

Statement of

The Honorable Patrick Leahy

United States Senator
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It has been another good week for the Nation and our Federal law enforcement efforts. Last Tuesday, we learned of the foiled assassination attempt in the United States of the Saudi Ambassador to the United States. This case involved the Department of Justice, the FBI, and the DEA in a coordinated effort to prevent an act of terrorism on U.S. soil. I commend the agencies involved in the investigation. I was also pleased to see that, in this instance, members of Congress did not re-engage in armchair quarterbacking over whether the suspect should be transferred to military custody or sent to Guantanamo.

Nearly two years ago, when a terrorist attempted to blow up an airplane on Christmas Day, some politicians used the occasion to criticize the Attorney General after the suspect was arrested. They made all kinds of claims, none of which came true. In fact, after obtaining useful intelligence from the suspect, that case proceeded without incident in Federal court where, last Wednesday, the defendant pleaded guilty. He now faces a potential life sentence. That successful prosecution adds to the more than 400 terrorism cases prosecuted by the Department of Justice since September 11, 2001.

Over the last two and one half years, the President and his national security team have done a tremendous job protecting America and taking the fight to our enemies. Earlier this year, the President ordered a successful strike against Osama bin Laden and has stayed focused on destroying al Qaeda from his first days in office. Last month, the administration was also able to locate Anwar al Awlaki, a terrorist operative in Yemen who was recruiting Americans to attack within the United States. During the past two and one half years, the President and his national security team have developed a counterterrorism framework that has protected the American people while taking on al Qaeda and its affiliates. As the President's assistant for Homeland Security and Counterterrorism John Brennan noted last month: "[T]he results . . . under this approach are undeniable." Al Qaeda has been "severely crippled" and the death of Osama bin Laden was a "strategic milestone" in that effort.

We must remain vigilant, but no one can deny the progress that has been made. As Mr. Brennan emphasized, the approach is "a practical, flexible, result-driven approach to counter terrorism that is consistent with our laws, and in line with the very values upon which this nation was founded." He noted: "Where terrorists offer injustice, disorder, and destruction, the United States and its allies stand for freedom, fairness, equality, and hope."

In the aftermath of 9/11, the country spent trillions of dollars trying to shore up our security. Some of the efforts, especially those undertaken in the early years, were wasteful and ineffective. In addition, President Bush and Vice President Cheney insisted on shifting our focus from bin Laden to Saddam Hussein in Iraq at the cost of thousands of American lives and hundreds of billions of dollars added to the debt. We continue to take money from programs in the United States - including education, medical research, infrastructure, and housing -- and dump it in Iraq. I hope that the Nation and the Congress are now ready for a new discussion about the next

chapter in our efforts.

Secretary Napolitano, I thank you for joining us this morning. I look forward to hearing from you what you believe have been the successes of the past few years and what our priorities should be moving forward. I hope that your Department can strengthen its effort to provide help to Vermonters and others across the country so devastated by recent natural disasters. That has been an important and necessary role for the Federal Government that is now much needed.

I appreciate all of the Department's efforts to help Vermonters begin rebuilding after the devastating floods we experienced this spring and summer. These emergencies are difficult enough for the Americans living through them. We must not complicate the situation with the added uncertainty that comes from ideological opposition to this fundamental Federal role, and that results in Congressional inaction on desperately needed funding for disaster relief. The American people waiting for disaster assistance should not be victimized again. Rather, Americans should help other Americans as we have for generations.

As I have been recounting to the Senate for six weeks now, Vermont bore the full brunt of Irene. Roads, bridges, homes, farms, and businesses were all destroyed when gentle rivers and streams became torrents of destruction. It is devastation like I have never seen before in our small state. I want to compliment Craig Fugate, the Administrator for FEMA, and all of his staff, for their efforts in Vermont.

This last weekend, the national memorial to Dr. Martin Luther King, Jr., was officially dedicated. President Obama spoke eloquently of Dr. King's legacy and how the American people, black and white, east and west, north and south, came together "through countless acts of quiet heroism" to "bring about changes few thought were even possible." When we enact the DREAM Act and come together for comprehensive immigration reform we will, again, be taking action toward an American that is, in the words of President Obama, "more fair, more just, and more equal."

Border security is another area in which the Secretary has progress to report. I trust it is finally time to renew a discussion of comprehensive immigration reform, a discussion that went off track after the Senate passed a bipartisan bill in 2006. I look forward to your involvement in these important efforts. Our work is not done, and change has never been quick or simple. The kind of change brought about by comprehensive immigration reform depends on persistence and determination. I look forward to a day when, to paraphrase President Obama, barricades begin to fall and bigotry begins to fade. Then, not only laws, but hearts and minds, will change, and new doors of opportunity will swing open for immigrants who want only to live the American dream. Our Nation will be stronger, better, and more productive on that day.

I would like to commend you and your Department for announcing that you would review over 300,000 pending deportation cases to determine which cases do not need to be aggressively pursued. These are difficult economic times, and we have to make choices about how we spend Federal dollars. We can all agree that dangerous criminals should remain at the top of your list, but we do not need to expend significant resources detaining and deporting non-citizens who have no criminal record and pose no threat. This is true of the inspiring young students and soldiers who advocate for enactment of the DREAM Act. And it will be true of many other immigrants at risk of deportation, from meat packing workers in Iowa to dairy farm workers in Vermont.

Finally, I note that last week I worked with the Ranking Republican to have this Committee report the bipartisan Trafficking Victims Protection Reauthorization Act. This bill provides law enforcement, including officers within the Department of Homeland Security, with important tools to investigate and prosecute human trafficking. The bill reauthorizes critical victim service

programs. I want to thank you for your personal commitment to this issue, and for the assistance the Department provided to the Committee as we considered this bill. We should be able to cooperate across the aisle to protect the victims of these heinous crimes, and to give law enforcement the tools it needs to put traffickers behind bars.

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