

**Statement of Senator Patrick Leahy (D-Vt.),
Ranking Member, Senate Judiciary Committee,
Hearing on “Counterfeits and Their Impact on Consumer Health and Safety”
April 27, 2016**

As we begin today’s hearing, I want to note that the date is April 27. It is now 42 days since Chief Judge Merrick Garland was nominated to the Supreme Court. If the Senate were following the average confirmation schedule that this Committee has followed for the past 40 years, today’s hearing should be a confirmation hearing for Chief Judge Garland. Instead of reading about Congressional dysfunction and hearing baseless attacks against Chief Judge Garland from dark money groups, the American people should be hearing directly from their Supreme Court nominee in this Committee. Since this Committee began holding hearings for Supreme Court nominees in 1916, no pending nominee has been denied a hearing and a vote.

It is time to put aside the obstruction and listen to what the American people are saying. More than two-thirds of Americans think Senators should do their jobs and give Chief Judge Garland a hearing. We should do our jobs and consider this nominee.

Today’s hearing focuses on another important issue confronting the American people: the impact of counterfeiting on health and safety. The witnesses who will testify illustrate the scope of this grave problem. When a law enforcement officer purchases ballistic eyewear, he or she should be able to trust its authenticity. When a parent buys shampoo to use on their child, we want them to trust its quality. Counterfeiters take advantage of consumers and destroy that trust.

As more Americans shop online for themselves and for their families, the threat of counterfeits is greater than ever. The Internet has expanded consumers’ choices, but it has also created new opportunities for consumers to be deceived. Internet sales have also made counterfeiting harder to detect. Counterfeits are no longer arriving in big container ships that can be detected at the border, but in one-off small packages sent directly to the consumer.

In this new reality, businesses and law enforcement must work together to protect consumers and the supply chain. Businesses are sharing information with Customs and Border Protection to help them detect counterfeits. Brand owners are sharing information with each other to help track down bad actors. Online retailers and payment processors have created product quality departments to respond to reported counterfeits. Today’s hearing will explore these efforts and, I hope, build on them by asking what is working, and what more must be done.

I thank the witnesses for testifying today, including Greg Maguire of Revision Military, a leading company protecting our military personnel that is based in Essex Junction, Vermont. I look forward to the panel’s testimony.

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