

Testimony of

The Honorable Patrick Leahy

June 6, 2003

Statement of Senator Patrick Leahy
Ranking Member, Senate Judiciary Committee
Confirmation Hearing for Eduardo Aguirre, Jr.
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The Committee today considers the nomination of Eduardo Aguirre to serve as Director of the Bureau of Citizenship and Immigration Services (BCIS), in the newly-created Department of Homeland Security. I am pleased that this nomination has been referred to the Judiciary Committee, which continues to have jurisdiction over immigration legislation and oversight. I wish that the Committee had also had the opportunity to consider the nomination of Asa Hutchinson as Undersecretary for Border and Transportation Security, but it is fitting that Mr. Hutchinson has testified before the Committee since his confirmation.

We come here today for a hearing on immigration, and I hope it will not be the last one the full Committee holds. I, along with other Members of this Committee from both sides of the aisle called for a hearing on the report released on Monday by the Justice Department's Office of Inspector General, concerning the treatment of those aliens who were detained as part of the investigation into the September 11, 2001, attacks. I hope this hearing will be held as promptly as possible.

The Inspector General report shows the severe consequences that can be faced by those immigrants who fail to maintain their lawful status. Of course, the responsibility to remain here legally falls upon immigrants, but there are occasions when immigrants live up to that responsibility and are nonetheless failed by errors and backlogs on the Government's part. I hope and trust that preventing such errors will be a major priority for you if you are confirmed. I also hope that you will use your position to battle the perception in many immigrant communities that the war on terrorism has become a war on immigrants.

I know that you have had a distinguished career in business, and I have heard good things about your tenure at the Export-Import Bank. I am also impressed that Ms. Jackson Lee has come over from the House to recommend you so highly. As I am sure you already know from your tenure as Acting Director, you will inherit a demanding portfolio should you be confirmed. Indeed, I know that you have already received letters from Members of Congress, including myself, with concerns about immigration policy. Just yesterday, we all read in the New York Times how backlogs have stranded 20,000 refugees in what are described as "desolate camps in Africa, Asia and the Middle East." Working with the State Department, we must do a better job.

I would like to raise an issue with you that I have previously raised with Secretary Ridge and Undersecretary Hutchinson. As Director of the BCIS, you would supervise many constituents of mine at the Service Center in St. Albans, Vermont. I think you will find that they are excellent employees who will exceed your expectations. I ask that you make sure they know what you expect of them, and to keep them in the loop if and when you consider plans to reorganize the agency.

Moreover, I know that there are many other fine former INS employees who are currently under the authority of other parts of the Department of Homeland Security. Some of those employees have been left in a state of flux as each DHS branch makes its own reorganization plan. As you reorganize BCIS, I urge you to make as much use as possible of these Vermonters with immigration backgrounds, and to consider making Vermont a regional center for your agency.

On the national level, it was a priority for many of us in Congress that immigration services not be overlooked at the Department of Homeland Security. Although our security is paramount, the new Department must remember that our

nation's founding principles and economic health demand that immigration be handled in a fair and orderly way. I look forward to hearing your views about how the Department will balance security concerns with our commitment to legal immigration.

I have written you already about the backlogs that plague our immigration system. I have met many of the employees at the Vermont Service Center, and I have seen their dedication and diligence firsthand. I know also how the increased security measures that have understandably been imposed since the September 11, 2001 attacks have made their jobs substantially more time-consuming. The President has pledged to reduce the average backlog for immigration petitions to six months by 2006 - I am curious to hear your plans for achieving that goal.

I look forward to hearing your testimony today, and to working closely with you in the future.

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