

**Opening Statement for Business Meeting**  
Chairman Joe Lieberman  
May 20, 2009

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

We have 17 items on our agenda today - eight pieces of legislation, five nominations, and four postal naming bills.

I believe our nominees have the support of the members of this Committee, so after statements are made, if there are no objections, I will move that we vote on the nominees en bloc before considering the legislation on today's agenda.

The first item on the agenda is the nomination of David Heyman to be the Assistant Secretary in charge of the Office of Policy at DHS. Mr. Heyman, if confirmed, will play a significant role within DHS, serving as the lead officer for the development and coordination of department-wide policy. Mr. Heyman has an extensive and impressive background in homeland security policy, including, most notably, leading the Center for Strategic and International Studies' Homeland Security Program. In addition, Mr. Heyman has relevant experience from the Clinton Administration, where he worked as a senior policy advisor at the Department of Energy and also worked at the White House Office of Science and Technology Policy.

I am confident that Mr. Heyman is fully qualified to carry out his responsibilities and will do a fine job in supporting Secretary Napolitano's efforts to develop and coordinate policy for the Department. I hope that this Committee, and then the full Senate, will support his nomination and move it quickly.

Our next nominee is Cass Sunstein, who has been nominated to be the Administrator of the Office of Information and Regulatory Affairs, or OIRA, at OMB. Professor Sunstein has spent many years writing and discussing regulation, the management of risk, and OIRA, while teaching at the University of Chicago Law School and, last year, at Harvard Law School. Our new President and his team are developing a forceful regulatory agenda to protect the American people in the face of unprecedented new challenges with regard to finance and the global environment.

After listening to Professor Sunstein at last week's hearing, I am convinced that he has superior qualifications – and a strong commitment – to guide OIRA in support of the Administration in meeting these challenges.

Next, the Committee will consider the nomination of Robert Groves to be the Director of the Census Bureau, which comes at a critical time for the Census Bureau. With less than a year before the nation's decennial census takes place, the Bureau is in need of technically skilled and forward-looking leadership to guide it through a thicket of problems that threaten to undermine the 2010 census and therefore the Bureau's core functions.

Mr. Groves appears to be an inspired choice for this position. First and foremost he is a scientist, with extensive expertise in statistics, social research, and survey methodology. But second, he is deeply committed to modernizing the business of government surveys, and recruiting and training the next generation of statisticians at an agency where almost half the staff will be eligible for retirement within one year.

Since the 1970s, Mr. Groves has been a professor in the Sociology Department at the University of Michigan. For the last eight years, he has directed the University of Michigan Survey Research Center - the largest academic survey research organization in the world. From

1990-1992, he was associate director at the Census Bureau, returning to Ann Arbor except for a four year appointment at the University of Maryland.

Mr. Groves has the scientific background and credentials to guide the Census Bureau during this critical time. His experience with federal agencies and with managing large-scale surveys has provided him with a clear-eyed view of the administrative challenges facing any large organization and the need to plan for the future.

Finally, we have two well-qualified nominees to be Associate Judges of the Superior Court of the District of Columbia, Marisa Demeo and Florence Pan. Judge Demeo is currently a Magistrate Judge in the Criminal Division of the Superior Court in DC and Ms. Pan is currently an Assistant United States Attorney for DC. I would like to thank Senator Akaka who chaired a hearing for both nominees last week where their qualifications were discussed.

We have eight pieces of legislation on our agenda today, although I will speak only about two of them. The first is the Federal Firefighters Fairness Act of 2009, S. 599, which Senator Carper took the lead in introducing, and I was happy to co-sponsor along with Senator Collins and others. This measure – which was also reported out of Committee last Congress - would amend federal workers' compensation law so that if a federal fire fighter dies or becomes disabled from one of the diseases listed in the bill, the disease will be presumed to have been caused by the employment, therefore entitling the worker to compensation. The main point to emphasize is the word "fairness," from the title. Forty-two states have similar laws, and this bill would correct the disparity between protections granted to federal firefighters versus state and local counterparts.

The second bill I want to talk about is S. 629, a bill introduced by Senators Collins, Voinovich, Kohl, and McCaskill, that will authorize federal agencies to re-employ retired federal employees on a limited basis without offset of annuity from salary. This authority would sunset in five years. This bill may help to alleviate the crisis that many of us have been discussing for years – that 46 percent of the federal workforce is eligible for retirement by 2012 – by giving agencies an additional tool for bringing retired workers back on a limited basis to fill particular needs. On the other hand, I know that some are very concerned that agencies may be tempted to overuse this option, bringing back annuitants who may not be best for the job and blocking opportunities for advancement for younger personnel. This is an important issue, and, while I will vote for the bill today, I want to work on these and other concerns going forward before sending the bill to the floor.

I thank my colleagues for their hard work and cooperation in negotiating out our differences.