



December 19, 2016

The Honorable Charles E. Grassley
Chairman
U.S. Senate Committee on the Judiciary

The Honorable Patrick J. Leahy
Ranking Member
U.S. Senate Committee on the Judiciary

Dear Chairman Grassley and Ranking Member Leahy:

By way of introduction, the American Center for Law and Justice (ACLJ) is an organization dedicated to the defense of constitutional liberties secured by law. ACLJ attorneys have argued before the Supreme Court of the United States and other federal and state courts in a number of significant cases involving the freedoms of speech and religion. The ACLJ and its international affiliates defend human rights and religious liberty around the world.

We are writing to express the ACLJ's views about the requirements for holding the position of Attorney General of the United States. We also write to express our view that the current nominee for the post, Senator Jeff Sessions, meets and even exceeds those requirements.

First, any prospective Attorney General must have a long and proven record of commitment to the U.S. Constitution and the rule of law it undergirds. This concept is foundational to the American form of government and the law enforcement structure on which the Department of Justice (DOJ) rests. Unfortunately, recent years have demonstrated that fidelity to this concept is woefully lacking within the current DOJ.

We are heartened that Senator Sessions has not only repeatedly expressed his dedication to the Constitution and the rule of law, but has also spent his life putting that commitment into practice. As a private attorney, U.S. attorney, Attorney General of Alabama, and U.S. Senator, Senator Sessions has consistently applied the law enforcement principles set forth in the U.S.

Constitution. These varied experiences will allow him to bring a much-needed multi-faceted perspective to the DOJ.

Next, we believe it is particularly important at this time in our history that the next Attorney General be equipped to repair the damaged reputation of the DOJ. With no ill will toward the many dedicated employees of the DOJ, the recently-concluded election cycle and the track record of the last few years have caused the American People to be less than fully confident in the neutrality of its top law enforcement agency. Some may quibble with whether that lack of confidence is justified, but everyone should acknowledge that it is critical to regain that confidence. The American People deserve a judicial system that can be trusted to act free of partisan influence.

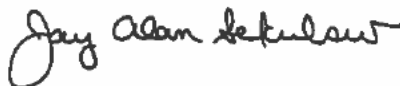
Senator Sessions is supremely equipped to meet this challenge on two main levels. First, he has the administrative experience from his time as the Attorney General of Alabama to conduct a top to bottom review of the DOJ and make needed improvements. Next, Senator Sessions' long track record of working across lines—be they political, racial, or socioeconomic lines—is exemplary. His professionalism and proven record make him uniquely qualified for this challenge.

Finally, we expect any prospective nominee for this post to be forthcoming with the Committee, and expect the Committee to respectfully but thoroughly examine the nominee's qualifications. This is a model that Senator Sessions himself followed as a member of the Committee. Maybe the most notable example of this practice occurred in 2009 when Senator Sessions respectfully explored a number of areas in which he and the then-nominee for Attorney General Eric Holder disagreed. Upon completing the review process, Senator Sessions voted to confirm Mr. Holder despite the sustained policy differences. We respectfully ask the Committee to now return the same courtesy of a thorough, fair, and respectful confirmation process to Senator Sessions.

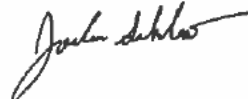
In our view, the end result will clearly reflect that Senator Sessions is supremely and uniquely qualified to be the 84th Attorney General of the United States.

We stand ready to assist you as you fulfill your advice and consent duties under Article II, Section 2, Clause 2 of the U.S. Constitution.

Sincerely,



Jay A. Sekulow
Chief Counsel



Jordan Sekulow
Executive Director

CC: Members of the Senate Committee on the Judiciary