

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Executive Business Meeting
January 28, 2016**

Good morning. Today we have a number of bills and nominees on the agenda.

Regarding the bills, S. 247 will be held over at the request of Senator Cruz and S. 483 will be held over at the request of Senator Hatch. S. 524, the Comprehensive Addiction and Recovery Act of 2015, is on the agenda for the first time, so it will be held over as well. Obviously, the hearing yesterday illustrated the need to take action to address the tragic opioid epidemic that has affected so many lives. We're not there yet, but we are working hard on a manager's amendment to CARA that I hope the committee can take up soon and pass with broad, bipartisan support.

H.R. 1428, the Judicial Redress Act of 2015, is also ripe for consideration. The Act is necessary to implement the Data Protection and Privacy Agreement, a pact that will preserve and expand the ability of the United States and EU members to share critical law enforcement information. So it has my support. I also understand that Senator Cornyn will offer an amendment to the bill which I plan to support as well.

The next bill on the agenda is S.1890, the Defend Trade Secrets Act of 2015, introduced by Senators Hatch and Coons.

As we learned in a recent Committee hearing, while state trade secret laws provide U.S. companies many protections, at times these laws are inadequate.

The threats trade secret owners face are coming from thieves who are able to quickly travel across state lines and who use technology to aid their misappropriation. In many cases, the existing patch-work of state laws governing trade secret theft presents difficult procedural hurdles for victims who must seek immediate relief.

Further, the pace of trade secret theft is mounting and federal law enforcement authorities don't have the bandwidth to prosecute but a fraction of cases. This means that victims of trade secret theft cannot rely on criminal enforcement, making a civil cause of action an effective way to go after the perpetrators.

The Defend Trade Secrets Act would amend the Economic Espionage Act of 1996 to create a federal civil remedy for trade secret misappropriation, allowing for a uniform national standard without preempting state law. The bill would provide clear rules and predictability for trade secret cases. Victims will be able to move quickly to federal court, with certainty of the rules, standards, and practices to stop trade secrets from being disseminated and losing their value. By improving trade secret protection, this bill will also help to incentivize future innovation.

Additionally, Ranking Member Leahy and I will be offering an amendment to help protect whistleblowers. I understand Senators Hatch and Coons have a substitute amendment to address the concerns that have been raised with the bill.

We're also prepared to consider S. 2040, the Justice Against Sponsors of Terrorist Act (JASTA). I'm an original co-sponsor, as are a number of other Committee Members. This is important legislation that will go a long way towards holding accountable those who aided and abetted the September 11 attacks, and send a strong message for those who may consider providing such support in the future. At the appropriate time, Senator Cornyn will be offering an amendment on this legislation. I intend to support his amendment and I urge my colleagues to do so as well. I hope that we can move this legislation out of Committee today.

We have three nominees to be District Court Judge. They are:

- Mary McElroy, District of Rhode Island
- Susan Baxter, Western District of Pennsylvania
- Marilyn Horan, Western District of Pennsylvania

I'd note that we didn't include the other two district court nominees from Pennsylvania on this week's agenda. Members on our side are still reviewing their records and answers to written questions.

After consulting with the Senators from Pennsylvania, they indicated they'd like the Pennsylvania nominees on today's agenda to move out of Committee, so we will vote on all three nominees on the agenda today.