

**Opening Statement of Claire McCaskill
Nomination Hearing for Elaine C. Duke to be
Deputy Secretary, Department of Homeland Security
March 8, 2017**

Thank you, Chairman Johnson.

Ms. Duke, welcome.

As you know well from your many years at the Department of Homeland Security, the role of Deputy Secretary is an incredibly important one. While the Secretary is the head of the Department and ultimately responsible for its actions, it is the Deputy Secretary who ensures that the trains are running on a day to day basis in order to accomplish the Department's missions. This requires strong leadership skills.

When Secretary Kelly's nomination was in front of this Committee, I told him that he was going to need a top notch manager as his deputy. I'm pleased to see that he has, in fact, chosen someone with not only significant managerial experience but also someone who knows how to be accountable for taxpayer dollars.

Since Ms. Duke's nomination, my staff and I have heard from many former DHS employees and officials about Ms. Duke's strong qualifications for this position. This includes a formal endorsement signed by the previous five Deputy Secretaries of DHS attesting to Ms. Duke's integrity and management skills.

I've been glad to hear of each of these endorsements because, Ms. Duke, you face a formidable task if confirmed. The Department of Homeland Security is the third largest federal agency in this country, with a \$46 billion budget. It is charged with some of the most important duties in our government, such as overseeing cybersecurity, immigration, and emergency

management. It is also an agency, however, that has faced persistent challenges in unity of effort, acquisitions, and personnel.

As you yourself have acknowledged, DHS continues to struggle with cohesion and mission among its many components. Many of its acquisitions programs have also been plagued by backlogs, delays, and budget shortfalls. In terms of employee morale, the Department is consistently ranked as one of the worst places to work in the federal government.

The Department has made strides in recent years in improving procurement, acquisitions, and jointness, and also in prioritizing a threat/risk-based approach to programs. I know you played a role in many of these efforts in your time at the Department. If you are confirmed, it will be of the utmost importance that you continue pushing these approaches because recent improvements must not be allowed to be rolled back.

As the Chief Operating Officer of this agency, I expect that you will always approach new and existing programs with a critical eye for how they can more effectively achieve their missions and more efficiently spend taxpayer dollars. I also expect that you will not hesitate to oppose programs that do not meet your standards of efficacy and efficiency.

As the Department continues to be thrust into the spotlight and entrusted with some of the highest priorities of this Administration, the job of the Deputy Secretary in maintaining high operational standards in a rapidly evolving environment will be difficult. From what I have heard of your integrity and management skills, I believe you are up to this challenge. But this Committee is going to hold you accountable for how you manage these priorities for the Department.

I was pleased to see that you have made a strong written commitment to responding to requests for information from any member of this Committee. So far, however, DHS has done a

very poor job of responding to such requests. Since becoming the Ranking Member of this Committee, I have sent a number of requests for information in order to uphold *my duty* to oversee the agency and its actions. But DHS is failing to uphold *its duty* to respond to those requests. So far, I have outstanding requests about the implementation and details of President Trump's Executive Orders, requests about how the Department is going to respond to GAO reports and recommendations relating to whistleblower protections and the border wall, and even a request for two statutorily mandated cybersecurity reports to Congress that were due over a month ago. In addition, this complete lack of transparency escalated to the point where ICE refused the Committee's invitation to appear at a hearing last week. If you are truly committed to transparency, I hope you will agree with me that this is absolutely unacceptable.

When Secretary Kelly came in front of this Committee for his nomination, he made similar commitments to be responsive to Congress. But as evidenced by my any outstanding requests for information, he has yet to keep his commitment. So today, I'm going to need assurances from you that if you are confirmed as the Deputy Secretary of DHS, you will use your managerial duty in that role to ensure that this crucial aspect of the Department's job is no longer overlooked and that requests for transparency from Congress, and therefore the American people, will be treated with respect.

I thank you for being here today and I look forward to your testimony.