

Testimony of

The Honorable Patrick Leahy

April 12, 2002

I applaud Senator Kennedy for holding this hearing today, and for his work with Senators Feinstein, Brownback, and Kyl in developing and introducing S. 1749, the Enhanced Border Security and Visa Entry Reform Act. I am one of 58 proud cosponsors of that bill, which has commanded extraordinary bipartisan support and the sponsorship of most of the members of the Judiciary Committee. I am pleased that the House has already passed H.R. 3525, which is modeled on S. 1749, and that the Senate will be taking up border security legislation today.

As a Senator from Vermont, I know what a serious issue border security is. For too long, Congress has taken a haphazard approach to border security, meeting many of the needs of our southwest border but neglecting our border with Canada. Since the terrorist attacks of September 11, we have taken a far more comprehensive approach. Congress took its first steps to strengthen our borders in the USA Patriot Act, which authorized tripling the number of Border Patrol personnel, INS Inspectors, and Customs Service agents serving along our northern border, and \$100 million in funding for improved technology for the INS and Customs Service's use in monitoring the border. As the author of those provisions, I am pleased that the Administration has requested substantial increases in funding for border security personnel. I urge the Congress not only to support those requests, but to ensure that the northern border receives at least half of any new supply of border security enforcement officers.

The legislation before us today builds on the first steps taken in the USA Patriot Act to strengthen substantially the security of our borders. It will further increase the number of INS Inspectors and INS investigative personnel, and authorize raises for Border Patrol agents and inspectors so that we can retain our experienced border security officers, who have been so overworked over the past seven months. The bill also authorizes funding for training of INS personnel for more effective border management, and for improving the State Department's review of visa applicants abroad. In addition, it authorizes \$150 million for the INS to improve technology for border security, another important follow-up to the USA Patriot Act.

Beyond authorizing badly needed funding for our borders, this legislation includes a number of important security provisions, a few of which I would like to highlight today. First, it requires the Attorney General and Secretary of State to issue only machine-readable and tamper-resistant visas, and travel and entry documents using biometric identifiers, by Oct. 26, 2003. They must also have machines that can read the documents at all ports of entry by that date. Second, the bill requires the Secretary of State to establish terrorist lookout committees within each U.S. mission abroad, to ensure that consular officials receive updated information on known or potential terrorists in the nation where they are stationed. Third, the bill will foster information sharing between other government agencies and the State Department and INS, and shorten the deadline established in the USA Patriot Act to develop a technology standard to identify visa applicants. Fourth, the legislation requires all commercial vessels or aircraft entering or departing from the

United States to provide complete passenger manifests. Fifth, this bill would substantially strengthen existing law for the monitoring of foreign students. The government would be required to collect additional information about student visa applicants, and educational institutions would be obligated to report visa holders who did not appear for classes. In addition, the INS Commissioner would perform periodic audits of educational institutions entitled to accept foreign students.

I hope that this hearing will clarify any concerns Senators may have about border security legislation, as passage of this bill would show that the protection of our nation and our borders remains a fundamental priority for this Congress.