

**Statement of Senator Patrick Leahy (D-Vt.),  
Chairman, Senate Judiciary Committee,  
Hearing On Oversight Of The Department of Homeland Security  
June 11, 2014**

I welcome Jeh Johnson today to the Judiciary Committee for his first oversight hearing as the Secretary of the Department of Homeland Security. For the past seven months, he has led an agency that plays a vital role in protecting our national security, providing disaster relief, and ensuring cybersecurity. The Department of Homeland Security also has primary responsibility for implementing and enforcing our Nation's immigration laws – a system that Secretary Johnson himself acknowledges is broken.

One year ago, this Committee came together after weeks of exhaustive deliberations to pass bipartisan legislation to fix that broken immigration system. That bill, which ultimately passed the Senate, will unite families, spur the economy, and help protect our borders. We knew last year that the cost of inaction was too great, and members of this Committee and the full Senate passed historic legislation that would create a system worthy of our American values.

House Republicans refuse to act. Last year, Senators reached across the aisle and worked together on meaningful and comprehensive legislation, but all we have seen from House Republicans so far are shifting principles and repeated postponements. This has not helped their party nor has it helped our country. Every day the House fails to act is another day that families are torn apart and our economy lags. Every day the House fails to act, we realize the human cost of doing nothing to fix our broken immigration system.

We see the human cost in the gripping photographs of young children, seeking a better life, housed in facilities at the border. The pictures are shocking, and so are the numbers. In 2011, 6,560 unaccompanied children crossed the border. Those numbers have now skyrocketed. Just in the last seven months, nearly 50,000 children have already been apprehended and that number will likely double before the end of 2014. President Obama has called this an “urgent humanitarian situation.” I agree. I commend Secretary Johnson for coordinating with relevant agencies to address this dire situation. Yet, reports indicate that the flow is overwhelming the agencies responsible for these children. The Senate-passed immigration bill would help address this issue and the House should take it up without further delay.

In addition to these children, I am deeply concerned with the conditions and treatment of other immigrant detainees, especially those who are sexually assaulted while they are in custody. When Congress passed the Leahy-Crapo Violence Against Women Reauthorization Act last year, it included a provision designed to prevent sexual violence in DHS facilities. I thank the Department for recently issuing compliance regulations, and I look forward to hearing about the changes underway to protect against abuse.

I am troubled by reports of border patrol agents resorting to the use of deadly force. Since 2010, agents who were assaulted with rocks have responded with deadly force 43 times, resulting in 10 deaths. Among those killed was Jose Rodriguez, a 16-year-old boy who was shot multiple times, including in the back of the head. Twenty months later, the investigation into this boy's death is

still without resolution. The Border Patrol's recent release of its use-of-force policy handbook and directive on how personnel should respond to threats is a positive step but we still need more transparency in these types of cases and more timely resolution so that the families involved can have closure and officers can receive better training.

In addition to this human cost of our broken immigration system, there is a powerful economic cost. I have long championed the EB-5 Regional Center Program because of its job creation potential in Vermont and in other states, with no cost to American taxpayers. But absent Congressional action to make this jobs program permanent, the program's potential is limited. I am concerned that visa processing delays are threatening to undermine economic development where it is needed most. This uncertainty could slow down the program's growth and deter investors, so I urge the Department to focus on timely consideration of EB-5 applications which directly lead to job creation and economic growth throughout our country.

The status quo is not an option. It is not sustainable for our families, for our economy or for our national security. The humanitarian crisis we now face is just the latest reminder of why House Republicans must act, as we did in the Senate a year ago, to fix our broken immigration system. We have waited too long, but there is still a window of time for Republicans to join us in this important effort.

I look forward to discussing these issues with Secretary Johnson today. And I appreciate the hard working men and women of DHS who serve tirelessly every day to keep Americans safe.

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