

Testimony of  
**David Ogden**

February 5, 2009

Opening Statement of David Ogden

Mr. Chairman, Ranking Member Specter, and Members of the Committee, it is a great honor to be here today as the nominee to be the next Deputy Attorney General of the United States. I am grateful and humbled that President Obama and Attorney General Holder have placed such confidence in me.

I would like to thank the members of the Committee and their staffs for showing me every courtesy and providing me with the opportunity to meet with many of you. Each of those meetings has been instructive, and if I am fortunate enough to be confirmed, I will benefit from your guidance and, I hope, from continued dialogue on the full range of policy issues entrusted to the Department and within the responsibility of this Committee.

I want to thank former Senator John Warner and Senators Jim Webb and Mark Warner for their support today. My family of Virginians is very fortunate to have had and to continue to benefit from such fine representatives in this body.

I know you will recognize that I owe a great debt to my wife, Anne Harkavy, who has agreed that I may stand for this important job just one month to the day after she gave birth to our beautiful daughter, Natalie. Anne has been my law partner and will always remain my partner in life. The opportunity for public service presented to me by this appointment will impose many burdens on her, and her willingness to take them on speaks volumes about her love for our country and for her husband.

I want to thank my son Jonathan, who is a sophomore at The College of William & Mary, and my daughter Elaine, who is a high school senior and will soon be attending my alma mater, the University of Pennsylvania. I am immeasurably proud that they are such fine people, and grateful that they are such good friends. And though it is too soon for my newborn daughter Natalie to understand any of this, I also thank her for her sacrifices and hope she will read these words some day.

I am so glad that my mother, Elaine Ogden, is here today. I wish so much that my father, Hod Ogden, could be here too. From day one, my mom and dad taught me a lot of important things, among them to give the best of myself to my family, my community and my country; to be willing to take a personal risk to do what is right; and to say no when no is the right answer.

Like the other men and women who in recent memory have come before you to be considered for the position of Deputy Attorney General, I have a special regard for the Department of Justice. I know it to be an essential bulwark of our democracy and our freedom. I am the proud son of a career federal civil servant, and so it did not surprise me during my service in the

Department to witness the great dedication and expertise of its career personnel. But I took something away when I left the Department that I did not take in with me: an understanding that the greatness of the institution is its dedicated career personnel, particularly those senior attorneys who have devoted their professional lives to the Department's legal missions and those law enforcement and national security professionals who put their personal safety at risk every day and night to defend our safety and our rights.

Those career professionals are a precious national resource who carry forward the Department's great traditions of independence, non-partisanship, vigilance, restraint, fairness, and service and fealty to the law. With proper support, they will continue to transmit those traditions across generations and administrations.

I knew going in that the job of the Department's non-career leadership, including the Attorney General and Deputy Attorney General, is to provide strong management and clear direction about the Department's goals, and to ensure good communication up and down and across the many components that comprise the Department and with sister agencies. I hope I learned something about how to do those things. But it is the Department's career personnel who protect the public safety, the national security, the economy, the environment and the public fisc; safeguard our civil and constitutional rights; operate our federal prisons; and - as important as any mission in any agency - ensure that our federal government itself operates consistently with its own laws. So, while serving in the Department's leadership, I came to understand that leadership's real job, in everything it does, is to help the Department's career professionals do the Department's vital work. I also came to understand that the Department's leadership, including the Attorney General and Deputy, have another critical duty -- the duty to ensure that the Department's career professionals are able to pass along those living, non-partisan traditions to the next group that will, at some point, take their places. And to do that, the leadership must reinforce those traditions with every official act and statement.

It is the chance once again to help the Department's career professionals do those things that brings me here today.

I recognize that the challenges facing the Department may be as great as they ever have been. Since September 11, 2001, the Department has taken on a role at the heart of our national security during a war that has reached our homeland. Its role as the lead federal law enforcement agency is also urgent, because crime across a range of fronts threatens our communities, our economy, and our personal rights and security. The Justice Department's role as protector of the public fisc has never been more important, given unprecedented budgetary demands. And no less pressing are the Department's roles as protector - for Americans present and future - of the competitiveness of our economy and consumer rights in a time of economic upheaval; protector of the environment in a time of critical ecological challenges; and protector of the cherished civil rights and civil liberties that are the centerpiece of our political heritage.

I am confident that under Attorney General Holder's leadership and with your assistance and support, the Department of Justice will meet these challenges. If confirmed as Deputy Attorney General, I'll do everything I can to help.

Thank you again for the opportunity to appear before you today. I know that there is great expertise here, on both sides of the aisle. If confirmed, I hope to be able to call on you for guidance, and will do my best to ensure that the Department works closely with you. I look forward to your questions.