

**Statement of Senator Susan M. Collins**

**HSGAC Business Meeting**

**April 1, 2009**

**As we have a very full agenda, I will speak briefly on the nominations before the Committee today and quickly turn to two bills on our agenda that I believe warrant special mention.**

**I intend to support the nomination of Jane Lute to serve as Deputy Secretary of the Department of Homeland Security. Her dedicated military service, her experience with the National Security Council, and her work managing the extremely challenging logistical and diplomatic aspects of U.N. peacekeeping deployments will serve her well as she takes on management challenges at DHS.**

As we consider Ms. Lute's nominations, I urge my colleagues to consider her background and experience separately from the dysfunctional management and general lack of transparency at the U.N.

Some of the challenges Ms. Lute faced at the U.N. will greet her on her first day at DHS – an undermanned acquisition workforce, bifurcated management of program requirements and contract oversight, and inadequate coordination between components, the field, and headquarters. I expect Ms. Lute to lead and initiate management reform efforts at the Department. Ms. Lute should also expect this Committee to hold her, and the Secretary, accountable for the results of their efforts to improve the operations of the Department.

The Committee has received many letters in support of Ms. Lute's nomination. General Scowcroft's strong

support for her is particularly compelling to me. In addition, many of the nation's emergency management and first responder organizations have indicated their support for the nomination. The International Association of Emergency Managers, the International Association of Fire Chiefs, the National Emergency Management Association, the National Sheriffs' Association, and the Major Cities Chiefs have all written in support of Ms. Lute's nomination.

I will also support the nomination of Mr. John Berry to serve as the Director of the Office of Personnel Management. The Director of OPM will play a critical role as the federal government faces a wave of Baby Boom retirements, compensates for the increasingly transient nature of the workforce, and attempts to recruit and retain skilled government personnel.

Mr. Berry has demonstrated a commitment to serving the American people. During his time at the National Zoo, he has worked to improve employee morale, and notably has been leading the Zoo through a master planning process. He has also served as Assistant Secretary for Policy, Management and Budget at the U.S. Department of the Interior. I encourage Mr. Berry to maintain an open mind and think creatively as he considers needed civil service reforms.

I want to mention two bills on our agenda.

I am pleased to join Senator Carper this year as the lead Republican on the Federal Firefighters Fairness Act. Last year, the Committee overwhelmingly passed a similar bill that Senator Carper and former Senator Warner brought forward.

**The bill addresses an unfair hurdle faced by federal firefighters who suffer from an occupational illness. Current law requires them to specify the precise exposure that caused their illness - a huge challenge for many firefighters, who serve for years surrounded by a variety of hazards whose effects may not immediately or unequivocally manifest themselves.**

**This bill would create a rebuttable presumption that, for the purposes of a disability benefits determination, federal firefighters who become disabled or die as a result of heart and lung diseases, certain specified cancers, and certain specified infectious diseases contracted their illnesses on the job.**

**Such a presumption will not guarantee that Federal firefighters will receive any disability benefits. This legislation would simply switch the burden of proof from**

**the sick federal firefighter and his family to the federal agency employing him.**

**If the employing federal agency can demonstrate that a firefighter's illness likely had another cause, then such an illness will not be considered job-related. For example, an agency that employs a firefighter who smokes and has contracted lung cancer would be able to rebut the presumption that the cancer was caused by firefighting. Therefore, I believe this legislation contains appropriate protections against those illnesses that may be caused by activities other than firefighting, providing agencies with a fair opportunity to challenge claims without requiring injured firefighters to meet the unreasonable burden of proof found in current law.**

**Outside the federal government, 41 States have enacted similar presumptive disability laws for municipal**

firefighters. If the federal government wants to be able to recruit and retain qualified firefighters, it must be able to offer a benefits package that is competitive with the municipal sector.

The major national fire service organizations, including the Congressional Fire Services Institute, the National Fire Protection Association, International Association of Fire Fighters, and the International Association of Fire Chiefs, support this bill. I urge my colleagues to support it, as well.

Finally, I will mention a bill that would provide the Special Inspector General for Afghanistan Reconstruction (SIGAR) with the authority to quickly hire experienced, well-qualified staff to conduct rigorous oversight of reconstruction efforts in Afghanistan.

The United States has provided approximately \$32 billion in humanitarian and reconstruction assistance to Afghanistan since 2001. The SIGAR is charged with conducting independent and objective audits, inspections, and investigations of the use of these funds.

Although the SIGAR was sworn into office on July 22, 2008, the office has not yet conducted any independent audits or investigations. Staffing shortages have constrained the SIGAR's oversight efforts. Although the SIGAR's office has been allocated a total of 18 auditors, 13 inspectors, and 18 investigators, the SIGAR has hired only seven auditors, five inspectors, and one investigator.

This bill would provide the SIGAR with the authority to select, appoint, and employ the staff needed to perform effective oversight of Afghanistan

reconstruction efforts. The authority is similar to that provided to other government “temporary organizations” and authority the Special Inspector General for Iraq Reconstruction utilized to quickly initiate his oversight efforts.

I urge my colleagues to support this legislation and hope we can quickly send it to the President to support the SIGAR’s oversight efforts.

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