

January 4, 2022

The Honorable Richard J. Durbin
Chair, Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Charles E. Grassley
Ranking Member, Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Durbin and Ranking Member Grassley:

We write in emphatic support of Beth A. Williams's nomination to serve as a Member of the Privacy and Civil Liberties Oversight Board.

Each of us served alongside Beth as clerks for the Honorable Richard C. Wesley of the United States Court of Appeals for the Second Circuit. Through that experience, and through our close friendships since then, we have known and admired Beth as an attorney with extraordinary skills and as a person with unmatched integrity.

Our unqualified support for Beth is based on her exceptional character, not our politics. The three of us have diverse backgrounds: one served as an Assistant United States Attorney in the Southern District of New York under both Hon. Michael Garcia and Preet Bharara; another served on the enforcement staff of the Securities and Exchange Commission under the leadership of Mary Jo White; and another is a distinguished litigator and founder of a decorated Manhattan boutique law firm. Our views range across the political spectrum. We all share the confidence that Beth's unimpeachable integrity, sound judgment, superb legal skills, and unwavering commitment to the rule of law will serve this Nation well.

Beth is an exceptional fit for the position to which she has been nominated. She has a keen legal mind and invaluable experience both with the Executive Branch and with Congress. Following her *magna cum laude* graduation from Harvard College with an A.B. in History and Literature, Beth attended the Harvard Law School and served as Executive Editor of the *Harvard Journal of Law & Public Policy*. After law school, Beth clerked for Judge Wesley, alongside each of us. She then served as Special Counsel to this Committee, facilitating the confirmations of Chief Justice John G. Roberts, Jr. and Associate Justice Samuel A. Alito, Jr. of the United States Supreme Court. From there, she became a partner at one of the country's premier law firms, Kirkland & Ellis LLP, before leading the Office of Legal Policy at the United States Department of Justice as an Assistant Attorney General. This background in law, government, and the courts will serve her well on the Privacy and Civil Liberties Oversight Board.

Beyond Beth's sterling credentials, we have seen her commitment to individual liberty firsthand. The particulars of in-chambers communications remain appropriately confidential. But we can attest to Beth's strong interest in individual liberties and the rights secured by the Bill of Rights in cases before the Court. Those issues arose in a number of cases during Beth's clerkship with us, including Fourth Amendment limitations on searches of juveniles, inmates' First Amendment rights to religious and political material, constitutional limitations on venue for criminal prosecutions, and the intersection of the First Amendment with the Fourth Amendment's probable cause requirement, among other things. We fondly recall our spirited discussions with Beth about individual liberty and freedom in these and other cases, where Beth invariably thought deeply about the governing jurisprudence and strove to be faithful to the Constitution.

Beth is proud of her conservative perspective. We do not all share that same perspective. But we remain confident that Beth's dispassionate attention to facts and evidence means she will never cling to orthodoxy at the expense of hard truth. Her *pro bono* work at Kirkland & Ellis LLP provides an apt illustration. In her *pro bono* work, Beth zealously represented prisoners and other unpopular litigants, but maintained her focus on the law and the facts of each matter—politics notwithstanding—and achieved excellent and just results. We are confident that Beth will approach her position as a Member of Privacy and Civil Liberties Oversight Board with the same clear-eyed view of fact and law to the benefit of the public.

We enthusiastically urge the Senate to confirm Beth A. Williams as a Member of the Privacy and Civil Liberties Oversight Board. She is brilliant beyond question, unerringly civil, and a lawyer of the highest integrity. We are confident that, if confirmed, Beth would ably serve all the people of this country by helping to strike a fair balance between government policies, on the one hand, and our essential privacy interests and civil liberties, on the other.

Sincerely,

Brian M. Feldman



Dominick D. Barbieri



Michael C. Rakower

