

Statement of Grant C. Jaquith
Nominee to be Judge, United States Court of Appeals for Veterans Claims

Chairman Isakson, Ranking Member Tester, and distinguished Members of this Committee, thank you for the opportunity to speak with you today. I am honored to have been nominated by the President to become a Judge on the United States Court of Appeals for Veterans Claims.

This great privilege is the result of my family's love, support, and example. My wife, Rosemarie, and my six children, Amanda, Larene, Gordon, Olivia, Isabelle, and Colton, mean everything to me. My inspiring wife is an accomplished lawyer and community leader who spoke only Spanish when she started kindergarten. Her parents came to the United States from Cuba as teenagers to find a better life. She is here today, along with three of the children and some of their family members, including three of my grandchildren. All of my children and grandchildren are with me always. One is in federal service – my son Gordon is the Director of the Naval Forces Division of Cost Assessment and Program Evaluation in the Office of the Secretary of Defense.

My own roots in service run deep. I am descended from a Mayflower passenger – a servant who signed the Mayflower Compact 399 years ago. The first Jaquith born in America died in 1678 of wounds received 3 years earlier in King Philip's War. Several Jaquiths answered the call to arms in Lexington, Massachusetts in April of 1775. A grandfather six generations back served in the War of 1812. During the Civil War, my great-great-grandfather was a private in the 12th Vermont volunteers engaged in the defense of Washington. In the 1950s, my father served in the Navy as a machinist's mate, contracting pneumonia, returning to work too soon, and developing persistent lung problems that resulted in a permanent disability rating.

My parents taught me to judge people on merit, based upon their character and conduct, and to care about them. They found fulfillment in dedication to family, church, community, and country, and illustrated industry and perseverance. They expected nothing and were grateful for everything. My mother is watching now on television and cheering my efforts to live up to their example. She instilled my interest in history. From reading biographies of famous people, I concluded that those who shaped our nation most often were lawyers or soldiers, and a dream was born – to become both.

I signed my first contract with the United States of America about a month before my 18th birthday, accepting the ROTC scholarship which enabled the son of postal worker and a homemaker to go to a private liberal arts college. I was commissioned upon graduation, but was granted an educational delay to go to law school, leading to a summer judicial clerkship, work in the public defender's office, and then the Army Judge Advocate Generals Corps. After 6 years of active duty, I joined a large law firm in Syracuse. In 1989, I came to the U.S. Attorney's Office. I remained in the Army Reserves, rising to the rank of Colonel and serving as a trial judge from

2001 to 2010. In the U.S. Attorney's Office, I have been a supervisor since 1998, including serving as Criminal Chief, First Assistant U.S. Attorney, and United States Attorney.

My 32 years of active military service involved a broad range of legal work, including: general practice assisting soldiers, veterans, and their families; advising commanders regarding operational, administrative, and disciplinary matters; addressing civil claims; prosecuting criminal cases; and presiding over courts martial throughout the United States and in Germany and Korea, including cases involving soldiers with significant service connected health issues. I have spent over 30 years in the U.S. Attorney's Office conducting investigations, trying complex cases of different types, handling appeals, and leading the effort by lawyers and support staff to secure justice in civil and criminal cases throughout a district encompassing 30,000 square miles. In striving always to fulfill our responsibility to do the right thing in the right way, I have learned from eight excellent United States Attorneys; an outstanding leadership team, including my First Assistant U.S. Attorney; and many talented colleagues. My diverse case work included prosecution of a research coordinator at a VA medical center who falsified patient records to enroll them in cancer treatment studies, including those of a patient who died from the resulting infusion of chemotherapeutic drugs, as well as the Chief of Oncology who failed to ensure that accurate case histories were maintained and that treatment was based on actual laboratory results.

As Vice-Chair of the Servicemembers and Veterans Rights Subcommittee of the Attorney General's Advisory Committee, I have initiated greater dialogue with the Department of Veterans Affairs about the importance of retrievable patient records to the quality of medical care for veterans and later litigation about that care – under both the current VA health records systems and the modernized comprehensive electronic system being designed and fielded.

My family and professional history have imbued me with reverence for the service and sacrifice of veterans and the rule of law for the fair, impartial, and orderly resolution of disputes. These cornerstones of our country are connected in the Court of Appeals for Veterans Claims.

I have learned from exceptional jurists I have appeared before and worked for that excellence depends not only on integrity, judgment, knowledge, and common sense, but also on humility. They showed that good judging comes from listening and learning to understand the facts and the law and fairly apply the latter to the former. If confirmed, I will follow their example and work tirelessly to resolve cases justly and swiftly.

Thank you for considering my nomination to this crucial court. I would be pleased to answer any questions you have.