

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
May 8, 2008

STATEMENT OF SENATOR PATRICK LEAHY
CHAIRMAN, SENATE JUDICIARY COMMITTEE
OPENING STATEMENT
EXECUTIVE BUSINESS MEETING
MAY 8, 2008

We convene this morning with another full agenda. I trust we will be able to complete our consideration of the Military Personnel Citizenship Processing Act, S.2840, the bipartisan bill Senator Schumer introduced with Senator Hagel and that was held over from our last meeting. This bill is intended to help the administration expedite the citizenship applications for members of the Armed Forces by creating a liaison with the FBI and by setting processing deadlines for these applications. The current backlogs have been a source of concern for many, and without greater efforts, upwards from half a million law-abiding people who have played by all the rules and waited in line and applied for citizenship will see their applications stalled until it is too late to participate in the important upcoming elections this fall. We raised this matter with the FBI Director at our oversight hearing in March, and again with Secretary Chertoff at our oversight hearing in April. The process for members of the Armed Forces who seek U.S. citizenship should be as efficient as possible. I know that Senator Schumer has circulated a substitute amendment in order to address some concerns expressed by the administration and some Committee members, and so we can take that up as well.

I have circulated a substitute that Senator Hatch and I have worked out to our copyright bill, the Shawn Bentley Orphan Works Act, S.2913. I understand that Senator Specter would like that held over until our next session, which is his right.

We have a number of items relevant to next week's Police Week activities that I would like to see us attend to. The Leahy-Specter Police Memorial Day Resolution, S.537, needs consideration today to be timely. I hope that we can adopt that today. We have a bill to amend the bulletproof vest grant partnership program, a matter I have introduced with Senator Shelby, S.2511, that we should consider. We have before us Senator Biden's bill and its House-passed equivalent to establish a Congressional Badge of Bravery for law enforcement officers. I am working with Senator Biden to see whether we can ensure that eligibility for the Badge of Bravery extends to our state and local peace officers as well as our Federal officers.

We have the Federal Judgeships Act that will allow additional judgeships in states, including those represented by Senators on this Committee, where the Federal courts are hard-pressed to meet their increased work loads. As I have been saying for some time, I think the time to pass this legislation is now, before anyone knows who the next President will be. The Senate has not considered a comprehensive judgeship bill since 1990. Prior to President Clinton's election, we had reviewed and sought to meet the needs of the Federal judiciary every six years. It has now been 18 years and action is overdue.

Senator Biden has submitted three additional bills to this week's agenda. I would like to make progress where we can on those.

Senator Cardin and Graham have introduced an authorization bill for the National Advocacy Center in South Carolina. Senator Nelson of Florida and Senator Hagel are the lead sponsors of a bill to grant a Federal charter to the Military Officers Association of America. I hope that we can act on those bipartisan measures without delay.

I have also included the nomination of Justice Agee to the Fourth Circuit on our agenda today. We have taken great pains and made extraordinary efforts in connection with judicial nominations. I thank the Members of the Committee who have cooperated with us in these efforts. Including this nomination on this agenda is a sign that its consideration is being expedited.

To get through this agenda we will need the cooperation and attention of Members from both sides of the aisle. If we are unable to complete our work today, I will try to hold our next meeting next Thursday afternoon. We will not be able to proceed at our usual time because of the Police Memorial ceremonies set for next Thursday morning.

With that brief opening, I turn to the Ranking Member for his brief opening remarks and then will turn to the agenda.

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Statement of Senator Patrick Leahy
Chairman, Senate Committee on the Judiciary
S. Res. 537, Police Memorial Day Resolution
Executive Business Meeting
May 8, 2008

Today the Committee will turn to a bipartisan resolution to designate May 15, 2008, as National Peace Officers Memorial Day. Joining me in introducing this resolution were seven Members of this Committee: Senators Specter, Kennedy, Kohl, Durbin, Grassley, Cornyn, and Biden. This is now the twelfth year that I have been a part of introducing this resolution and I am proud once again to honor the sacrifice and commitment of those law enforcement officers who lost their lives serving their communities.

We do not thank our Nation's law enforcement officers enough for the sacrifices they make in order to protect all of us. State and local police officers and all of our first responders deserve our support and respect. Their role is crucial in upholding the rule of law and keeping our Nation's citizens safe and secure. They help make our democracy possible. They are our here-at-home, day-in-and-day-out, real-life heroes.

Currently, more than 900,000 men and women who guard our communities do so at great risk. Since the first recorded police death in 1792, there have been more than 18,200 law enforcement officers who have made the ultimate sacrifice. There is lots of talk about the war on crime. Our law enforcement officers are all too often the casualties in that effort.

Last year, in 2007, 181 law enforcement officers died while serving in the line of duty. That is a regrettable and significant increase from 2006. Tragically, it is the most line-of-duty deaths since 2001 and the losses from September 11 of that year.

I am proud of the work I have been involved in to help make it safer on the beat for our officers. On the agenda this week we are not only considering this resolution, but a bill to improve the Bulletproof Vest Partnership program to allow states to apply for waivers in times of fiscal hardship, and a bill to establish a Congressional Badge of Bravery for law enforcement officers. Next week the Judiciary Committee will hold a hearing on the Bulletproof Vest Partnership program and the thousands of peace officers' lives that have been saved as a result.

More than 20,000 peace officers are expected to gather in Washington next week to join with the families of their fallen comrades. I hope the Committee will act swiftly to honor and commemorate our nation's peace officers and pass this important resolution.

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Statement of Senator Patrick Leahy
Chairman, Senate Judiciary Committee

On S. 2504, to grant a Charter to the Military Officers Association of America
May 8, 2008

I am pleased the Judiciary Committee has the opportunity today to consider S. 2504, to grant a Charter to the Military Officers Association of America (MOAA). I want to thank Senator Nelson for his hard work on this issue and for introducing this important bill. I am proud to be an original cosponsor of this legislation.

Founded nearly 80 years ago, the MOAA is the largest military officers' association with approximately 370,000 members comprised of active duty military personnel, the National Guard, Reserve, and former commissioned officers and warrant officers from the Army, Marine Corps, Navy, Air Force, and Coast Guard. The work the MOAA does on behalf of its members is exemplary. MOAA is actively involved in efforts to ensure that our military personnel and veterans are given access to health coverage, retiree and spousal benefits, and Guard and Reserve benefits. Since 1948, MOAA has provided a scholarship fund to give educational assistance to children in military families. The scholarship fund has been named one of the "Best in America" by the Independent Charities of America and Local Independent Charities of America.

Several years ago, Congress enacted a health-insurance program for members of the National Guard and Reserve, based on a piece of legislation I sponsored with the Senate Majority Leader Tom Daschle of South Dakota. In my capacity as co-chair of the Senate's National Guard Caucus, I worked closely with groups like MOAA which was an ardent champion of the legislation. It was due to the responsiveness and vigor brought to the debate by MOAA and other military associations that members of the National Guard and Reserve now have access to affordable health insurance.

A federal charter will enable MOAA to continue its good work and allow MOAA members to serve on state veterans' advisory boards. I urge the Committee to support S. 2504 and hope the Senate acts on this legislation swiftly.

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