

Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Executive Business Meeting
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This week we held the hearing for the Deputy Attorney General and the Associate Attorney General nominees, Rod Rosenstein and Rachel Brand. I'll have more to say about each of them when we consider their nominations in Committee, but for now I'll mention I was extremely impressed with their testimony and responses to our questions.

I found them both to be poised and thoughtful in their responses. They proved themselves very competent. I know a lot of Members are concerned about media reports of Russia's involvement in the election. During the hearing, Mr. Rosenstein was repeatedly asked if he would commit to appointing a special counsel to handle any investigation in this matter. I was impressed with his unfailing commitment to independence when he answered these questions.

He committed to **not** pre-judge the situation before he knew the facts. And he committed to conducting **every** investigation with independence.

I personally believe Mr. Rosenstein possesses the necessary independence to conduct any investigation of this type. He told us he'd never met with Russian officials nor has he spoken to the President or Attorney General about this matter. And he spoke in great length about his career-long commitment to independence and to conduct his work free from political concerns. It was that same commitment, reputation, and impartiality that led Attorney General Holder to appoint Mr. Rosenstein to handle the investigation from 2012.

And of course, if there is an investigation, it could be over by the time he's confirmed. After all, there is an acting Deputy Attorney General, an Obama appointee from the Eastern District of Virginia, who would be making the decisions related to any such matter already.

I look forward to receiving both the nominees' responses to Questions for the Record and considering their nominations in Committee soon.

Now, turning to today's agenda. We are considering two nominees and one bill.

The nominees on today's agenda are Danny Reeves & Charles Breyer to be Members of the Sentencing Commission. The Committee favorably reported them out last year. They're ready for a vote, and we can do them by voice vote.

I'd note that the two nominees are paired together. One is a Republican from Kentucky. The other is a Democrat from California who Senator Feinstein strongly supports.

The bill on today's agenda is S. 419, the Public Safety Officers' Benefits Improvement Act. It is ripe for consideration.

The Senate passed this bill during the last Congress, but it did not pass the House. So, in February, Senators Gillibrand, Hatch, Coons, and I reintroduced it.

The bill would increase transparency surrounding the Justice Department's program for paying death benefits to the families of fallen public safety officers. It would also add necessary protections to the families who apply for these benefits.

The Justice Department has a goal of processing these claims within 1 year of filing. However, during the second half of 2016, active claims sat pending for an average of 744 days. That is more than 2 years. The longest pending claim during that time was almost 10 years. That's far too long.

Our bill attempts to encourage more timely processing by bringing transparency and accountability to the program. The bill would require the Justice Department to post on its website, weekly status updates for all pending claims.

In addition, the bill would require the Justice Department to report aggregate statistics to Congress twice a year. The bill would make it easier for the Department to process claims. For example, it allows the Department to rely on other federal regulatory standards, and to give substantial weight to findings of fact of state, local, and other federal agencies.

Thanks to Senator Cornyn's amendment last Congress, the bill would create a rebuttable presumption that the family is not disqualified from recovering a benefit. The presumption can be rebutted only by clear and convincing contrary evidence.

These officers and their families have made the ultimate sacrifice in protecting our communities. They deserve the strongest protections possible. It should be presumed that they are eligible for the benefit.

Thanks to Senator Leahy's amendments last Congress, the bill ensures that the intended beneficiaries of educational assistance benefits are not penalized because of the Department's delays in processing their claims. The bill requires the Department to make full use of its compulsory authorities to obtain necessary information from third parties to adjudicate these claims, before abandoning them. And, the bill applies not only to future claims, but all claims that are pending as of the date of enactment.

I want to thank Senator Gillibrand for working with me to develop this common-sense legislation. I also want to thank our co-sponsors, Senators Hatch and Coons, for standing with us in support of these officers and their families. We are also indebted to Senators Flake and Leahy, who provided helpful feedback during the last Congress concerning the bill's reporting requirements. And to Senators Cornyn and Leahy for their amendments. All of these changes were incorporated into the bill during the last Congress.

This has been a truly bipartisan effort based on what we learned from our hearing in April 2016 and multiple independent audits and oversight letters before then. So, I urge my colleagues today to help us get this bill done, as our way of showing our gratitude to these men and women who made the ultimate sacrifice in protecting our communities.