

Opening Statement for Sen. Tom Coburn
Nominations of Stevan E. Bunnell to be General Counsel, U.S. Department of Homeland Security, and Suzanne E. Spaulding to be Under Secretary for National Protection and Programs Directorate, U.S. Department of Homeland Security
September 18, 2013

Good morning. Thank you for being here today.

Leadership vacancies are one of the biggest challenges facing the Department of Homeland Security. Last week, this Committee held a hearing looking at lessons learned and challenges facing the Department of Homeland Security.

We heard from former Secretary Ridge and other former senior officials about the many challenges facing DHS—from questions about Congressional oversight to mission creep and successful integration of the Department and its components.

A clear take-away was that it will require real leadership to address these problems and create a well-functioning Department for the next 10 years.

One of the biggest challenges facing the Department is its many leadership vacancies. According to information provided by the Department and our analysis, there are currently 15 senior leadership positions unfilled at DHS, 8 of which are Senate confirmed and 7 that do not require Senate confirmation.

If DHS is going to address its many challenges—and become a well-functioning Department—it will require strong and effective leadership atop the Department and at each component, office, and directorate.

I am hopeful that the two nominees under consideration today will earn the Committee's support and be confirmed.

Each of you has an impressive resume, and experiences and knowledge that make you well-qualified for the positions to which you have been nominated. Ms. Spaulding, I have appreciated our meetings and candid conversations about the challenges at NPPD. Mr. Bunnell, I have reviewed your background and your questionnaires, and understand that you are well-qualified for the General Counsel's position.

But by earning the trust and support of our Committee, we ask for your word and assurance that we will be partners in working together to fix the Department.

Conducting oversight and asking questions on the American people's behalf is one of our committee's main responsibilities. Unfortunately, too often DHS doesn't cooperate with our oversight requests, and has undermined what could be a collaborative process to identify and fix problems.

For example, when the Permanent Subcommittee on Investigations was doing our bipartisan investigation into the fusion center program, DHS seemed to use every tool they could—including making weak legal arguments—to drag out the process and undermine the oversight process.

The result was a significant in our investigation, which ultimately found significant problems in that program.

And that was a “lose-lose” for DHS, the Congress, and frankly the American people who are paying for these programs.

Instead of spending those two years fixing the problem—and figuring out how DHS's intelligence program could yield better value for the American taxpayer—we were stuck in absurd legal debates over document production.

In other cases, I asked basic questions and didn't receive straight answers from the Department. For example, during the Immigration Reform debate, I asked Sec. Napolitano whether she could share with me her sector-by-sector border security plan and provide a “Congressionally-Mandated Border Security Status Report.” The initial report was due to Congress in February 2012.

However, I didn't get a plan or the report. And what little information I did get was not helpful.

So our committee and the Senate had to vote on the Immigration Reform bill without a clear understanding of the Department's border security strategy.

Today, I ask you to partners with our Committee and to pledge to be cooperative with our Committee and the Congress in the oversight process.

Mr. Bunnell, as the General Counsel, you will have the responsibility of overseeing how the Department and its components respond to Congressional oversight requests. I ask you to commit today to being supportive and cooperative of these requests.

Ms. Spaulding, as the Under Secretary for NPPD, you will be overseeing a Directorate with a troubled track record. As you know, this Committee and Congress have had serious questions about some of the key initiatives that your Directorate oversees—such as the CFATS program for

Chemical Facility Security and cyber security. I ask you to be candid with our committee and forthcoming when we ask you questions.

Working together—through this oversight process—I'm certain we can strengthen the Department.

I plan to discuss some specific policy issues this morning.

But I will close for now by thanking you for being here today and for being willing to serve. I look forward to hearing your testimony and hopefully working with you to help fix the Department over the next three years.