

INTRODUCTORY STATEMENT OF JUDGE MICHAEL CHERTOFF

Wednesday, February 3, 2005

Chairman Collins, Ranking Member Lieberman, Members of the Committee. I am pleased to appear before this Committee as you consider the President's nomination of me to be Secretary of Homeland Security. Before I proceed with a brief opening statement, I would like to introduce my wife, Meryl, who is seated behind me in the first row. My two children are back at home in school. I thank my family for their support and sacrifice.

I was deeply honored by the President's decision to nominate me to be Secretary of DHS. As I said at the time of the announcement, if confirmed I would feel privileged to serve with the thousands of men and women who stand watch protecting America's security and promoting America's freedom.

Since September 11, 2001, the challenge of our generation has been to defend our country against the evil of terrorism while honoring our fundamental commitment to our liberties and privacy. We must work together to preserve an America that is safe, secure, and free.

I want to take this opportunity to briefly outline some of the experiences which I will bring to bear if I am confirmed as Secretary of DHS.

As Assistant Attorney General of the Criminal Division of the Department of Justice from 2001 to 2003, I shared in the management of the Department during, and in the wake of, the attacks of September 11th. As a consequence, I have had the rare experience of managing a critical government organization under the stress of a national emergency. My duties made me fully familiar with many of the central elements of the war against terrorism. I assisted in formulating our strategic plan of response; breaking down the barriers to intelligence sharing; cooperating with other agencies—including the Department of Homeland Security—and negotiating cooperation with our law enforcement counterparts overseas. I also sat on the Justice Department National Security Coordination Council, which brought together leadership of key Justice components including the FBI and INS. As part of these efforts, I worked closely with officials across our government, across our country, and across the world on some of the key facets of homeland security.

While serving as head of the Criminal Division, I was required to evaluate information from many intelligence agencies as a prerequisite to operational decision making. As a result, the value—and limitations—of intelligence are familiar to me as a manager. Additionally, I reconfigured many of our component sections to push resources into the field and to increase operational capacity. My style is to lead by example, and that includes a willingness to delve into and understand challenges faced in the field.

But, I have also dealt directly with the issue of security at the state and local level. As a young prosecutor, I worked closely with agents from services that are now part of DHS such as the Customs Service and the Secret Service, and with first responders such as state police and local police in major law enforcement actions. As United States Attorney in the early 90s, state and local officials joined me in fashioning a comprehensive approach to addressing urban crime and social problems under programs such as Weed and Seed. Accordingly, I have learned to appreciate the perspectives of state and local officials because I have shared their vantage point.

And just as important, from my vantage point on September 11th and in the weeks and months to follow, along with everyone else in America I saw the heroism and the sacrifice and the commitment of firefighters, police and other emergency response professionals. And if confirmed I look forward to working with them to make the great promise of this still-new Department a reality for them and those they serve.

I believe that the Secretary of Homeland Security will have to be mindful of the need to reconcile the imperatives of security with the preservation of liberty and privacy. As an attorney representing indigent defendants; as a legislative counsel examining racial profiling; and as a United States Circuit Court Judge, I have committed to fostering liberty and privacy. If confirmed, I will draw on this background to promote measures that enhance our security while affirming our constitutional values.

Finally, the cornerstone of my leadership philosophy has always been this: respect those with whom you work. That means invite candid discussion and advice; make prompt decisions; articulate clear goals; expect accountability; and reward service.

If I am confirmed as Secretary, we will work as a Department to improve our technology, strengthen our management practices, secure our borders and transportation systems – and most importantly – focus each and every day on keeping America safe from attacks. I will be privileged to strive under the leadership of President Bush to accomplish these goals. I also will look forward to working with this Committee in pursuit of our shared goal of keeping America secure and free. I can't promise perfection in our efforts, but I can promise that we will work tirelessly and do everything within the law to keep our nation safe.

I will be pleased to answer the Committee's questions.