

Statement of

# The Honorable Patrick Leahy

United States Senator  
Vermont  
March 14, 2005

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Joint Subcommittee Hearing on "Strengthening Enforcement and Border Security: The 9/11 Commission Staff Report on Terrorist Travel"  
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Today's hearing provides a useful opportunity to gain a fuller understanding of the 9/11 Commission's staff report on terrorist travel. The report offered us insight that helped us understand how the 9/11 hijackers exploited our immigration system, and provided some ideas on what we might do in response. It is a valuable report that, I fear, has sometimes been mischaracterized to support mean-spirited and counterproductive immigration proposals that would sacrifice our traditions without making us safer.

One of the overwhelming themes of the report is that those who were responsible for enforcing our immigration laws on the front lines - both at our consulates abroad and our ports of entry at home - often failed to follow those laws. Consular officers and immigration inspectors missed possible grounds for denying visas or refusing entry to some of the hijackers. We need to ask whether our frontline personnel are getting the training they need to do their jobs. We should also ask whether our security depends on continually passing new and stricter immigration laws, or whether our laws, if enforced properly, are sufficient.

We have heard many allegations in recent months about connections between our asylum system and terrorism. Some of those allegations have cited the staff report we discuss today. As someone who has always believed that a fair asylum system with appropriate security guarantees is an essential part of our historic commitment to refugees, I found much that was encouraging in this report. For example, while the report states that a number of terrorists "abused the asylum system" in the early 1990s, it goes on to say that former INS Commissioner Doris Meissner, who is testifying here today, responded to these problems by "creating what was considered a model program that balanced humanitarian and security interests." This "model program" is our current asylum system, and my reading of this report does not suggest that it represents a threat to our safety.

I would like to comment briefly on the report's references to our northern border. The report correctly recounts the prevailing pre-9/11 indifference to security concerns on our border with Canada, stating that "[d]espite examples of terrorists' entering from Canada, awareness of terrorist activity in Canada and its more lenient immigration laws, and an Inspector General's report recommending that the Border Patrol develop a northern border strategy, the only positive step was that the number of Border Patrol agents was not cut any further." As the author of the provision in the PATRIOT Act tripling the number of Border Patrol agents on our northern border, I am pleased that goal has been reached. But this is no time to declare "mission accomplished." I strongly oppose the President's proposed FY 06 Border Patrol budget, which would not place a single new agent on our northern border, and which would add only 10 percent of the total new agents that Congress mandated in the intelligence reform bill we passed and the President signed in December.

Finally, I am pleased that the staff report recognizes the fine work done by the Law Enforcement Support Center (LESC), which is now part of Immigration and Customs Enforcement (ICE). The LESC, located in Williston, Vermont, has provided information regarding the status and identity of aliens to local law enforcement for more than a decade, operating 24 hours a day, seven days a week. The men and women who work there are the unsung heroes in our law enforcement efforts.