

**OPENING STATEMENT OF THOMAS PEREZ, NOMINEE FOR ASSISTANT
ATTORNEY GENERAL FOR CIVIL RIGHTS, U.S. DEPARTMENT OF JUSTICE
SENATE COMMITTEE ON THE JUDICIARY**

APRIL 29, 2009

Mr. Chairman, Senator Specter and members of the Committee, I am honored to be before you today and to have the opportunity, if confirmed, to serve our country as Assistant Attorney General for Civil Rights.

It is a particular privilege to return to this Committee, where I spent more than two years working as special counsel to Senator Edward Kennedy.

I am grateful to the President and to the Attorney General for the chance to be considered for this position, and for the opportunity, if confirmed by the Senate, to return to my professional roots in the Civil Rights Division of the Department of Justice.

I would like to thank Senator Cardin and Senator Mikulski for their support, and I would also like to thank my good friend and current boss, Governor Martin O'Malley, for giving me the opportunity to serve the residents of our state. Maryland has exceptional leadership at federal, state and local levels, and I am proud to call it my home.

I also want to thank my family for their unwavering support. I have spent my entire career in public service, and while the non-monetary rewards have been priceless, I could not have done so without the love and support of my wife, Ann Marie Staudenmaier, an accomplished public interest lawyer, and my three children, Amalia, Susana and Rafael.

I also know that my parents, who inspired me to a career in public service, are here with me in spirit. My family's story is the story of millions of immigrants who come to America seeking a better life. My mother arrived in America in the 1930s from the Dominican Republic because her father was appointed Ambassador to the United States. A few years later, her father was declared "non grata" by his country for speaking out against its repressive dictator following the brutal massacre of ten of thousands of Haitians.

It was the middle of the Great Depression, and my grandparents and their nine children had very little aside from unshakeable optimism and a profound gratitude to the United States, their newly adopted homeland. My four uncles were so grateful to this country that they enlisted as legal immigrants and served in the U.S. Army during World War II.

My father also fled the ruthless regime in the Dominican Republic and came to America seeking a better life. He too developed an immediate sense of gratitude for the freedom of America and, while a legal immigrant, served with distinction as a physician in the U.S. Army. He established a strong bond with veterans and, following his discharge, dedicated the rest of his career to the Veterans Administration hospital in Buffalo, New York.

My parents taught my four siblings and me to work hard, aim high, give back and always ensure that the ladder is down for the less fortunate. They valued education, and my four siblings all

became doctors who spend a significant amount of time working with underserved communities. My father quite literally worked himself to an early grave providing for his family, dying suddenly when I was 12. Times became tougher, finances tighter, but my mother was a rock, and I had a village in Buffalo raising me. Thanks to Pell grants, work study jobs and other scholarships, I was able to follow the path to higher education that my parents set out for me.

My goal was always to become a civil rights lawyer, because I believe that civil rights continues to be the unfinished business of America. I want to ensure that everybody has an opportunity to realize the American dream. It was my own dream to work in the Civil Rights Division of the Department of Justice because it is the nation's preeminent civil rights law enforcement agency.

I have had the opportunity to serve the Division in many of its core enforcement areas, and in a number of capacities. I started as a law clerk in the Housing Section under Attorney General Meese, and later became a career prosecutor in the Criminal Section of the Division under Attorney General Thornburgh. I served on the Hiring Committee for the Honors Program under Attorneys General Barr and Reno. I served as a Deputy Chief of the Criminal Section and, following my detail to the Senator Kennedy's office, I returned as Deputy Assistant Attorney General for Civil Rights under Attorney General Reno, where I oversaw the work of the Employment, Education and Criminal Sections.

Under the tutelage of the Division's career professionals, I learned how to be a lawyer, a supervisor and a professional. I traveled across the nation and helped rebuild communities that had been torn apart by racial unrest. My first trip in the Civil Rights Division was to assist in a prosecution in Mobile, Alabama, where we were treated with great respect by then US Attorney and now Senator Sessions. I will never forget my experience in Lubbock, Texas prosecuting a group of white supremacists who went on a racially motivated killing spree; and the memorable case involving the prosecution of members of an elite police unit in Oakland who were involved in a sophisticated scheme of brutality, theft and falsification of evidence. We invariably went up against the best lawyers in town, whether it was Northern California, Mobile, Alabama or Lubbock. As a result of the leadership and fortitude of the dedicated cadre of career professionals, justice was served across America.

And so I must admit that when I read the recent Inspector General's Report on the Civil Rights Division, I was disturbed and saddened. The Civil Rights Division depicted in that report bore little resemblance to the one where I proudly served for almost a decade under both Republican and Democratic leadership.

It troubles me to see that in recent years the effectiveness and reputation of what has long been the nation's finest civil rights law enforcement agency has been damaged. The morale of committed, able career attorneys is at a low point. A brain drain has diminished the effectiveness of many of its sections. The Civil Rights Division has suffered. I am very grateful to Attorney General Michael Mukasey's efforts in stabilizing the situation.

I have a deep optimism that we can restore the Civil Rights Division to its historic position as the preeminent civil rights law enforcement agency in the federal government. At both the Office of Civil Rights at HHS and the Maryland Department of Labor, Licensing and Regulation, I was

asked to take over the reins of an agency with a critical mission but significant challenges. I tend to look at problems as opportunities. None of the challenges at the agencies I have led have proven insurmountable, and I believe the same is true for the Civil Rights Division.

If confirmed, I would begin by restoring trust between the Division's career attorneys and political leadership. Years spent as a career attorney in the Division have given me profound respect for their work and their commitment to enforcing the law. There will undoubtedly be times when I may disagree with judgments of the career leadership, but I pledge, if confirmed, always to listen and take into consideration their opinions and advice.

I will ensure that hiring is guided by a search for the most qualified candidates. The Division is a law enforcement agency, and we will find those with a passionate commitment to enforcing the law in a fair and even handed fashion. I will spend significant time in the near term addressing the brain drain that has adversely affected the Division's ability to carry out its mission. If I am confirmed, under my leadership, the Division will use all of the tools available in its arsenal to enforce the law and uphold justice. We will recognize the need for a comprehensive approach to problem solving, and we will pursue not only litigation, but outreach and education to help prevent violations of the law.

I will build bridges and create coalitions, working with sister agencies in the federal government, as well as partners in state and local governments, to ensure effective enforcement of civil rights laws. For instance, addressing the foreclosure crisis will require substantial collaboration with a wide array of federal agencies, as well as our counterparts in State Attorney General's offices and elsewhere. In my current position as Secretary of the Department of Labor, Licensing and Regulation, I have been a principal architect of the Governor's foreclosure prevention initiatives. I have seen the value of working collaboratively with a wide range of stakeholders, and I have used a wide array of tools, including enforcement, education, and coalition building.

It is important to understand areas where progress has been made, and those programs put in place in recent years that have proven successful will continue. The Division will continue to uphold religious freedom and crack down on human trafficking. At the same time, it is critical to ensure full and fair enforcement of the entire array of laws within the Division's jurisdiction. If confirmed, I will ensure that the Department plays an active role in stemming the foreclosure crisis, ensuring that the sacred right to vote is protected, and aggressively prosecuting hate crimes.

Attorney General Holder told you during his own confirmation hearing that he intends to make restoration of the Civil Rights Division and its mission a priority. If confirmed, I look forward to leading the charge.

We can rekindle the bipartisanship that has characterized the fight for civil rights throughout our nation's history by returning the Civil Rights Division to its law enforcement roots. Senator Kennedy taught me so much, but the two most important lessons were the need to build bipartisan coalitions, and the importance of remembering that idealism and pragmatism are not mutually exclusive. The most significant pieces of civil rights legislation in the past fifty years have all come through this Committee, and have all been the result of bipartisan consensus. If

confirmed, I will look forward to working with you in this bipartisan spirit as we address the critical civil rights challenges confronting America today.