

Statement of

# **The Honorable Orrin Hatch.**

United States Senator  
Utah  
October 21, 2003

Statement of Chairman Orrin G. Hatch

Before the United States Senate Committee on the Judiciary

Hearing on

"Protecting Our National Security From Terrorist Attacks:

A Review of Criminal Terrorism Investigations and Prosecutions"

Good morning. I want to welcome everyone to the first in a series of Judiciary Committee hearings that Senator Leahy and I are organizing to examine the adequacy of the federal laws designed to protect the American public against acts of terrorism on U.S. soil.

The first responsibility of government is to protect its citizens. The Judiciary Committee has a special responsibility to see that our Nation's laws and law enforcement network is up to the challenging task of thwarting terrorist attacks.

I want to thank my colleague, Senator Leahy, for his cooperation and support in planning these important hearings. We are committed to working together to ensure that the Committee examines a number of important issues relating to our country's war on terrorism.

As we announced several weeks ago, the Committee's inquiry will focus on the adequacy of federal laws to help prevent and respond to acts of terrorism against the United States; whether additional tools, reporting obligations and oversight may be needed; and the implications to security, privacy, and civil liberties of current laws and any new proposals.

We have tentatively scheduled our next hearing for November 5th. That hearing will focus on how civil liberties have been affected by counter-terrorism activities. While we must act decisively to identify, stop, and punish potential terrorists, we must be vigilant to respect traditional American civil rights and liberties.

Over the recess, Senator Leahy and I may conduct field hearings to examine issues of local and national concern relating to the war on terrorism. When we return next year, we expect to schedule additional hearings. Senator Leahy and I welcome any suggestions from other Members on topics that should be addressed, and information that the Committee may need to conduct its inquiry.

Let me also state that, as part of this oversight inquiry, Senator Leahy and I plan to invite relevant witnesses to appear before the Committee to address important issues, including Attorney General Ashcroft, FBI Director Mueller, Department of Homeland Security Secretary Ridge and other appropriate officials. The Administration has told me that it welcomes these hearings and will cooperate fully with the Committee's inquiry.

At the outset, I want to emphasize that I am committed to conducting a rigorous examination of these important issues. These hearings, in my view, can best serve the public by fairly and objectively assessing the key law enforcement issues related to curtailing acts of domestic terrorism.

We have all read or heard about claims being made by various interest groups concerning how well, or how poorly, the federal government has conducted its domestic counter-terrorism program. This Committee's inquiry will attempt to cut through the rhetoric, confusion, and distortion to get to the facts necessary to find out if we are protecting our citizens' lives and their liberties.

I am sure that everyone on this Committee shares a common goal - to protect our country from additional terrorist attacks. We are all committed to this goal, and must do so with due regard for fundamental freedoms and the security of our people. Our Committee has a historical tradition of joining together to examine, debate, and resolve important national issues. We are once again faced with an important task, which will have a profound impact on our country's security and cherished freedoms.

Two years ago, our country faced an unprecedented challenge. We suffered a devastating attack on our shores which resulted in the murder of over 3000 of our fellow Americans. The President, Congress, and our Nation rose to the challenge and worked together to ensure that we could prevail in the war against terrorism. Here in Congress we passed the PATRIOT Act and other laws in order to provide the tools, information and resources necessary to defeat the terrorist enemy.

While we have accomplished much, there is much more to be done. The threat of harm to our country remains; it is evolving and committed fanatics continue to threaten our way of life.

Today's hearing will focus on the existing legal authorities used by the government to investigate and prosecute terrorists for criminal offenses. I look forward to hearing how the existing authorities, some of which were enacted as part of the PATRIOT Act, facilitate criminal investigators' and prosecutors' ability to track down, arrest and prosecute terrorists around the world.

I want to turn it over to Senator Leahy for his opening statement. After that, I will ask each member of the Committee to make a short -- two minute -- opening statement if they so desire.