

Sen. Coburn's Opening Statement
Nomination of Hon. Jeh C. Johnson to be Secretary, U.S. Department of Homeland Security
November 13, 2013

Thank you, Mr. Chairman. I have a rather lengthy opening statement, and I apologize for that, but I think it's necessary in this case.

Mr. Johnson, welcome.

We've had great visits. Thank you for being here today. And I personally want to thank you for stepping forward to fill this position. I think it is the most difficult position of all the cabinet secretaries. I can't think of one that comes anywhere close to it, because of the difficulties but also because of the responsibilities.

It's clear to me that you are an honorable man from all the people that I've heard from, my encounter my encounter in terms of your intelligence, it's far above mine and most of the members of Congress, which is exactly what we want.

I've appreciated your commitment to being transparent with us and working with our committee to address the fiscal and structural issues that are facing the Department of Homeland Security.

And when you are confirmed -- I'm not going to say, if, I think you're going to be confirmed -- I surely hope we can work together through the upcoming years to fix the Department of Homeland Security before it's broken, and to make our nation much more secure.

Some people may consider the nomination process a series of formalities, but it is important for us to understand one's experience and qualifications.

I'm extremely disturbed by the responses to the questionnaire, because—either the legislative staff or the White House—has cut and pasted identical answers to 23 questions in your response. Identical responses to that of other nominees before this committee.

So they're not you're answers. They're their answers.

And the shoddy work associated with that does not serve the committee well. And I'd like to enter these into the record now to show the duplications and exact words that have been thrown before this committee before.

The whole purpose for the questionnaire is for us to get your thoughts, not a legislative assistant's thought at Homeland Security or somebody at OMB's thoughts, but your thoughts.

So until those are corrected and we actually have Mr. Johnson's response, I will not consider that his questionnaire has been completed.

That doesn't serve Mr. Johnson well. And that's one of the problems at Homeland Security. Sometimes the secretary is not served well by their staff. So I look forward to our hearing today, but I also look forward to seeing those responses.

And there's nothing wrong with an "I don't know," because we can't expect you to know everything now. There's nothing wrong with that.

And that's the kind of footing I want to start out with. We certainly don't know a lot of answers, and we wouldn't or couldn't expect you to know all the answers until you get into it.

You stand to be the fourth secretary of homeland security. The three previous secretaries were highly intelligent and dedicated public servants with significant experience.

If they were here today, I would expect they would be the first to admit they have not adequately fixed all the known challenges that face the Department of Homeland Security.

Through oversight work of both this committee and others, we've identified a series of problems at Homeland Security's programs that I would like to bring to your attention, and ask that you focus on if you're confirmed.

We may not be right in our assessments, but as you and I have spoken privately, it's important for you to get input from all sources. And so I have prepared a binder for you which I will give you today. I don't expect you to read it in the next week or two, but it's a different viewpoint than what you're going to hear inside the organization.

And, I can tell you for us to be successful in Congress in getting Homeland Security what it needs, and the resources it needs, there has to be confidence in Congress on a lot of these problems.

But let me just highlight a few of them.

First: Establish the proper balance between freedom and security.

That's a real issue at Homeland Security. The American people understand that we can't achieve 100 percent security without sacrificing some of their freedoms and Constitutional rights, but our goal and our responsibilities is strike the right balance.

DHS has committed to working in this privacy and civil liberties office, but our oversight work has found that it's often unable to do so. Customs and Border Protection owns 10 cutting edge drones and surveillance equipment for them. Before -- as required by law -- before putting those in the air, they were supposed to do individual civil liberties and have a plan for those.

None of that was done.

It still hasn't been done.

And if it has been done, it has not been communicated back to the committee. So that's a balance between law and responsibility that the Department has failed on.

Second: Evaluate whether DHS's spending on counterterrorism and intelligence programs is making us safer.

We had a terrorist attack in 2001 that led to the creation of the DHS. But after 10 years, it's not clear that DHS' intelligence and counterterrorism initiatives are making us measurably safer.

The preparedness grants, the fusion centers are all areas that have highly questionable effectiveness in terms of preventing further terrorism.

Third: Prove to the American people that the Department of Homeland Security can secure our borders and enforce our nation's immigration laws.

And I understand that one of your priorities if confirmed is to prepare DHS to handle its responsibility -- responsibilities if comprehensive immigration reform were to pass. Frankly, the best way we could do that would be to prove to the American people that DHS is capable of securing the border now and handling the responsibilities that they have now, which they are not.

Over the past 10 years, we've spent \$90 billion border security, yet we know that our southern border's not secure. An independent analysis from the Council on Foreign Relations estimated the apprehension rate at the southern border was 40 percent to 55 percent versus DHS's own numbers of 75 percent to 80 percent.

We know that millions of people are living here in violation of our immigration laws, having overstayed their visas, and some of those are in violation of criminal laws, as well. Yet, DHS has done little to address that problem.

In fact, we've heard from frontline personnel that DHS is not actively enforcing our immigration laws, including deporting people who are known to be a risk to public safety right now.

Fourth: The department needs to prove that it can work with the private sector and provide value in addressing key threats, like cyber security, before accepting expecting responsibilities.

I won't go into the details of that now. And I will try to hurry Mr. Chairman.

Fifth: The fifth area is DHS has not managed major acquisition programs effectively. And there're many areas that we've made inquiries on that, and we have yet to get a response.

One of the things that encourages me in our conversations is the commitment that you will be responsible and transparent to us, and yet we have waited months and sometimes years as the committee of jurisdiction to get answers to our questions.

Sixth: The FEMA disaster declaration process needs to be fixed.

One of the areas that we've seen marked improvement is in FEMA, which I congratulate the department on. Another area we've seen marked improvement is the Coast Guard, which I congratulate the department on.

To be clear, being secretary of the Department of Homeland Security is one of the most challenging positions in our government, and I believe you will be confirmed.

My hope is that you will in fact renew your commitment to the committee and to me personally that you will run a transparent shop, being responsive to us and our concerns, not only giving us an opportunity to have education from you on what the facts really are, but also to receive information in turn on what we're seeing in the respective areas across the country.

There's too much at stake for us not to work together to fix the Department of Homeland Security.

As Senator Carper noted, morale is at the lowest level, according to surveys, of any department within the federal government. That's a function of leadership, and I think you have those qualities to instill that, to rebuild this organization and to put it in a place where it needs to be.

The American people are counting on us. But they're going to be counting on you, and there's simply too much at stake for us to fail.

I hope that you will earn this committee's trust; you've earned mine thus far. And look forward to working with you in this very important job.