

Opening Statement for Business Meeting
Chairman Joe Lieberman
April 1, 2009

AS PREPARED FOR DELIVERY

Good afternoon. The business meeting will now come to order.

We have ten items on our agenda today including two nominations and eight bills, including several that the Committee approved last Congress. I know some members have other obligations this afternoon as well, so I'd like to get right to the agenda, and I will dispense with opening statements for the record - if Ranking Member Collins is in agreement.

NOMINATION OF JANE HOLL LUTE Deputy Secretary, DHS

The first item on the agenda is the nomination of Jane Holl Lute to be the Deputy Secretary of DHS. I will also ask consent that my full statement on this nomination, and the other items on our agenda today, be inserted in the record.

The Committee held a hearing on Ms. Lutes' nomination last week, where we discussed a number of the challenges facing the department. I believe Ms. Lute demonstrated that her extraordinary credentials, which include an impressive educational background – including a Ph.D. from Stanford, a J.D. from Georgetown, and 3 years as a professor at West Point – and a professional resume which includes a sixteen-year Army career and very broad national security and management experience, has been instrumental in preparing her for this position.

I am particularly impressed by Ms. Lute's leadership and management experience, in a career dedicated to public service. In her testimony before the Committee last week, it was readily apparent that

her time with the U.S. Army helped make her into the leader she is today. One who recognizes that, in her own words, “people are the most important resource any ...organization has.” I am also confident that her military experience with signals intelligence and on the National Security Council under two Presidents has prepared her for the intelligence and counterterrorism missions of DHS.

As the head of the UN Department of Peacekeeping Operations, Jane Holl Lute managed and supported operations for the second largest deployed military force in the world, and worked to provide security, aid and emergency services to some of the most remote and troubled environments around the globe. She managed multi-billion dollar budgets, and welcomed oversight and constructive criticism of her Department, in an organization that many have described as “openly hostile” to such transparency.

I would also like to note that Jane Lute has already begun reaching out to many DHS’ stakeholders - part of an effort to build and continue a strong, lasting relationship between those organizations and the Department. It is a testimony to her and the work she’s already begun

doing that. The Committee has received letters supporting her nomination from the International Association of Emergency Managers, the National Emergency Managers Association, the International Association of Fire Chiefs, the Major Cities Chiefs, the National Sheriffs' Association, and Lee Baca, the Sheriff of LA County, among others.

I believe that Ms. Lute is exceptionally qualified to take on the challenges facing DHS and I hope that this Committee, and then the full Senate, will support her nomination and move it quickly.

NOMINATION OF M. JOHN BERRY
Director, OPM

Our next nominee is John Berry, who has been nominated to be the Director of OPM. I would like to thank Senators Akaka and Voinovich for holding an insightful hearing on Mr. Berry's nomination last week. Mr. Berry has excellent qualifications to oversee the federal workforce. He has worked in the executive branch for ten years, working in high-level management positions overseeing tens-of-thousands of employees, and most recently serving as the Director of the Smithsonian National Zoological Park. Mr. Berry also spent ten years working for Representative Hoyer, paying particular attention to issues that affect federal employees. Over his career, he has launched several innovative initiatives for training and overseeing employees and managers and to improve work life conditions at the workplace.

These are all areas where the federal government must continue to improve. Mr. Berry will face looming human capital challenges at OPM as the federal workforce continues to age and retire, but I am confident that he will work with the Committee as we address these challenges. I

support his nomination and believe that Mr. Berry will leave a positive mark on OPM.

H.R. 35, PRESIDENTIAL RECORDS ACT

We now turn to the Presidential Records Act, H.R. 35, which I am pleased to support, as I did during the last Congress when it passed this Committee. This bill protects the intentions of the Presidential Records Act of 1978 – “to make records available to the public as rapidly and completely as possible.”

The original Presidential Records Act allows presidents to restrict the access to certain deliberative records for no more than 12 years, but did not define how incumbent and former presidents would claim privilege. Up until this point, presidents have issued executive orders establishing such a process, and I was pleased that President Obama chose to issue an executive order on his first day in office that met the presumption of openness that is in the Act. H.R. 35 would codify this process.

At this time, I would like to offer a substitute amendment that would extend the length of time a former President has to review documents from 40 days to 90 days. This is an agreement that was reached with members of the Committee during the last Congress. The

Amendment also clarifies the process in which a former president claims privilege, by first petitioning the incumbent president.

I believe this bill is a tribute to freedom of information and the timely release of materials essential to self-governance. Presidential records have shaped in innumerable ways the understanding Americans have in how their government works and how the critical decisions of state are made. The scholars who sift through and write about these public records make a lasting contribution to the public welfare that goes well beyond academia.

**S. 615, A BILL TO PROVIDE ADDITIONAL PERSONNEL
AUTHORITIES FOR THE SPECIAL INSPECTOR GENERAL
FOR AFGHANISTAN RECONSTRUCTION**

Now we will move onto S. 615, a bill that will provide flexible hiring authorities to the Special Inspector General for Afghanistan Reconstruction, or SIGAR. These authorities have proven helpful for two other existing Special Inspectors General; one in Iraq and the other for TARP. The SIGAR is currently understaffed and the legislation is aimed at remedying that, thus enabling SIGAR to conduct more robust oversight.

Senator Collins introduced this bill and, as a sign of how important it is, six Senators from this Committee, including myself, joined as cosponsors.

**S. 507, NON-FOREIGN AREA RETIREMENT EQUITY
ASSURANCE ACT OF 2009**

Our next bill, S. 507, also alleviates a concern of many federal employees, particularly those residing outside the 48 contiguous states, by moving toward offering locality pay rather than a cost of living

allowance. This bill passed through our Committee and the Senate last
Congress.

S. 713, FEMA ACCOUNTABILITY ACT OF 2009

The FEMA Accountability Act, S. 713, is next on our agenda.

This bill would ensure that FEMA works expeditiously to dispose of its stock of over 100,000 temporary housing units while also ensuring that

FEMA has a smart plan to keep a certain number of units in stock in

order to quickly respond to a disaster. This Committee and the Senate

passed very similar legislation last year. ~~I would like to turn to Senator~~

~~Pryor, the sponsor of S .713, to present the details of the legislation.~~

S. 574, PLAIN WRITING ACT OF 2009

The Plain Writing Act, S. 574, our next agenda item, passed the Committee last Congress. This bill would require agencies to write in plain language for any document intended for the public within one year after enactment. Many members of our Committee are cosponsors of this legislation.

**S. RES. 87, SENSE OF THE SENATE RECOGNIZING
PUBLIC SERVANTS DURING PUBLIC
SERVICE RECOGNITION WEEK**

S. Res. 87 will commend public servants, and express our gratitude to them, during Public Service Recognition Week, which begins on May 4th. Once again, many members of the committee are cosponsors of this legislation. ~~At this time, I would invite Senator Akaka to say a few words on this bill.~~

I would ask unanimous consent that the full Committee majority and minority staffs, by mutual agreement, be permitted to make technical and conforming changes to the measures we have reported out today.

I would like to thank my colleagues and especially the distinguished Ranking Member for their hard work today.

The business meeting is adjourned.