

QUESTIONS FOR THE RECORD
ROD J. ROSENSTEIN
NOMINEE TO BE DEPUTY ATTORNEY GENERAL

QUESTIONS FROM SENATOR KLOBUCHAR

Need for Special Prosecutor

[*To Mr. Rosenstein*]: As I stated at the hearing, I have called on Attorney General Sessions to come before this Committee immediately to provide critical information following recent reports that he met with the Russian Ambassador last fall and misled this Committee – and the American people – regarding those meetings. I have also called for the appointment of a special prosecutor, so that this investigation can proceed without political influence.

- According to rule 28 CFR § 600.4, the scope of any special counsel’s investigation will likely be determined by the Acting Attorney General for the purposes of the investigation. In light of Attorney General Sessions’ recusal, that task of defining the scope of the investigation would be yours. If called upon to do so, how would you define the scope of a special counsel’s investigation into communication between Russian officials and the President’s campaign, transition, and Administration?
- According to rule 28 CFR § 600.7, the Attorney General or Deputy Attorney General would still retain significant authority to overrule a special counsel’s decisions. If you are serving as the Acting Attorney General for purposes of this investigation, would you be willing to overrule the special counsel’s decision?
- According to rule 28 CFR § 600.3, an appointed special counsel “shall be a lawyer with a reputation for integrity and impartial decision making.” In the event that you are responsible for appointing a special counsel to investigate contacts between Russian officials and the President’s campaign, transition, or Administration, can you describe how you would find a lawyer who satisfied these criteria?
- Rule 28 CFR § 600.3 requires that an appointed special counsel ensure that “the investigation will be conducted ably, expeditious, and thoroughly.” If you are responsible for appointing a special prosecutor to investigate contacts between Russian officials and the President’s campaign, transition, or Administration, what would you view as an “expeditious” timeline?
 - Still referring to rule 28 CFR § 600.3, what you would view as “appropriate experience” for a special counsel?
 - Still referring to rule 28 CFR § 600.3, what would you view as a “thorough” investigation into relevant contacts with Russian officials?
- If no charges are brought, the public may never learn the contents of the special prosecutor’s investigation. In such circumstances, do you believe that there is a need

for an external body—such as an independent commission—to investigate and produce a public report of the President’s campaign and its contacts with Russia?

RESPONSE: I do not have sufficient information to properly answer these fact-bound questions about Russia for myself, and in any event, it would not be appropriate for me to answer them publicly. I hope that my record of public service provides reasonable assurance that I will act appropriately in handling this matter, and the many thousands of other important matters that will fall under my responsibility if I am confirmed as Deputy Attorney General. I do not take any position on what if any investigation the Congress should undertake, but I appreciate the import of your question: criminal investigations generally do not resolve political and foreign policy disputes.

Opioid Abuse

[To Mr. Rosenstein]: As U.S. Attorney, your office has worked to shut down so-called “pain clinics” that illegally give out prescriptions for powerful drugs like oxycodone. Last Congress, I helped lead the passage of the Comprehensive Addiction and Recovery Act (CARA) in the Senate, and I have also introduced legislation requiring states to have stronger prescription drug monitoring programs (PDMPs) to prevent the kind of “doctor shopping” that facilitates addiction.

- As Deputy Attorney General, would confronting the opioid crisis be a priority of yours? Are there specific measures you believe the Justice Department should take in this area?

RESPONSE: Yes, confronting the opioid crisis is a priority of mine. I will work with DEA and other federal agencies, as well as state and local officials and medical professionals, to stop the epidemic.