

Statement of
The Honorable Patrick Leahy

United States Senator
Vermont
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Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
Hearing Before The Subcommittee On Immigration, Border Security And Citizenship
On Comprehensive Immigration Reform In 2009
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As President Obama reiterated last night, we need to begin the process that will lead to comprehensive immigration reform. The Senate Judiciary Committee is following up on his remarks today with a hearing in our Immigration Subcommittee. I was delighted to arrange for this hearing at the request of our new subcommittee chairman, Senator Schumer. I look forward to working with him, continuing to work with Senator Kennedy who has been our leader for so many years on these issues and to working with Senators from both sides of the aisle. The President and Secretary Napolitano are making a good start and doing what they can administratively. Secretary Napolitano will appear before the Committee at a hearing next Wednesday, in fact, and we will have an opportunity to continue the dialogue that we have begun.

I believe we can all agree that our immigration system is in need of reform. We need tough, fair, and realistic improvements that secure our borders, respect American workers, help our economy, and recognize the importance and value of strong families. With an administration that recognizes the need for reform in this area, I am hopeful that Congress can finally enact legislation to modernize our immigration laws consistent with our values and our history as a Nation of immigrants. Two weeks ago during a visit to Mexico City, President Obama spoke of his continued commitment to repairing our country's broken immigration system. I was encouraged by his words, and I agree that we need solutions to the real issues with immigration that are facing this country. Bumper sticker slogans and mean-spirited, harshly divisive policies that appeal to fear and prejudice will solve nothing.

I supported efforts in the last two Congresses to pass practical and effective reforms to our immigration system. Unfortunately, those efforts were defeated by Members who resisted these efforts to achieve realistic solutions. In approaching immigration reform for the 21st century, Congress and the administration must devise legislation that is durable, and which will modernize our system to accommodate the evolving needs of the American worker, the business community, the value of family, and is consistent with our traditions of providing asylum to those who seek it.

And when we consider the importance of family in our immigration system, we must respect all families. For example, it would be inequitable to move toward the legalization of millions of undocumented immigrants without also providing immigration benefits to the thousands of American citizens in same-sex relationships with foreign nationals who now feel abandoned by our laws. We cannot leave out hardworking American families simply because the partnership consists of people of the same gender. Our society is moving beyond these prejudices, and Federal policy must reflect this reality. America should join 19 of our closest allies around the world who provide these benefits. Immigration reform that leaves such inequality in place is in no way comprehensive. I hope that important legislation, like the Uniting American Families Act, which addresses this issue, is part of this critical immigration reform debate.

We must also address the terrible consequences that have resulted from the overly-broad current laws concerning terrorism and material support as bars to asylum. We cannot continue to deny asylum seekers because they have been forced at the point of a gun to provide assistance to those engaged in terrorist acts. We cannot continue to label as terrorist organizations those who have stood by the United States in armed conflict.

Existing immigration programs set to expire need our attention as well. Where these programs have contributed to our communities and our economies, whether through providing foreign doctors in underserved rural areas, or providing workers for religious organizations, they should be made permanent. The EB-5 Regional Center program is just such a program. We have the opportunity to harness vast foreign investment capital to create American jobs and breathe life into rural and economically challenged communities. This program has the potential to spur innovation and development with no cost to taxpayers, and at a time of great economic difficulty. It should be made permanent, and where it needs to be improved, that should be done as well.

On April 22, 2009, The New York Times reported that efforts to crack down on illegal immigration through workplace raids has left thousands of children with uncertain futures, as their parents are deported or detained. We need to address these problems, not with sweeping expulsion of undocumented parents, but by recognizing those who are currently living in the shadows of our society, and providing opportunities to become lawful residents. Detaining or deporting undocumented workers who have been abused by American employers does nothing to change an environment that remains ripe for these abuses. We need real, sensible solutions to repair our broken system, and policies that target unscrupulous employers who exploit the most vulnerable among us.

Immigration enforcement must be more competent and consistent with American values. We cannot continue to tolerate the tragic and needless death persons in U.S. custody for lack of basic medical care. In the conduct of immigration enforcement we must ensure that children are not needlessly separated from their parents. Immigration enforcement should focus on removing the most dangerous and destructive individuals from the United States. Secretary Napolitano understands the imperative of smart enforcement, and I commend her for it.

The American people will look to us to forge a consensus for immigration reform that rejects the extreme ideology that has attended this issue and prevented real progress. Next week we will hear from Secretary Napolitano when the Judiciary Committee holds an oversight hearing of the Department of Homeland Security. I look forward to the discussion of immigration reform and I

am hopeful that we can work together to find a sound, comprehensive solution. I welcome today's hearing.

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