

Prepared Statement of the Honorable Raymond W. Kelly
Police Commissioner, City of New York
Senate Committee on Homeland Security & Governmental Affairs
Dirksen Senate Office Building – SD-342
Wednesday, May 5, 2010 - 1000 hrs.

Senator Lieberman, Senator Collins, members of the committee. Thank you for this opportunity to testify.

Terrorists are determined to attack this country by any means. Saturday's attempted car bomb attack on Times Square is but the latest example.

Since September 11th, 2001, New York City has been the subject of eleven plots that we know of. Each of them was defeated through close cooperation between the NYPD and our federal partners. Each highlights one of the myriad ways terrorists might try to attack New York: with homemade bombs, by torching bridge cables, or releasing cyanide in the subways.

The Police Department trains constantly to defend against every type of threat, especially those from guns and explosives. Obviously, the more we can do to deny would-be terrorists access to these weapons, the safer we will be. That is why it is urgent that we close the terror gap in our nation's gun laws. Failure to do so places this country at even greater risk.

Last year, I testified before this committee about the NYPD's response to the commando-style assault on Mumbai, India in November 2008. As you may recall, that attack was carried out by small teams of operatives using AK-56 assault rifles. By sustaining the operation for hours, they maximized the casualties.

As part of our comprehensive response to what happened in Mumbai, we've held tactical drills and tabletop exercises with officers from our Special Operations Division based on that scenario.

We've trained more than 250 additional officers in the use of heavy weapons so that they will be able to supplement the work of our Emergency Service officers in a crisis.

We've also decided to use the instructors in our Firearms and Tactics Unit as another reserve force.

All of our police recruits now receive basic instruction in three types of heavy weapons.

We've taken these and other measures because we believe an attack involving active shooters is always a possibility. Likewise, we must also guard against terrorists armed with homemade bombs, whether a car bomb like the one we saw in Times Square or stashed inside backpacks for a suicide mission like the one planned for last September in New York

City subways. Our subway bag search program, which we implemented immediately after the 2005 London bombings, is designed to counter such a threat.

In recent years, we've also conducted undercover operations demonstrating the ease with which terrorists in this country can purchase explosive ingredients such as chlorine and ammonium nitrate.

These efforts are part of a robust counterterrorism program we built from the ground up in 2002, when we realized that in addition to our focus on crime-fighting, the Police Department needed to build the intelligence collection, analysis, and infrastructure protection capabilities to defend New York City from another terrorist attack.

We established the nation's first municipal Counterterrorism Bureau, and we restructured our Intelligence Division.

We recruited the best that the federal government had to offer to head those two operations.

We created a new civilian intelligence program to support our field commanders with timely information and analysis.

We tapped the incredible linguistic diversity of the Police Department and assigned native speakers of languages such as Arabic, Urdu, and Pashto to counterterrorism duties.

We strengthened our patrols of key infrastructure in the city, including bridges, tunnels, and a host of landmarks and other sensitive locations.

We forged collaborative relationships with the private sector, with law enforcement organizations up and down the east coast, and with federal agencies, especially the FBI and the Department of Homeland Security.

All of our collective efforts would benefit from the passage of this bill, which would exclude anyone who is on a terrorist watch list from being able to legally purchase a gun, obtain a permit to buy explosives or a license to sell them.

From the standpoint of the NYPD, it would also complement the aggressive anti-gun strategies we already have in place. Under Mayor Bloomberg's leadership, New York City has become a national leader in combating gun violence. And the police department has made enormous progress in stemming the flow of illegal guns into the city.

It is a principal reason we've been able to drive conventional crime down by 40% since the beginning of 2002, even after we took on the additional responsibility of counterterrorism. But we're by no means declaring victory. We know there are still far too many guns available to criminals who are determined to obtain them. The same is true for international terrorist organizations, which in all likelihood are plotting the next attack as we speak.

This legislation would go a long way in stopping them from exploiting a dangerous loophole and succeeding in their mission. For that reason, I hope the congress will pass it without delay.