

**Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committees,
Hearing On Border Security, Economic Opportunity and Immigration Modernization Act,
S.744
April 23, 2013**

Let me begin by commending Secretary Napolitano and the men and women of the Department of Homeland Security who worked so hard last week as part of our coordinated national security effort in Boston. The Patriots' Day bombings and the identification and successful capture of the remaining suspect deserved her full attention.

Several Republican Senators not part of the bipartisan legislative effort for comprehensive immigration reform had demanded in March that you return to the Committee to testify about the workability of the legislation. Despite your appearance in February in which you testified extensively about this effort, I prevailed upon you to return. It is a testament to your commitment to reforming the immigration system that you were willing to return just two months after your last appearance and with the other important demands on you to help ensure our Nation's security. I suspect some will have questions about the events of the last week. I remind all Senators that this is their opportunity to ask you directly about the Border Security, Economic Opportunity and Immigration Modernization Act, which is the purpose of your appearance and testimony. Today, we meet to hear directly from the Cabinet Secretary who will be tasked with implementing this legislation about whether it is workable.

In welcoming you back before the Committee, I repeat that you and President Obama have done more in the administration's first four years to *enforce* immigration laws and strengthen border security than in the previous administration's entire eight years. The border patrol has more than 21,000 agents, more than at any point in its history. New technologies have been deployed to the border. Apprehensions along the border are the lowest we have seen in decades because fewer people are trying to cross. And according to a report by the Migration Policy Institute, the United States now spends more money on immigration enforcement agencies than it does on all our major federal law enforcement agencies put together. So it is hard to understand how some can still be saying that before we reform the immigration system we must do enforcement first. We have. I hope as we consider this legislation, Senators will acknowledge the tremendous progress that has been made.

It is long past time for us to reform our immigration system. We need an immigration system that lives up to American values – one that allows families to be reunited and safe. One that treats individuals with humanity and respects due process rights and civil liberties. One that shields the most vulnerable among us, including children, crime victims, asylum seekers and refugees. One that will help to reinvigorate our economy and enrich our communities.

I have commended Senator Schumer, Senator McCain, Senator Durbin, Senator Graham, Senator Menendez, Senator Rubio, Senator Bennet, Senator Flake and Senator Feinstein for their extraordinary work. I am concerned, however, that what some are calling "triggers" could long delay green cards for those who we want to make full and contributing participants in our society. I do not want people to move out of the shadows only to be stuck in some underclass.

Just as we should not fault “dreamers” who were brought here as children, we should not make people’s fates and future status depend on border enforcement conditions over which they have no control. And I am disappointed that the legislation does not treat all American families equally. We must end the discrimination that gay and lesbian families face in our immigration law. I also am concerned about changes to the visa system for siblings and the lack of clarity about how the new point-based visa system will work in practice. And I question whether spending billions more on a fence between the United States and Mexico is really the best use of taxpayer dollars.

Throughout our history, immigration has been an ongoing source of renewal of our spirit, our creativity, and our economic strength. From the young students brought to this country by their loving parents seeking a better life, to the hardworking men and women who play vital roles supporting our farmers, innovating for our technology companies, or creating businesses of their own, our Nation continues to benefit from immigrants. We need to uphold the fundamental American values of family, hard work and fairness. The dysfunction in our current immigration system affects all of us. It is time to fix it. Now is our opportunity to do so.

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