

Testimony of

# **The Honorable Orrin Hatch**

July 23, 2003

Statement of Chairman Orrin G. Hatch

Before the Senate Committee on the Judiciary

On

"Oversight Hearing: Law Enforcement and Terrorism"

Good morning and welcome to this oversight hearing that will examine recent efforts by the Federal Bureau of Investigation and the Department of Homeland Security to combat the unceasing threat of terrorism. As I have stated before, I am committed to conducting meaningful oversight of the FBI and the Department of Homeland Security to ensure that as we fight the war against terrorism, we achieve maximum security without compromising the freedoms and liberties we cherish in this great country.

As we focus on the FBI's and the Department of Homeland Security's recent efforts to prevent and deter future terrorist attacks against our country, it is important that we hear from the two distinguished witnesses who are here before us today. It is indeed an honor to have before the Committee, Robert Mueller, the FBI Director, and Asa Hutchinson, Under Secretary for Border and Transportation Security at the Department of Homeland Security. I look forward to hearing from both of you on your continuing efforts and commitment to winning the war against terrorism.

The challenges we face in this war continue to be unprecedented. We fight a fanatical enemy, dedicated to the destruction - at all costs - of America. When Director Mueller took over the FBI days after the 9/11 attacks, he faced extraordinary challenges. He assumed responsibility for a law enforcement agency that suffered from antiquated information technology, and inadequate intelligence systems. Following September 11, Director Mueller acted quickly to re-focus the FBI, to reallocate its resources, to improve its internal information systems and to transform its central mission from reactive crime-fighting to proactive terrorist prevention. Congress recognized the enormity of this task, and provided in the PATRIOT Act a set of new tools that has enabled the FBI to complete this transformation.

It is apparent from news reports and recent independent reviews, such as those conducted by the Government Accounting Office (GAO) and the National Academy of Public Administration's (NAPA) Academy Panel on FBI Reorganization, that the FBI has made great progress in its role as the lead terrorist prevention agency. By using many of the new tools provided in the PATRIOT Act, and by increasing information sharing, the FBI - with the assistance of other federal, state, and local law enforcement and intelligence agencies, as well as our international partners - has demonstrated a number of successes in capturing and prosecuting terrorists. Under Director Mueller's able leadership, the FBI has significantly upgraded its information technology systems, revised its FISA application and review procedures, and implemented a new infrastructure that will maximize the gathering, analysis and dissemination of critical intelligence information among law enforcement and intelligence agencies. While much has been accomplished, more remains to be done.

Equally impressive has been the creation and operation of the new Department of Homeland Security, which required the consolidation of over 21 separate agencies and the merging of nearly 180,000 employees into a single, unified agency. The Homeland Security Act placed within Secretary Hutchinson's jurisdiction the primary responsibility for securing our nation's borders from terrorists who seek to enter and attack our country. In short order, Secretary Hutchinson dedicated himself to implementing new systems and policies designed to prevent the entry of terrorists and the instruments of terrorism, without disrupting the efficient flow of lawful traffic and commerce at our borders. I look forward to working with you Secretary Hutchinson as you implement programs to accomplish these goals, such as the new US-VISIT Program.

Now, I want to mention one other issue that I expect we will address today in follow up to the Committee's June 25th hearing on the Department of Justice's Inspector General's report on the treatment of the 9/11 detainees. The June 25th hearing was a fair and objective hearing. It is clear that the government faced unprecedented challenges in responding to the 9/11 attacks. Dedicated public servants worked around the clock to investigate the attacks, identify and locate terrorist cells within in our country and secure our borders from further attacks. But having said that, it is also apparent from the IG's report that there are valuable lessons to be learned from our response to the 9/11 attacks

I look forward to hearing from each of you today about the reforms you are implementing, and your efforts to protect our country from future terrorist attacks.

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