

Accountable.US Case Study: The Nomination Of Shalanda Baker

SUMMARY: Shalanda Baker is a professor of law, public policy and urban affairs at Northeastern University and the co-founder of the Initiative for Energy Justice. Baker has a unique story: she is a former Air Force officer who received an honorable discharge pursuant to “Don’t Ask, Don’t Tell” and became an advocate for repealing the policy. Baker currently serves as the Director in the Office of Economic Impact and Diversity at the Department of Energy after a lengthy confirmation process ending in June 2022.

Baker was previously the Deputy Director for Energy Justice within the Department of Energy, making her nomination somewhat of an internal promotion. Despite a tame nomination process, and even lacking a coordinated conservative opposition force, Baker’s nomination was nevertheless delayed by Senator Mike Lee. In October 2021, Lee blocked a unanimous consent request to confirm Baker. Due to Senator Lee’s actions and Senate procedures around entering a new year, Baker’s nomination was and had to be re-introduced to the Senate and replaced on the Executive Calendar, further delaying Baker’s nomination.

Baker received a unanimous consent agreement waiving the mandatory quorum requirement on May 18th, 2022, and was confirmed on June 7th, 2022 – 430 days after her initial nomination and 344 days longer than the average DoE nominee.

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NOMINATION TIMELINE

In April 2021, Shalanda Baker was announced as the nominee for Director of the Office of Minority Impact within the Department of Energy by President Biden. Baker was officially announced as the nominee on April 27th and was confirmed on June 7th, 2022—over a year later.

Status	Date Of Nomination	Hearing Date	Floor Vote/Confirmation Date	Days From Nomination To Hearing	Days From Hearing To Confirmation	Days From Nomination To Confirmation
Confirmed	4/27/21	6/8/21	6/7/22	42	388	430
DOE Average (As Of 1/14/22)				50.12	53	86
DIFFERENCE				Received a hearing 8 days sooner than average DOE nominees	Confirmation took 335 days longer than average DOE nominees	Confirmation took 344 days longer than average DOE nominees

Confirmation Timeline

President Biden Announced Baker’s Nomination On April 22nd, 2021. “Shalanda Baker, Nominee for Director of the Office of Minority Economic Impact, Department of Energy.” [White House Press Release, [4/22/21](#)]

- **Baker Was Introduced To The Senate On April 27th, 2021.** “04/27/2021, Received in the Senate and referred to the Committee on Energy and Natural Resources.” [Congress.gov, Accessed [6/30/22](#)]
- **After A Hearing In June 2021, The Committee On Energy And Natural Resources Reported Baker Favorably On July 22nd, 2021.** “07/22/2021, Committee on Energy and Natural Resources. Ordered to be reported favorably.” [Congress.gov, Accessed [6/30/22](#)]
- **Baker Was Places On The Executive Calendar, But Did Not Receive A Vote In 2021, Requiring Her Nomination To Be Reset.** “01/03/2022 Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.” [Congress.gov, Accessed [6/30/22](#)]
- **Baker Was Eventually Confirmed On June 7th, 2022.** “06/07/2022, Confirmed by the Senate by Yea-Nay Vote. 54 - 45. Record Vote Number: 218.” [Congress.gov, Accessed [6/30/22](#)]

INITIAL MEDIA RECEPTION

Baker’s Nomination Was Received With Positive Media Reception

E&E News Headline: “Biden Announces Senior DOE Staff.” “Baker was most recently a professor of law, public policy and urban affairs at Northeastern University. She is co-founder and co-director of the Initiative for Energy Justice, which provides technical law and policy support to help communities tackle climate change. [...] She earned a bachelor’s degree in political science from the U.S. Air Force Academy, a juris doctor degree

from Northeastern University and a master of laws degree from the University of Wisconsin.” [E&E News, [1/21/21](#)]

- **E&E News: Baker Served In The Air Force Under “Don’t Ask, Don’t Tell” And Became An Advocate For The Policies Repeal.** “Baker served as an Air Force officer prior to her honorable discharge pursuant to the then existing “Don’t Ask, Don’t Tell” policy, and became an advocate for repeal of the Clinton-era policy that allowed gays and lesbians to serve in the military if they did not disclose their sexual orientation.” [E&E News, [1/21/21](#)]
- **Shalanda Baker Spoke At Her Nomination Hearing About Being LGBTQ+.** Via Baker’s Nomination Hearing Opening Remarks: “I want to acknowledge my partner, Tara Spann, who is with me today and who is my rock and source of support. [Senate Energy Hearing, [6/8/21](#)]
- **Shalanda Baker Wrote A Book: *Revolutionary Power: An Activist’s Guide To The Energy.*** [Google Books, Accessed [5/13/22](#)]

Northeastern News Headline: “She’s Bringing Her Energy Justice Mission To The Biden Administration.” “The Energy Department has never before had a director focused on energy justice, but the Biden administration has made commitments to enhance work on climate change, racial inequity and the Covid-19 pandemic. Baker’s work sits at the crossroads of all three issues.” [Northeastern News, [1/23/21](#)]

NBC News Headline: “Shalanda Baker And The Energy Crisis Plaguing Black And Brown Americans.” “The Energy Department has never before had a director focused on energy justice, but the Biden administration has made commitments to enhance work on climate change, racial inequity and the Covid-19 pandemic. Baker’s work sits at the crossroads of all three issues.” [NBC News, [3/9/21](#)]

Experience Magazine Headline: “Energy Justice Is The Next Civil Rights Issue.” “Shalanda Baker thinks clean energy can help heal America’s legacy of racism. That’s why she’s joined the Biden Administration [...] the concept of energy justice also extends to the climate movement — and, Baker argues, that’s especially important as new voices take over Washington and our energy industry transitions to solar and wind.” [Experience Magazine, [4/21/21](#)]

The Office Of Economic Impact And Diversity Advises The Secretary Of The Impact Of DOE Policy-Making On Minority Communities, Institutions, And US Population Segments. “The Office of Economic Impact and Diversity (ED) advises the Secretary on the impact of energy policies, regulations, and DOE programs on minority communities, minority institutions, and specific segments of the U.S. population.” [Department of Energy – Office of Minority Economic Impact and Diversity, Accessed [6/30/22](#)]

DELAYS AND REPUBLICAN OPPOSITION

Senator Mike Lee Blocked A Unanimous Consent Request To Confirm Shalanda Baker In October 2020, Saying Baker “Openly Opposes” Capitalism, Delaying Baker’s Nomination Until 2022

VIDEO OF MIKE LEE’S OBJECTION: GOP Senator: Key Biden Nominee ‘Openly Opposes’ Capitalism. [Forbes Breaking News, YouTube, [10/6/21](#)]

CLIPPED VIDEO: Republican Senator Mike Lee blocked the confirmation of Shalanda Baker to be Director of the Office of Minority Economic Impact @ENERGY. [Senate Democrats, via Twitter, [10/6/21](#)]

Politico Congress Minutes: “Sen. Mike Lee (R-Utah) blocked the nomination of Shalanda Baker to lead the Office of Minority Economic Impact at the Energy Department.” [Politico, [10/7/21](#)]

Senator Lee's Opposition Blocked Baker's Quick Confirmation Path, And Due To Senate Procedures Baker's Nomination Needed To Be Reintroduced In 2022 And Replaced On The Executive Calendar, Causing Further Delays In An Otherwise Smooth Nomination Process

E&E News PM: "Republican Senator Blocks Quick Confirmation Of DOE Nominee." "Republican objections to a Department of Energy nominee spilled onto the Senate floor this morning when Utah Republican Sen. Mike Lee blocked a unanimous consent request to confirm her. The squabble over Shalanda Baker's nomination to serve as an assistant secretary for the Office of Economic Impact and Diversity likely indicates that Democrats will need to go through floor procedures to confirm her even though she generated little controversy during a confirmation hearing." [E&E News PM, 10/6/21]

- **Sen. Mike Lee Objected To Baker's Comments On Capitalism's Racial Issues And Progressive Electric Utility Pricing.** "The Utah Republican said the statements questioned the bona fides of capitalism as the country's economic backbone. Specifically, Lee argued Baker's comments on the racial issues related to capitalism should disqualify her. The senator also took issue with a "cap and floor" model for electric utility pricing, in which the wealthiest would pay more for electricity." [E&E News PM, 10/6/21]
- **Sen. Mike Lee Said Baker's Proposals Were "Denigrating The Very Concept Of The Competitive Markets."** "I too want to make sure that our poorest citizens and our poorest communities have access to resources and are able to be lifted out of poverty, but placing obstacles in the way of competitive markets and denigrating the very concept of the competitive markets that have made electric and so many other developments so available to so many people, rich and poor alike, would, I fear, end up preventing technological advances," Lee said." [E&E News PM, 10/6/21]
- **Sen. Cory Booker Responded To Lee's Criticism By Discussing How Capitalism Has Been Used To Block Minorities From Accessing The Free Market.** "Booker also highlighted the scourge of energy insecurity suffered by one-third of Americans. 'I feel that we are taking statements that people have made and whipping around them a lot of presumptions,' Booker said. 'There is a difference between saying I am against capitalism and I'm against racist capitalistic policies. That is a big difference.'" [E&E News PM, 10/6/21]

The Sierra Club Demanded That Mike Lee End His Block On Baker. "The Sierra Club demanded Sen. Mike Lee (R-Utah) end his block on the quick confirmation of Shalanda Baker to serve as the assistant secretary for the Office of Economic Impact and Diversity in the Department of Energy, E&E reports. Baker, a Black woman, already serves as a senior advisor at DOE helping to implement President Biden's directive to direct 40% of climate investments to historically excluded communities. Lee, a white man, who has previously stated "the solution to climate change ... is to fall in love, get married and have some kids," previously accused Baker of "denigrating the very concept of the competitive markets." [E&E News via Front Page Live, [10/18/21](#)]

Shalanda Baker Was Reintroduced In The 2022 Senate Session Along With Other Stalled Nominees. "As a new congressional session begins, President Joe Biden has resubmitted to the Senate three key EPA nominees whose nominations have cleared the environment committee but were not confirmed by the full Senate last year, along with a slew of other nominees in the same predicament. [...] In addition to the three EPA nominees, Biden also submitted scores of other nominations, including Shalanda Baker as director of the Office of Minority Economic Impact at the Department of Energy (DOE)" [Risk Policy Report, 1/11/22]

Baker's June 2021 Hearings Were Not A Large Spectacle, As Republicans Focused Instead On Opposing Tracy Stone-Manning's Nomination To The Bureau of Land Management

NPR Headline: “‘Energy Justice’ Nominee Brings Activist Voice To Biden’s Climate Plans.” “Baker says people of color too often are subject to the downside of energy development — like pollution from burning fossil fuels — and rarely get to experience the upside, such as jobs and owning power plants. Even more unfair, she says, poor communities spend a larger share of their income on energy. She and other advocates for “energy justice” want to fix these problems through government policy. The emerging field starts with the idea that everyone should have access to safe, affordable, and sustainable energy.” [NPR, [6/8/21](#)]

- **Ahead Of Hearings, DOE Secretary Granholm Spoke Out In Full Support Of Baker’s Nomination.** “The Department of Energy needs the sharpest minds guiding our core nuclear, science, and equity missions that protect our planet and lift up our people—and Shalanda, Asmeret, and Frank are the best of the best. These three rockstar nominees bring unparalleled expertise in their respective fields, and share my hair-on-fire sense of urgency about tackling the challenges we face. I am thrilled that President Biden has put their hats in the ring, and I urge the Senate to confirm them quickly so that we can get to work.” [DOE, [4/22/21](#)]

Baker’s Opening Statement Addressed Her LGBTQ Identity And Her Experience Serving In The Military Under “Don’t Ask, Don’t Tell”

Shalanda Baker Opening Statement: In 2000, with these three core values ingrained in my spirit, and my military career ahead of me, I made the difficult decision to come out as a lesbian. I had joined the military and served during the height of the “Don’t Ask, Don’t Tell” policy. This policy put LGBTQ service members at risk, and in my own life, it meant that an abusive partner wielded a power over me that jeopardized my oath. [Senate Energy Hearing, [6/8/21](#)]

Senator Barrasso Focused His Opposition On Biden’s BLM Nominee, Ms. Stone-Manning, Rather Than Shalanda Baker’s Nomination

Senator Barrasso: Based On Her Record, I Am Concerned That Ms. Stone-Manning Does Not Fit The Bill. “Based on her record, I am concerned that Ms. Stone-Manning does not fit the bill. Her career has been defined by her support for policies that restrict multiple-use activities on public lands. [...] Perhaps most troubling is Ms. Stone-Manning’s unvarnished political partisanship.” [Senate Energy Hearing, [6/8/21](#)]

- **Senator Barrasso:** “I Also Look Forward To Hearing The Testimony Of Our Other Nominees Ms. Baker, Mr. Walsh, And Dr. Light.” I also look forward to hearing the testimony of our other nominees Ms. Baker, Mr. Walsh, and Dr. Light.” [Senate Energy Hearing, [6/8/21](#)]

Conservative Outlets Nevertheless Sought To Sully Baker’s Nomination

Epoch Times: Energy Nominee Seeks To Bring Anti-Racism to US Policy. “A nominee to the Department of Energy wants U.S. policy to incorporate anti-racism and to move beyond notions of private property. Shalanda Baker, a law professor currently on a professional leave of absence from Northeastern University to serve in the Biden administration, is already secretarial adviser on equity and deputy director for energy justice in the Department of Energy. The deputy director role is newly created by the Biden administration.” [Epoch Times, [8/11/21](#)]

RECEPTION TO EVENTUAL CONFIRMATION

Senator Manchin Spoke In Support Of Bakers Confirmation Right Before The Vote. “Mr. President, I am pleased to support the nomination of Ms. Shalanda Baker to be the Director of the Office of Minority Economic Impact at the Department of Energy. [...] I believe Ms. Baker is very well qualified for this position. She has spent the past decade studying the impact of the transition from fossil fuels to cleaner energy resources on disadvantaged communities. And she has spent the past 17 months serving as the Deputy Director for Energy

Justice and as Secretary Granholm's Advisor on Equity. I strongly support her nomination, and I urge a favorable vote on her nomination." [Targeted News Service, Via Nexis, [6/9/22](#)]

Shalanda Baker Was Confirmed In June 2022 In A 54-45 Vote, With Five Republican Senators Voting To Confirm

Collins, Murkowski, Hyde-Smith, Wicker, And Tillis All Voted To Confirm Baker. [Press Connects Data, Accessed [7/1/22](#)]

Secretary Granholm Applauded Baker's Confirmation. "I am so grateful to have Shalanda Baker confirmed to serve as Director of DOE's Office of Economic Impact and Diversity. Her efforts to advance President Biden's Justice40 initiative have already revolutionized our Department's work in underserved and overburdened communities across America. There is no more effective champion for building an equitable, just, clean energy economy than Shalanda. We are thrilled that she is willing to serve the American people and we are incredibly fortunate to have her in the DOE family." [DoE, [6/8/22](#)]