

OPENING STATEMENT  
BILL COOPER  
NOMINATION HEARING  
U.S. SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES  
AUGUST 16, 2018

Chairman Murkowski, Ranking Member Cantwell, Members of the Committee, Committee Staff and Personal Staff, thank you for the opportunity to appear today as the nominee for the position of General Counsel at the U.S. Department of Energy.

It is an honor to appear before this Committee. I am grateful to President Trump and Secretary Perry for the confidence they have in me to fulfill the duties of the office, if I am fortunate enough to be confirmed by the Senate.

I would also like to thank my wife, Denise, for her support over the years, as well as my children, Clay and Laura. The support of my family is critically important for me to have success in my various endeavors.

When I was admitted to practice law several years ago, I swore an oath to support the Constitution of the United States, and I pledged that I would truly and honestly conduct myself in a proper manner in the practice of my profession to the best of my skills and abilities.

I spent the first 16 years of my professional career interpreting the law on behalf of clients, whether as a transactional lawyer or a litigator, mostly for oil and gas clients and a natural gas utility district. When I accepted a position as counsel on the House Energy and Commerce Committee, my policy responsibilities, mainly in the areas of oil and gas and pipeline safety, included drafting legislation that would change the law. While at the Center for Liquefied Natural Gas, I frequently commented on the law, relying on the Constitutional right all Americans enjoy: the right to petition the government for redress of grievances. Then, back to Capitol Hill to work for the House Natural Resources Committee, where my responsibilities again included drafting legislation that would change the law. While at the Committee, my focus was on oil and gas, coal, and mineral management on federal lands, and Puerto Rico. Most recently, I have been with the law firm of McConnell Valdes, addressing my attention to the issues in Puerto Rico.

Now, with this opportunity, should the Senate provide its advice and grant its consent for me to assume the position of General Counsel, I have come full circle, with the opportunity to interpret the law on behalf of a client.

The mission of the Office of General Counsel is “to determine the Department’s authoritative position on any question of law”, providing “legal advice, counsel, and support to the Secretary,

the Deputy Secretary, and program offices throughout DOE...” I do understand that I will no longer be in a policy-making role, but in a role to render legal advice based upon the plain meaning of the statutes, rules and regulations governing a particular set of circumstances. And, where the meaning of a statute, rule, or regulation is not plain, to make a reasonable interpretation, using the four corners of the legal text, along with judicial precedent, to render sound legal advice as required by my client.

As John Adams articulated in Massachusetts in the 1700s: Our government is one of laws, not of individuals. But, the government is populated by individuals; individuals who need to know the law and the ramifications of particular actions as applied to the law. The duty of the Office of General Counsel is to provide that legal advice within the Department of Energy.

My pledge, just as it was when I first took the oath to practice law, is to support the Constitution of the United States, and to truly and honestly conduct myself in a proper manner in the practice of my profession to the best of my skills and abilities.

Thank you for the opportunity to be here today. I ask for your favorable consideration of my nomination. I look forward to your questions and working closely with you and your staffs if confirmed.