



For Immediate Release  
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**Nomination Hearing  
For the Nomination of  
Michael Chertoff to be  
Secretary of Homeland Security  
Opening Remarks of Senator Susan M. Collins  
Chairman, Committee on Homeland Security and Governmental Affairs  
February 2, 2005**

Today, the Committee on Homeland Security and Governmental Affairs will consider the nomination of Judge Michael Chertoff to be Secretary of the Department of Homeland Security. This is an extraordinarily challenging job – a job that requires an individual with extraordinary leadership skills, extraordinary dedication, extraordinary energy, and, at times, extraordinarily thick skin.

Before we begin, I would like to express my gratitude to the person Judge Chertoff seeks to replace. In the immediate aftermath of the attacks of September 11<sup>th</sup>, Tom Ridge answered the call of service to his country. At a time when homeland security was little more than a concept, Tom Ridge stepped forward to begin the monumental task of making it a reality. He is a pioneer and a patriot. On behalf of all Americans, I thank him and wish him great success in his future endeavors.

Judge Chertoff now steps forward to answer that call. The strengths and experience he brings are impressive. He has devoted a significant part of his life to public service, as a federal prosecutor in New Jersey, then as the head of the Justice Department's Criminal Division, and now as a federal judge. As the overwhelming vote for his confirmation two years ago demonstrated, he is well respected on both sides of the aisle. Since 9/11, Judge Chertoff has established himself as a leading expert on the legal and national security issues surrounding the war on terror.

The purpose of this hearing is, of course, to evaluate the qualifications and positions of this nominee. It is inevitable, and necessary, that we do this in the context of where the Department currently stands and where we want it to go.

To do that, I believe it is important that we also consider the context in which the Department was born. In the immediate aftermath of September 11<sup>th</sup>, America was a nation determined to defeat terrorism, but still feeling its way toward an effective response.

We knew from the start that ensuring our nation's security should not come at the cost of our civil liberties. In those perilous, uncertain days, we also knew that we needed to take decisive action immediately. Some now question whether we tilted the balance too far toward security. It is always appropriate to ask that question, but it is also important to remember the atrocities that led us to take action – and to remember the threat that continues today.

One of the difficult balancing questions that has been raised in conjunction with this nomination is the matter of interrogating those detained in the war on terror. In his responses to our written questions, Judge Chertoff made it clear that he believes that torture is wrong, no matter where it occurs. Of course, that is exactly right. But the larger issue of security versus liberty is much more complex, and I very much look forward to discussing this balance with Judge Chertoff today.

Since it began operations nearly two years ago, the Department of Homeland Security has made considerable progress in its mission of protecting our nation against terrorism and improving our ability to respond should an attack occur. The melding of 22 federal agencies with some 185,000 employees has proven to be a task as difficult as it sounds, but it has not been the impossibility that some predicted. We are better protected, and our ability to respond is greatly improved.

This new year begins, however, with fresh reminders of the great challenges that lie ahead. A week ago, this Committee held an oversight hearing to assess those challenges, and they are considerable. From the lack of long-range strategic planning, to an inefficient management structure, to unexplained delays in the Transportation Worker Identification Credential program, our expert witnesses made a powerful argument that Homeland Security remains very much a work in progress.

GAO's 2005 High-Risk List released last week bolsters that assessment. Many of the difficulties GAO saw two years ago in consolidating 22 separate agencies into one new and cohesive department remain to be overcome. Now GAO also finds that information sharing – both within the Department and with other departments and other levels of government – is a weakness that must be addressed.

There are other important challenges that the new Secretary will face. They include strengthening the security of our ports, ensuring adequate funding for our first responders, fostering stronger relationships with state and local law enforcement, and securing our critical infrastructure.

The new Secretary will have a full plate. The Committee looks forward to hearing Judge Chertoff's views about the direction and the future of the Department.

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