



Opening Statement
Nominations Hearing for Katharine MacGregor and James Danly
Chairman Lisa Murkowski
November 5, 2019

Good morning, everyone. The committee will come to order.

Today we are here to consider two nominees, Ms. Katharine MacGregor to be the Deputy Secretary of the Department of the Interior and Mr. James Danly to be a Member of the Federal Energy Regulatory Commission. These are both very important positions and I want to thank you both for your willingness to serve.

The Department of the Interior is the steward of about 20 percent of all land in the United States, and much of it is in the State of Alaska. Roughly 66 percent of all National Park Service lands and 86 percent of all Fish and Wildlife Service lands are located in Alaska. That's why back home we often times refer to the Department of the Interior as our "landlord," sometimes not so affectionately. But, it is why we depend on the Department to be our partner, and why we look to ensure that its leadership understands our unique history and our needs.

I have been encouraged by the approach the Department has taken in this administration. For example, we are moving forward with the responsible development of a small part of the non-wilderness 1002 Area. The Secretary has signed a very small but a very important land exchange with King Cove. And whether it's Assistant Secretary Sweeney or you, Ms. MacGregor, the Department has worked closely with us to address the crisis of missing, murdered, and indigenous women.

So, we appreciate all of that. But, for all the good work that has been done, we know that there is a lot more that remains to be done.

We have to see much greater progress in lifting decades-old Public Lands Orders. We are awaiting a revised activity plan for our National Petroleum Reserve-Alaska to restore balance in its management. It's critical that the permitting of projects on our North Slope, which we need to refill our Trans-Alaska Pipeline, stay on track. We need forest management reforms to address the threat of wildfire and invasive species. And, of course, we need to continue to build safe and secure communities.

I know Ms. MacGregor, you are no stranger to any of these issues. You've been described as one friend from home as "North Slope tough," that's a very strong compliment. You've served at Interior from the start of this administration, you also have a decade of experience here on Capitol Hill. Your nomination has drawn strong support from dozens of groups, from the Alaska Federation of Natives to the Theodore Roosevelt Conservation Partnership.

So we will add all of those endorsements to our hearing record today, along with the statement that Senator Cramer had planned to give when he was going to be introducing you. But, as you know, you also have my strong support.

Mr. Danly, I also want to welcome you to the committee. I am glad you are here, as the seat that you are nominated for has now been open for more than ten months, following the tragic passing of former Chairman Kevin McIntyre.

Everyone on this committee knows that I have been urging the administration since the very 1st of the year, to address this vacancy and to move on it. So, I am pleased that this time has come.

You have an impressive academic and professional background. Having served two tours of duty with the Army in Iraq, where you received a Bronze Star and a Purple Heart and played a key role in executing counterinsurgency efforts during the surge. So we do thank you for your service and your sacrifice to our country.

After the military, Mr. Danly graduated from Vanderbilt Law and chose to pursue a very different career as a FERC attorney, first practicing at a major firm and now serving as FERC's General Counsel.

During his time as General Counsel, the Commission has tackled key issues such as energy storage, infrastructure development, and reform of the agency's regulations under the Public Utility Regulatory Policies Act (PURPA).

If confirmed, Mr. Danly you will need to address the many remaining critical issues on FERC's plate. Among these are grid resilience and capacity market reform, both of which are critical to the reliability of our nation's electricity system.

As we discussed in my office, Mr. Danly, you have my support. But, before I turn to my colleague here, I also want to address what I expect will be the main source of your opposition to your confirmation this morning.

It is true that you are not paired with a Democratic FERC nominee, to fill a second seat that opened just in August. But I hope that will not be what drives anyone to oppose your nomination.

So just let me walk through the history, here. First, FERC is set up to avoid the need for pairings. I think this is one of the misconceptions that has been out there. Back in 1990 Congress passed a law to stagger the five commissioners' terms by one year each, in an effort to make sure that we didn't have these double vacancies.

Secondly, bipartisan pairings are not "always" the norm. More often, we have confirmed individual commissioners or had unbalanced pairings. Back in 2014 Colette Honorable moved forward with the two Republican commissioners that we confirmed in 2017, after the Obama administration declined to nominate anyone for those seats.

And then the third point, is that this seat was already previously paired. In 2017 we paired Kevin McIntyre with Rich Glick. Rich will continue to serve through mid-2022. So, the slot we are now considering is to fill the remainder of Mr. McIntyre's term, through mid-2023.

And then the final point is, the reality is we have one nomination in the committee right now, we don't have two. We all know that an individual's name has been out there for some time, but we have not seen it sent up to the White House and sent to us for our action. And so, as people have asked me well what are you going to do here with this opening that we have right now, we have been waiting for 10 months to get a name, we have Mr. Danly's name in front of us now. So I don't think it's fair to tell the Republican nominee that we have to wait, given that we've been waiting for 10 full months and ends recognizing that this term will end a full year earlier than the term for the Democratic seat.

So know, colleagues, that when we get the Democratic candidate, we will hear that nomination, when we receive it, as we normally would. And, if that individual has the support to be reported from committee, we will move that individual from this committee.

So, I'd like to again thank both of you for being here this morning. Thank you for your willingness to serve. And just for colleagues' reference here, we will have an opportunity for full questions today, but if members have additional questions after the hearing concludes, we're going to hold the record open until close of business tomorrow, because I know that there may be some members that are still travelling and I want to respect that.

Let me turn to Senator Manchin for his opening comments, before we proceed ###

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