

January 9, 2017

The Honorable Charles E. Grassley
United States Senate Committee on the Judiciary
Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Diane G. Feinstein
United States Senate Committee on the Judiciary
Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein:

I submit this letter in support of the nomination of Senator Jeff Sessions as Attorney General of the United States.

Since the announcement of Senator Sessions' nomination, there has been extensive public discussion about his record in many areas, including immigration law, criminal prosecution and civil rights enforcement. Somewhat overlooked in that debate has been Senator Sessions' record as a supporter of our national security professionals and the surveillance and other investigative tools they need to protect our country against terrorists.

As a former Executive Branch official in the George W. Bush Administration – FBI General Counsel and Chief-of-Staff; United States Attorney; Assistant Attorney General for National Security; and Homeland Security Advisor for President Bush – I have been heavily involved both during and after my government service in the post-9/11 effort to provide the Intelligence Community with a strong yet measured set of surveillance and investigative authorities. Senator Sessions has played a key role in that effort and has distinguished himself as an effective and knowledgeable advocate for these authorities.

Senator Sessions has been centrally involved in the national security legislative debates of the past 15 years. In each of these debates, Senator Sessions drew on his extensive practical experience as line prosecutor and United States Attorney to pierce through the histrionics and misimpressions on both sides and center the debate on the two critical considerations in national security lawmaking – the need for the requested authority and the existence of sufficient safeguards to ensure it is used responsibly and in accordance with legal and constitutional requirements. In doing so, he has consistently demonstrated a clear recognition that strong investigatory powers require strong oversight, and that we must always balance our national security concerns with the need to protect privacy and civil liberties. Senator Sessions' clear-eyed perspective and his leadership in these debates were instrumental to the passage of those pieces of national security legislation – including the Patriot Act, the Patriot Act Reauthorization

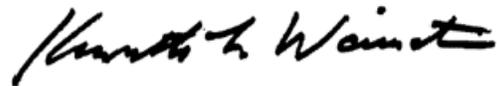
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and the FISA Amendments Act – that have done so much to build our national defenses against the terrorists who wage war against us and our way of life.

With the rise of ISIS and the growing concern about homeland terrorist attacks, it is critical that our government officials provide that same clear-eyed leadership in the face of the looming terrorist threat. Based on his record as an effective champion of strong and measured surveillance authorities over the past 15 years, I am confident that Senator Sessions will provide that leadership as Attorney General of the United States.

Thank you for considering my observations about Senator Sessions and his strong national security record, and please do not hesitate to call upon me if there is any additional assistance I can provide.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth L. Wainstein". The signature is written in a cursive, slightly slanted style.

Kenneth L. Wainstein