

April 6, 2009

Senator John F. Kerry
Chairman
U. S. Senate Committee on Foreign Relations
Dirksen Senate Office Building
Washington, DC 20510-6225

Senator Richard G. Lugar
Ranking Member
U.S. Senate Committee on Foreign Relations
Dirksen Senate Office Building
Washington, DC 20510-6225

Dear Chairman Kerry and Senator Lugar,

We are writing in strong support of the confirmation of Harold Koh as the Legal Adviser to the United States Department of State.

By way of background, we are all former military lawyers who retired from active or Reserve service as Flag or General Officers. Among us we served in the United States Navy, Marine Corps, and Army. John Hutson and Don Guter retired both as Judge Advocates General of the Navy; David Brahms retired as the Staff Judge Advocate for the Commandant of the Marine Corps and Jim Cullen's last service was as Chief Judge (IMA) of the Army Court of Military Review.. Admiral Guter and Admiral Hutson also know Dean Koh personally and by reputation as the Deans of Franklin Pierce Law Center and Duquesne Law School, respectively. Finally, Admiral Hutson knows Dean Koh in the context of serving together on the Board of Directors of Human Rights First, and they both testified at the Senate Judiciary Committee during the confirmation hearing for Attorney General Gonzalez.

In summary, we collectively know Dean Koh very well both personally and by reputation in a variety of capacities. We know him to be a man of the utmost integrity, courage, and intelligence. He is extremely thoughtful and considers levels of analysis that most of us overlook. He vigorously supports the Rule of Law in thought, word, and deed. Similarly, he fights with determination and fairness on behalf of human rights. Dean Koh understands that it is not a Rule of Law if it is invoked only when it is convenient, and it is not a Human Right if it applies only to some people. He knows that our nation is stronger and safer when our government adheres to fundamental American values.

We also believe Dean Koh has a keen understanding of the preeminent role of the United States on the world scene and the influence, for good or ill, that we may have. If the United States follows his advice as DoS Legal Advisor, we will once again be the shining example of a nation committed to advancing human rights that we want other countries to emulate

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We can think of no other lawyer who is better suited for this important post by virtue of his intelligence, temperament, dedication, wisdom, experience and loyalty than Dean Harold Koh. We certainly appreciate your duty to be thorough and careful in this constitutional process, and it is in that spirit that we most strongly urge Dean Koh's quick and bipartisan confirmation.

Sincerely,

John Hutson
RADM, JAGC, USN (ret.)

Don Guter
RADM, JAGC, USN (ret.)

Dave Brahms
Brigadier General, USMC (ret.)

Jim Cullen
Brigadier General, USA (ret.)