



December 11, 2017

Hon. Charles E. Grassley
Chairman
U.S. Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, DC 20510

Hon. Dianne Feinstein
Ranking Member
U.S. Senate Committee on the Judiciary
331 Hart Senate Office Building
Washington, DC 20510

Re: Nomination of Adam I. Klein to serve as Chairman and Member of the Privacy and Civil Liberties Oversight Board (PCLOB)

Dear Chairman Grassley and Ranking Member Feinstein,

We are the Co-Chairmen of the Bar Association of the District of Columbia's Committee on National Security Law, Policy & Practice. We write on behalf of the Committee in support of the nomination of Adam I. Klein to serve as Chairman and Member of the Privacy and Civil Liberties Oversight Board (PCLOB).

The PCLOB is an independent executive branch agency created at the recommendation of the 9/11 Commission. The PCLOB and its members have taken on an increasingly valuable role in recent years, particularly given national and international consideration of national security, surveillance, counterterrorism and privacy law and policy. Its reports on the telephone records program under Section 215 of the USA PATRIOT Act and on Section 702 of the Foreign Intelligence Surveillance Act have been substantially relied upon in the context of ongoing debates surrounding surveillance authorities. The PCLOB's open public hearings, reports and testimony of its members have also provided important transparency regarding these issues. At full capacity, the board consists of five bipartisan members. Currently, for a variety of reasons, the board is operating with just one member. While the board can perform certain advisory functions at this time, the board will be able to be most effective with a new chairman, and a full complement of Senate-confirmed board members.

Mr. Klein is well-qualified to serve in the position of Chairman and Member. He is currently the Robert M. Gates Fellow at the Center for a New American Security. In this capacity, he spearheaded research and co-authored a comprehensive and thoughtful report on surveillance policy, offering pragmatic recommendations seeking to strike an effective balance between national security and privacy. Previously, Mr. Klein was a law clerk to the late Justice Antonin Scalia on the United States Supreme Court, and Judge Brett M. Kavanaugh of the U.S. Court of Appeals for the D.C. Circuit. His prior experience also includes legal practice at an international law firm, research at a policy organization, and as a legislative assistant in the U.S. Congress.

Accordingly, we wish to communicate our strong support for Mr. Klein, and trust that he will be confirmed by the U.S. Senate.

PRESIDENT

Matthew G. Kaiser
KaiserDillon PLLC

PRESIDENT-ELECT

Allen P. Grunes
The Konkurrenz Group

TREASURER

Celina W. Stewart
Attorney-at-Law

TREASURER-ELECT

Catherine D. Bertram
Bertram & Amell, PLLC

SECRETARY

Maura M. Logan
Hewlett Packard Enterprise LLP

IMMEDIATE PAST PRESIDENT

Erin M. Dunston
Buchanan Ingersoll & Rooney PC

PAST PRESIDENT

Nancy E. Nunan
Law Offices of Nancy E. Nunan

AT LARGE DIRECTORS

Steven A. Cash
Day Pitney LLP
Andrew N. Cook
K & L Gates LLP
Carrie F. Cordero
Zwillgen PLLC
Matthew L. Fedowitz
Merchant & Gould PC
Kevin D. Judd
Law Firm of Kevin D. Judd, PLLC
Janelle R. Kuehnert
Keith W. Watters & Associates
Nancy H. Lutz
Merchant & Gould PC
Dominic G. Vorv
The Vorv Firm PLLC
Patricia A. Watters
Keith W. Watters & Associates

YOUNG LAWYERS SECTION

Scott S. Bernstein, Chair
KaiserDillon PLLC
Kalie E. Richardson, Chair-Elect
Arnall Golden Gregory LLP
Margaret Tucker, Immediate Past Chair
Covington & Burling LLP

INTELLECTUAL PROPERTY SECTION

Mary R. Bram, Co-Chair
Merchant & Gould PC
Laura K. Pitts, Co-Chair
Buchanan Ingersoll & Rooney PC



Respectfully,

Steven A. Cash
Co-Chairman

Regards,

Kenneth L. Wainstein
Co-Chairman

cc: Mr. Adam I. Klein
Center for a New American Security
1152 15th Street, NW
Washington, D.C. 20005