

Statement of

# **The Honorable Patrick Leahy**

United States Senator  
Vermont  
May 4, 2011

Statement Of Senator Patrick Leahy (D-Vt.),  
Chairman, Senate Judiciary Committee,  
Hearing On Oversight Of The Department Of Justice  
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The Committee holds this oversight hearing today as details continue to emerge about the successful military and intelligence operation that killed Osama bin Laden, the terrorist responsible for thousands of American deaths in the attacks of September 11, 2001, the October 2000 bombing of the USS Cole, the 1998 embassy bombings in East Africa, the 1993 bombing of the World Trade Center, and so many other attacks around the world.

Nearly 10 years after the murderous attacks of September 11, a measure of justice has been wrought for the victims of these criminal acts. Osama bin Laden has paid for his actions against innocent Americans and innocent people around the world. This terrorist perpetuated hate and destruction. His death is a fitting end to his reign of terror.

One thing can be said for certain: President Obama and his national security team have never lost sight of the Nation's war against terrorism. Today I welcome back to the Committee for the sixth time Attorney General Holder. The Attorney General has been a key member of that national security team. Attorney General Holder's approach to fighting terrorism has been vigilant; he has not excused constitutional excesses out of fear, and he, like President Obama, has used our full arsenal to protect and defend the American people.

This week there should be universal praise for the successful operation against Osama bin Laden and Al Qaeda, those who attacked us on September 11. Our need for vigilance in response to the continued threat from terrorism remains. America will continue to face these threats for a long time to come, and we should always act with strength, not out of fear. I share the commitment of this administration and of Attorney General Holder to our core constitutional values. I urge all Americans to support our President and all of us in Congress to work with him to keep America safe. It is past time to put aside partisanship and join together for the good of the country and all Americans. Today we need the same unity that we displayed immediately after the 9/11 attacks.

To help the administration, the Senate must do its part to ensure that the nation's full national security team is in place. The Senate should confirm Deputy Attorney General Jim Cole's nomination without further delay. This key national security nomination has been held up for far too long. Likewise, we should move forward with our consideration and the confirmation of Lisa

Monaco to lead the National Security Division at the Justice Department. Her nomination is on the Committee's agenda for action this week; it should not be delayed.

I appreciate Attorney General Holder's consistent support of our efforts to reauthorize the expiring provisions of the USA PATRIOT Act and to improve them by increasing oversight and accountability. He has said repeatedly that legislation before the Senate, which we negotiated with the administration, poses no operational concerns.

Turning to other aspects of the mission of the Justice Department, I am heartened by the important work the Department continues to do to fight the scourge of fraud, which has harmed so many hardworking Americans and which contributed to our current economic crisis. Senator Grassley and I worked together in the last Congress to write and pass the Fraud Enforcement and Recovery Act, which gave fraud investigators and prosecutors needed tools and resources to better hold those who commit fraud accountable.

Making use of these new tools and increased resources dedicated to combating fraud, the Department has brought in record recoveries in the areas of financial fraud, health care fraud, and mortgage fraud.

Even with this success, I am disturbed by ongoing reports about inaccurate, forged, or fraudulent documents in the housing foreclosure process. I hope the Department will address this problem as aggressively as possible. With so many American families facing the loss of a home, I hope you share my belief that these homeowners deserve fair and honest treatment by their lenders.

Most recently, Attorney General Holder announced the formation of a new working group to tackle the problem of fraud related to oil and gas prices. The current high gas prices are crippling to hardworking Americans. Anyone contributing to this problem through fraud must be held accountable. I applaud those efforts.

The Department's anti-fraud efforts have resulted in historic recoveries - well over \$6 billion in fines, penalties, and recoveries in the last fiscal year alone. If we reinvest a small amount of that money into fraud enforcement, we will provide greater protection to American taxpayers without spending more taxpayer money. Senator Grassley and I are working on legislation to do that, and I hope Attorney General Holder will support our bill.

Americans' privacy is another matter in which we are vitally interested. This year I established a Subcommittee on Privacy, Technology and the Law. The collection, use and storage of Americans' sensitive personal information, including by mobile technologies, is an important privacy issue. Congress failed to enact the bipartisan Personal Data Privacy and Security Act, legislation I introduced the past several Congresses, and that was been approved by this Committee three times. As we move forward to update the Electronic Communications Privacy Act and other Federal laws implicating Americans' privacy, I hope that the Justice Department will work with us on these important issues.

I hope we can also work together with the Department and across party lines to pass other vital bills that will strengthen enforcement and protect Americans, including reauthorizing the

Violence Against Women Act and the Trafficking Victims Protection Act, and passing the Public Corruption Prosecution Improvements Act.

I thank Attorney General Holder for returning to the Committee. I thank the hardworking men and women of the Department of Justice and look forward to the Attorney General's testimony.

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