

# Progress Report

Senate Judiciary Committee in the 114<sup>th</sup> Congress

Chairman Chuck Grassley

September 30, 2016



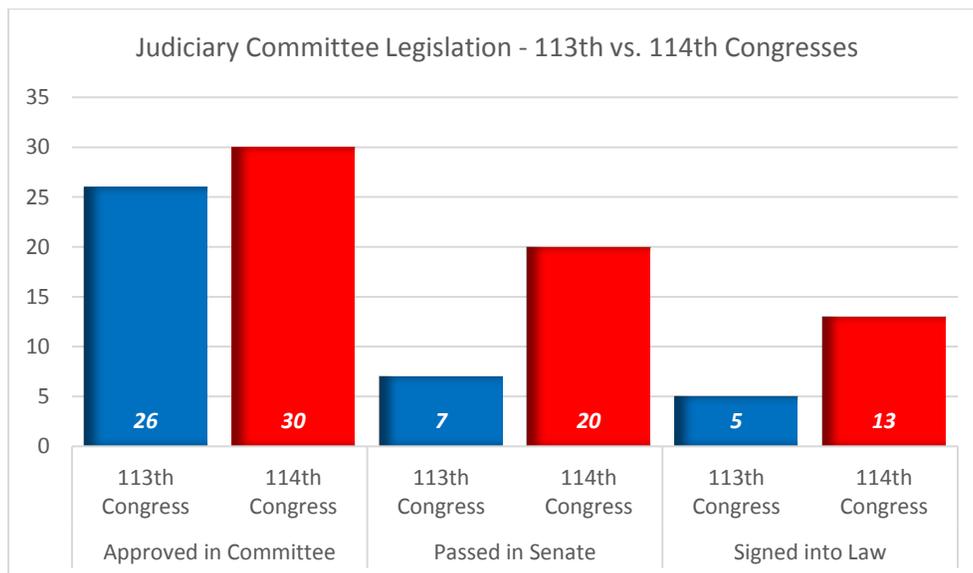
## Summary

Upon becoming Chairman of the Senate Judiciary Committee at the start of the 114<sup>th</sup> Congress, Senator Chuck Grassley [pledged](#) that he would strive to be fair while [restoring](#) the committee's role as a "true check on the massive and powerful federal bureaucracy." In the months that followed, the Senate Judiciary Committee has been working in a largely bipartisan fashion to meet these goals. The committee, under Grassley's leadership, has already exceeded its legislative productivity in the previous Congress. The committee is also on track to match nominations benchmarks set in past similar scenarios. Grassley's longstanding focus on oversight has put the committee in position to renew its focus on ensuring accountability and transparency in government as mandated by the Constitution.

## Legislation

The Senate Judiciary Committee's legislative agenda in the 114<sup>th</sup> Congress has been marked by a commitment to bipartisanship, an increase in productivity and a return to regular order. Under Grassley's leadership thus far, the committee has reported to the Senate 30 bills, all with bipartisan support. Of those bills, eight are authored by Senators in the minority party. By contrast, in the entire previous Congress, the committee reported only 26 bills, all of which were authored by the majority party, and several were reported on a party line vote.

Not only has the committee processed more bills on Chairman Grassley's watch, it has generated more bipartisan legislative accomplishments in a shorter amount of time. Thus far this Congress, 20 bills reported out of committee (66.7%) have been passed by the full Senate and 13 (43.3%) have become law. By contrast, in the 113<sup>th</sup> Congress, only seven bills reported out of committee (26.9%) were passed by the full Senate, and only five (19.2%) were signed into law.



Compiled from Legislative Information System data as of September 29, 2016

The following bills have been processed by the Judiciary Committee in the 114<sup>th</sup> Congress:

1. [S. 337](#), FOIA Improvement Act of 2015\*\*
2. [S. 295](#), Amy and Vicky Child Pornography Victim Restitution Improvement Act of 2015\*
3. [S. 178](#), Justice for Victims of Trafficking Act of 2015\*\*
4. [S. 166](#), Stop Exploitation Through Trafficking Act of 2015
5. [S. 665](#), Rafael Ramos and Wenjian Liu National Blue Alert Act of 2015\*\*
6. [S. 125](#), Bulletproof Vest Partnership Grant Program Reauthorization Act of 2015\*\*
7. [S. 993](#), Comprehensive Justice and Mental Health Act of 2015\*
8. [S.1137](#), Protecting American Talent and Entrepreneurship (PATENT) Act of 2015
9. [S.1300](#), Adoptive Family Relief Act\*\*
10. [S.1482](#), Need-Based Educational Aid Act of 2015\*\*
11. [S.1599](#), Criminal Antitrust Anti-Retaliation Act of 2015\*
12. [S.1169](#), Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015
13. [S. 32](#), Transnational Drug Trafficking Act of 2015\*\*
14. [S. 2123](#), Sentencing Reform and Corrections Act of 2015
15. [S. 1318](#), Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2015
16. [H.R. 1428](#), Judicial Redress Act of 2015\*\*
17. [H.R. 1755](#), To amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans^\*\*
18. [S. 238](#), Eric Williams Correctional Officer Protection Act of 2015^\*\*
19. [S. 483](#), Ensuring Patient Access and Effective Drug Enforcement Act of 2016\*\*
20. [S. 524](#), Comprehensive Addiction and Recovery Act of 2016\*\*
21. [S. 1004](#), Veterans Day Moment of Silence Act^\*
22. [S. 1890](#), Defend Trade Secrets Act of 2016\*\*
23. [S. 2032](#), National Bison Legacy Act^\*\*
24. [S. 2040](#), Justice Against Sponsors of Terrorism Act\*↔
25. [S. 2390](#), Federal Bureau of Investigation Whistleblower Protection Enhancement Act
26. [S. 2613](#), Adam Walsh Reauthorization Act (Includes *Survivors' Bill of Rights*)\*
27. [S. 2614](#), Kevin and Avonte's Law\*
28. [S. 2348](#), Rapid DNA Act\*
29. [S. 2577](#), Justice for All Reauthorization Act\*
30. [S. 2840](#), Police Act\*\*
31. [S. 2815](#), Semiquincentennial Commission Act^\*
32. [S. 1402](#), Patents for Humanity Program Improvement Act^\*
33. [S. 2944](#), Public Safety Officers' Benefits Improvement Act
34. [S. 2854](#), Emmett Till Unsolved Civil Rights Crimes Reauthorization Act^\*
35. [S. 2763](#), Holocaust Expropriated Art Recover Act
36. [S. 3155](#), Foreign Cultural Exchange Jurisdiction Immunity Clarification Act
37. [S. 3270](#), Elder Abuse Prevention and Prosecution Act
38. [H.R. 5578](#), Survivors' Bill of Rights Act^

^discharged without committee action

\*passed Senate

\*\*signed into law

↔became law via veto override

## **Judicial Nominations**

Presidents have the authority, under Article II Section 2 of the U.S. Constitution, to nominate individuals to lifetime federal judgeships. That same constitutional provision requires that the Senate provide advice and consent for the nominee to be appointed. The Senate, therefore, was intended to be a check on the President's power to fill the courts. The Judiciary Committee under Grassley's leadership has considered nominations at a pace similar to that of the 110th Congress, which was also the last two years of George W. Bush's second term, when the Senate majority was controlled by a different political party than the White House.

The Judiciary Committee has held nominations hearings for 54 judicial nominees in the 114th Congress. During the 110th Congress, the Committee held hearings for a nearly identical number, for a total of 57 judicial nominees.

Notably, the Judiciary Committee does not set the schedule for confirmation votes by the full Senate. The Senate has confirmed 329 of President Obama's judicial nominees so far. During his entire presidency, the Senate confirmed only 326 of President Bush's judicial nominees.

## **Government Oversight & Accountability**

Congress has a constitutional responsibility to ensure the laws it passes are faithfully executed through oversight of the executive branch. As Chairman, Grassley pledged to hold the federal bureaucracy accountable to the American people, by restoring the committee's role as a true check on the massive and powerful federal bureaucracy. The committee should ask questions, demand answers and help hold the executive branch accountable for its actions. The American people deserve a federal government that works for them, not against them.

Throughout the 114<sup>th</sup> Congress, The Judiciary Committee, initiated inquiries into federal government practices across the alphabet soup of the bureaucracy. This includes reviews of grant fraud within the Department of Justice, excessive use of funds and inappropriate hiring practices by the U.S. Marshals Service, retaliation against whistleblowers in various government agencies, shoddy records retention by the State Department, inadequate responses to federal records requests by various agencies, and the consequences of failing to enforce immigration laws.

Grassley has continued to be the Senate's champion for whistleblowers who report waste, fraud and abuse within the federal government. From the Judiciary Committee chairmanship, Grassley founded the bipartisan Whistleblower Protection Caucus to help educate colleagues about the positive impact of whistleblowers.

Thus far in the 114<sup>th</sup> Congress, the Judiciary Committee has sent more than 500 letters to more than 55 federal agencies, 20 organizations and 15 individuals in an effort to expand government transparency and accountability, and to address waste and misconduct.