of the Supreme Court, I present to you Wilbur J. Tauzin II. He's a good guy.

[Laughter.]

Representative TAUZIN. Chief Justice Burger, they say smiled the only smile he smiled in the years on the Supreme Court. And on that criteria, I was licensed and introduced to practice before the U.S. Supreme Court. I'm tempted to do that today. I'm tempted to tell you Dan Brouillette is a good guy because he is. But I want to illustrate that quickly for you. You have his vitae sheets. You see the beautiful family he has and you can see from the background of his service to our country as a tank commander and, by the way, he looked good in a tank helmet, in actually one of the most decorated units he served as a drill sergeant in the Army Reserve in South Carolina, the great work he did introducing our young men and women to the honor of serving our country.

But I thought I would illustrate for you the quality of this nominee very quickly. All of us who serve up here have the privilege of meeting young people in the service of our congressional staff and Senate staffs. We are very proud of those people. They come to us from home; they come us from this community; they come from around the country. Dan happened to have his roots in Louisiana. He came to our office as an intern, and worked his way up to head of our legislative staff. I will never forget when we first came to review him for a position in our office and my chief of staff told me that she recommended Dan for permanent assignment and we talked about salary, and I said, well, I think you need to hire him, and we need to give him a good boost to encourage him. And she said, you better give him a good boost, because they've offered them three times what you're paying him and he's turn it down. He wants to work for you. That is his character. But here it is perhaps more succinctly.

So, we bring these young people to Washington and they serve our country and they work incredibly long hours. And they pass up financial opportunities on this Hill right and left to stay with us as Dan did so many times. And then they eventually move on and we're so excited and pleased and happy for them when they move to some other work in life, as Dan did. He moved on to practice off the Hill with Duffy Wall and Associates. And then every now and then one of them calls us up and says, Congressman, Senator, I would like to get a job somewhere else. I've got an application in with the Department of Government or I've got an application in with a law firm. Or I have an application in. Could you recommend me? Well, that happens a lot and we recommend young men and women for different positions as they move on. I got a very different call from Dan Brouillette. Dan called me to say—he always called me boss. Boss, he said, I have a problem. I said, what's your problem? He said the White House is after me to come to work for the Department of Energy and I said, that is a problem, Dan. I know how well you're doing; I know how your young family is excited about how well you're doing in the private sector, and coming back to public service would be quite a sacrifice. That is a problem for you. He said, well help me because they're pushing hard on me and they want me to come real bad. So, he came and we counseled and I advised him and he resisted. And the White House called me up and asked me if I would please prevail upon him.

What I'm telling you is that here is a young man who was not seeking my help in getting another job. Here was a young man seeking my counsel because he was desired for this job so adamantly by the White House that they were calling me and asking me to encourage him to consider the position. I guess what I'm telling you is he is a special person. He is an extraordinary and special individual. For Dan Brouillette, honor is not just a word. It's a way of life. For him, loyalty is not just an asset. It's a body appendage and conscientiousness is not just, again, an asset for him. It is a lifestyle.

This is an extraordinary young man. The Government of the United States is fortunate that he yielded to all of these requests to consider employment with the Department of Energy. The Department of Energy, this Government, this committee, as well as

mine, are going to be extraordinarily well served because he is there assisting us all in making the right policy for our country. He understands public service enough to know that occasionally you have to sacrifice for it. And he is doing that, I think. And he is putting his family at some sacrifice in order to come back into public service.

Mr. Chairman, I think the least we can do is honor his commitment with a speedy confirmation. I present him to you, along with my dear colleague Mary Landrieu, as one of the better products Louisiana has every produced. And I can tell you unequivocally the best product my office has ever produced. Mr. Chairman, I commend him to you.

The CHAIRMAN. Well, thank you very much. Thank you for your strong endorsement and Senator Landrieu for her strong endorsement. Why don't we get Dan to come up now.

Mr. Brouillette, let me first ask you to stand and raise your right hand so that I can put you through this swearing-in-statement we require of all nominees. Do you solemnly swear that the testimony you're about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth, and nothing but the truth?

Mr. BROUILLETTE. I do.

The CHAIRMAN. You may be seated. Let me ask you the three questions we put to all nominees who come before the committee. First, will you be available to appear before this committee and other Congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. BROUILLETTE. I will.

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

Mr. BROUILLETTE. I am not aware of any conflicts, Mr. Chairman.

The CHAIRMAN. The third question. Are you involved or do you have any assets held in a blind trust?

Mr. BROUILLETTE. I do not.

The CHAIRMAN. Thank you very much. If you would like to introduce your family at this point, we would be glad to know of their presence.

Mr. BROUILLETTE. I would love to. Joining me today is my mom and dad, Ronald and Deanna; my four kids, Danielle, Stephen, Julia and Sammy outside in the hallway, having a blast, and my lovely wife, Adrienne. And I have a lot of friends in the audience as well. I won't introduce any of them but I just want to say thanks to all of them for showing up.

The CHAIRMAN. We welcome all of you here to the committee. We usually clap for family members at this point, so I guess we should do that.

[Applause.]

The CHAIRMAN. Why don't you go ahead with any opening statements you would like to make and then we may have some questions.

TESTIMONY OF DAN R. BROUILLETTE, NOMINEE TO BE ASSISTANT SECRETARY OF ENERGY (CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS)

Mr. Brouillette. Alright, Mr. Chairman. Thank you, and I am honored for the opportunity to appear before you today testifying as President Bush's nominee for Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. This is a great honor and if confirmed, I will do my best to live up to the high standards expected of those entrusted with public office.

I want to say thank you to Senator Landrieu for that wonderful introduction. I am honored to be here before your committee and I look forward to working with you on the Nation's problems and particularly those that are so profound in our own great State of Louisiana. I look forward to that.

And I want to thank Chairman Tauzin and his lovely wife, Cecile, who is also with us today. They took time out of an incredibly busy schedule today to be here. The chairman's committee is in full mark up today on various aspects of the President's national energy policy and the fact that he is here is only another indication of the type of friend and mentor he has been to me over the years.

It is often said that the hallmark of a great career is not how high you choose to climb a particular ladder but how many people you choose to bring along with you on the journey. There is no question in my mind that I am the larger beneficiary of my relationship with the Tauzin family.

Chairman Bingaman, members of the committee, as I seek your approval for appointment to this office, I would like to take just one minute to share with you two important experiences, or lessons, that I think qualify me for this job. My experience in the Army taught me how to be a leader. I learned early how to organize a mission, how to motivate others, and how to lead by example. I learned it well and I learned it with a singular purpose—to destroy my opponent. I remember thinking as a young soldier that I had reached the very pinnacle of public service and in a way I did. I had. It was only later in the service of this very Congress as a staff member that I had come to fully appreciate the importance of my individual role in this service.

Under the tutelage of Congressman Tauzin, I learned a fundamental lesson and it was that the interest of the American people are always, always our highest priority as a public servant and that the second part of that is that it's always in the interest of the American people for us, as servants, to find the common ground first rather than simply attacking our opponents.

If confirmed for this position, I pledge to bring both of these important lessons to the table every day. My approach has been, and will continue to be, seeking out opportunities to build coalitions wherever possible and to find common-sense solutions to complex problems. It is in the interest of the public for me to do no less.

With regard to the functions of the office I seek, I feel strongly that the key to a good relationship between the Congress and the Department of Energy is an open line of communication. The Office of Congressional Affairs is that line of communication. If you need information about a particular issue, we will work to get you a timely reply. If you need assistance with problems affecting your

constituents, we will act immediately to help you solve those issues. My office will work aggressively to answer your inquiries and it will be my policy that every request from Capitol Hill be treated in an appropriate manner. Also important to that relationship with the Congress is our ability to keep you informed of departmental activity. The oversight function of this committee is vital. I will make every effort to ensure that the Department will provide witnesses for your oversight hearings, documents that comply with your requests, and cooperation with the committee in any investigation or other matter. Also, it is important for this office to serve the Congress by facilitating legislative matters. We will work diligently to help committees and individual members obtain the information necessary to draft or amend legislation. In addition to this relationship with the Congress, the office of Congressional and Intergovernmental Affairs is charged with maintaining an open and free dialogue with State and local officials, tribal governments, interested individuals, and organizations of all perspectives. This is a critical responsibility that I take very seriously.

Finally, Mr. Chairman and members of the committee, I will manage my office effectively. From the hiring of staff to the purchase of office supplies, I can assure you that the taxpayers will receive their money's worth.

I want to thank you, Mr. Chairman, Mr. Murkowski, and other members of the committee for allowing me to appear today. I look forward to working with you closely in the future. And I would be most happy to take any questions the Chairman may have or any other member of the committee may have at this time.

[The prepared statement of Mr. Brouillette follows:]

PREPARED STATEMENT OF DAN R. BROUILLETTE, NOMINEE TO BE ASSISTANT SECRETARY OF ENERGY (CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS)

Mr. Chairman and Members of the Committee:

I am honored for the opportunity to appear before you today testifying as President Bush's nominee for Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. This is a great honor, and if confirmed, I will do my best to live up to the high standards expected of those entrusted with public office. I am prepared for and excited about the tremendous challenges and responsibilities that accompany public service.

Mr. Chairman, my experience in the United States Army taught me how to be a leader. I learned how to organize a mission, how to motivate others, and how to lead by example. I learned to do this well and with a singular purpose. My experience in a Congressional office taught me the real meaning of service. I learned that the interests of the American people are always the highest priority for the public servant. While these interests may manifest themselves in the form of partisan politics, a solution of compromise always yielded the most successful public policy.

If confirmed for this position, I pledge to bring both of these experiences to the table. My approach has been and will continue to be seeking out opportunities to build coalitions wherever possible and to find common sense solutions.

The key to a good relationship between the Congress and the Department of Energy is an open line of communication. The Office of Congressional Affairs is that line of communication. If you need information on an issue, we will work to get you a timely reply. If you need assistance with problems affecting your constituents, we will act immediately to help you solve those issues. My office will work aggressively to answer your inquiries, and it will be my policy that every request from Capitol Hill be treated in an appropriate manner.

Also important to that relationship is our ability to keep Congress informed of departmental activity. The oversight function of this committee is vital. I will make every effort to ensure that the Department will provide witnesses for your oversight hearings, documents to comply with your requests, and cooperation with the committee in any investigation or other matter.

And finally, it is important for this office to serve the Congress by facilitating legislative matters. We will work diligently to help committees and individual members obtain the information needed to draft or amend legislation. When requested, we will provide the appropriate Department of Energy witnesses and assist in the drafting of appropriate provisions during the committee process.

In addition to this relationship with the Congress, the Office of Congressional and Intergovernmental Affairs is charged with maintaining an open and free dialogue with state and local authorities, tribal governments, and interested individuals and organizations of all perspectives. This is a critical responsibility that I take very seriously.

Finally, if confirmed, I will manage my department effectively. From the hiring of staff to the purchase of office supplies, I can assure you that the American taxpayers will get their money's worth.

I want to thank you, Mr. Chairman, for allowing me to appear and I look forward to working with you closely in the future. I would be happy to address any questions that you or the Committee may have.

The CHAIRMAN. Thank you very much for your statement and I'll be very frank with you. My only reservation in looking at your bio is your time as a drill sergeant. I can remember the drill sergeants that I encountered in the Army Reserve and the active duty I did there, and those were not pleasant memories.

Mr. BROUILLETTE. Well, you've done a good job of intimidating this drill sergeant, let me tell you.

[Laughter.]

The CHAIRMAN. I hope you have gotten that behind you.

[Laughter.]

The CHAIRMAN. Obviously, we're anxious to be sure that your prior association with Chairman Tauzin does not warp your view of the priorities here on Capitol Hill.

[Laughter.]

The CHAIRMAN. Otherwise I have no concern about your appointment or confirmation to this position.

Mr. BROUILLETTE. Thank you very much.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Well, you know, looking back on basic training, or boot camp, or whatever you want to call it, it was miserable but I think we were all better people because of it. And as a consequence of your training, perhaps the Department of Energy is going to be a better department as a consequence of what you're going to bring to it. I hope that's the case.

Mr. BROUILLETTE. I certainly hope so as well.

Senator MURKOWSKI. We look forward to your confirmation, and I trust we will be able to move this with dispatch.

Mr. BROUILLETTE. Thank you very much.

The CHAIRMAN. Senator Landrieu.

Senator LANDRIEU. I have no other comments to add other than to say how proud we are of this particular nominee and how well qualified he is, you can see the very special person that he is. And I thank him for his agreeing to serve. As the Congressman said, this government would be well served if we had more people, Dan, like you, willing to make the sacrifices necessary. And particularly at this time, Mr. Chairman, with this issue we need strong leadership, steady hand, good common sense, and a person who is going to fight to find that middle ground, and I think we have such a nominee before us. Thank you for your willingness to serve.

The CHAIRMAN. Senator Craig.

Senator CRAIG. Mr. Chairman, thank you. First of all, let me turn to your former boss and let me congratulate you on the expeditious way you are handling the development of a national energy policy. I don't know of anything more critical that this Congress could do this year for our country and for its future than to move with our President and with the Congress to develop that, and you're well along the way. We trust this committee will move as expeditiously as you have in accomplishing that.

As to you, Dan, my colleague and my ranking member here opines that your roots are in the House. I have only one comment. Your confirmation is in the Senate.

[Laughter.]

Mr. BROUILLETTE. Well understood, sir.

Senator CRAIG. Welcome. We look forward to working with you.

Mr. BROUILLETTE. Thank you very much.

The CHAIRMAN. Senator Burns.

Senator Burns. I have no statement. Just don't lose your touch on being a drill instructor.

Mr. BROUILLETTE. I will not.

Senator BURNS. You will need it.

[Laughter.]

The CHAIRMAN. Since that exhausts the questions of the committee, why don't we let the members have until 5 o'clock this evening to file any additional questions with the committee staff if they have any for the record for Mr. Brouillette. And with that, let us adjourn this hearing and proceed to the next. Thank you very much.

Mr. BROUILLETTE. Thank you, Mr. Chairman.

[Whereupon, at 9:40 a.m., the hearing was adjourned.]