

Statement of
The Honorable Patrick Leahy

United States Senator
Vermont
April 27, 2010

Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
Hearing On Oversight Of The Department Of Homeland Security
April 27, 2010

I welcome Secretary Napolitano back to the Judiciary Committee.

Last year ended with an attempted terrorist bombing aboard a commercial aircraft bound for Detroit, Michigan. This attempt exposed deficiencies in interagency coordination and information sharing. As a result of that incident, Congress and the administration took steps to understand existing weaknesses in our systems and how best to correct them. This Committee heard testimony from officials from the Department of Homeland Security, the Federal Bureau of Investigation, and the State Department, each of whom recognized the need to do better. I am encouraged by the Department's recent strengthening of airline passenger screening policies and the decision to move away from a country-specific screening policy in favor of a smarter, more flexible approach. I hope that today we will hear more about the Department's efforts to improve airline security, as well as its coordination with the State Department on visa security.

Along our Southern border, we are experiencing historic levels of drug-related violence that must be brought under control. The Department is centrally involved in the fight against cross-border drug, cash, weapon, and human smuggling. The brutal murders of two U.S. State Department employees in Mexico and a U.S. citizen in Arizona bring added urgency to the situation. And Americans are rightly concerned about the impact the situation in Mexico is having here at home. I look forward to hearing from you about the Department's strategies and progress in confronting this situation.

The Department has also been involved in aiding the people of Haiti following the devastating earthquake in January. I commend your decision to provide Haitian nationals in the United States with Temporary Protected Status, or TPS. The reconstruction effort in that country will take years, but TPS status will enable Haitians in the United States to work and send money home to their families. I also want to recognize the U.S. Citizenship and Immigration Services for granting humanitarian parole to Haitian orphans and helping to bring them to the United States.

In this regard, I worked with Senator Lugar to advance the Return of Talent Act, which would allow a Lawful Permanent Resident to return for a limited amount of time to his or her native country in order to assist in reconstruction efforts following a natural disaster or armed conflict.

This legislation will encourage Haitian nationals living in the United States to give back to Haiti without suffering adverse consequences toward gaining U.S. citizenship.

The Committee also acted recently to assist refugees who wish to serve our Government or military overseas. Again, I worked with Senator Lugar to advance the Refugee Opportunity Act, which would enable refugees to serve our Nation overseas without losing time earned toward a green card. I hope we can work together to enact these bipartisan bills.

Marking the 30th anniversary of the 1980 Refugee Act, which was authored by Senator Kennedy, I recently introduced the Refugee Protection Act. Our legislation seeks to improve the law where it falls short of meeting our obligations under the Refugee Convention. The bill will restore the United States as a beacon of hope for those who flee persecution. I hope to work closely with you on this important legislation.

I remain concerned about several areas within the Department's jurisdiction. The backlog of refugee cases caught up in the overly broad material support and terrorism bars needs to be resolved. The so-called 287(g) program, which engages state and local law enforcement in the execution of immigration laws, continues to be a source of concern. President Obama said recently that we should not "undermine basic notions of fairness that we cherish as Americans, as well as the trust between police and our communities that is so crucial to keeping us safe," and I agree. I believe we must have proper oversight to prevent racial profiling and to ensure local law enforcement has the cooperation of local communities. I recognize that the Department has recently made positive changes to the administration of this program, and I look forward to hearing your views on how these changes have improved its operation.

Border issues affect us all, but they take on particular importance to those of us from border states. I hear from many Vermonters about measures taken by your Department to alter border policies in towns like Derby Line. I regularly hear from Vermonters about freeway checkpoints, and about Federal use of private land. I am certain that you have found that Vermont farmers are just as sensitive to property rights as Texas ranchers. Federal cooperation and outreach at the local level can go a long way toward achieving a mutual understanding. The citizens of border states shoulder a great burden.

Finally, I want to thank you for your steadfast commitment to comprehensive immigration reform. I share that commitment and hope we can see a bill enacted this year.

#