

**Statement Of Senator Patrick Leahy (D-Vt.),  
Chairman, Senate Judiciary Committee  
Hearing On Oversight Of The Federal Bureau Of Investigation  
May 21, 2014**

Today, the Judiciary Committee welcomes James Comey for his first appearance before this panel as Director of the Federal Bureau of Investigation. Director Comey, I remember from your confirmation hearing last year that your wife told you she did not think you would be chosen for this position. But here you are, eight months into the job. We look forward to hearing about the challenges you have discovered at the Bureau.

One of the challenges I have long observed is the FBI's need to balance its increased focus on counterterrorism while upholding its commitment to longstanding law enforcement functions. Director Comey, as you lead the Bureau into a new era, I urge you to make sure that investigations and prosecutions are targeted and fair, and that respect for civil rights and civil liberties is upheld.

A critical tool in successful and fair prosecutions is forensic evidence. Despite what you see on reruns of "Law and Order," DNA analysis is not widely available and its application often does not solve a crime in 60 minutes or less. I support law enforcement efforts to make better use of this powerful evidence, and to that end I have long pushed two bipartisan bills, the Justice for All Reauthorization Act and the Criminal Justice and Forensic Science Reform Act. These measures will help prosecutors identify and prosecute the guilty. As a nation, we are safer when our justice system gets it right.

While advanced technology presents the FBI with new opportunities to bring criminals to justice, it also can raise significant civil liberties challenges. Drones, for example, offer new capabilities as a domestic investigative tool, but also present serious privacy concerns. We must always fiercely guard the right of the American people to be free from unwarranted government intrusion. Vermonters remind me every day of my responsibility to ensure that we protect our national security and our civil liberties.

Director Comey is no stranger to this struggle. It was before this very committee, in 2007, that you described a dramatic hospital bedside confrontation with senior White House officials who were trying to get an ailing Attorney General John Ashcroft to reauthorize an NSA surveillance program – a program that the Justice Department had concluded was illegal. As Deputy Attorney General, you showed courage and independence by standing firm against this attempt to circumvent the rule of law.

Right now, Congress is still dealing with the surveillance programs begun during the last administration, including a bulk collection program that acquires Americans' phone records on an unprecedented scale. I am glad the House is poised to act on a revised version of the USA

FREEDOM Act. However, I remain concerned that some important reforms were removed. I hope that you will work with me as the Senate takes up this important issue.

Another area where we must work together is cyber security. I look forward to hearing more about the announcement earlier this week that the U.S. government has indicted five Chinese military hackers for computer hacking and economic espionage. The FBI also has participated in a major international effort to arrest individuals involved in cyber-stalking software called Blackshades. Cyber threats are among the most serious our nation faces, and place our critical infrastructure and privacy at risk.

Although we face many threats from abroad, the FBI has a key role in preventing and punishing extremist violence here at home. Federal hate crimes laws allow the Bureau to bring its considerable resources to cases like the anti-Semitic shooting last month outside a Jewish community center in Overland Park, Kansas. In 2009, I was proud to offer the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act as an amendment to the defense authorization bill. The FBI's implementation of that law has involved collaboration with the Anti-Defamation League to train state and local law enforcement agencies to protect the civil rights of all Americans.

I look forward to learning more about those efforts and other priorities of the Bureau during today's hearing. I thank Director Comey for coming to the Committee for his first oversight hearing. And I thank the men and women of the FBI who work hard every day to keep us safe.

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