

September 3, 2021

The Honorable Dick Durbin
Chairman Committee on the Judiciary
United States Senate
Washington, DC 20510

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

Dear Chairman Durbin and Ranking Member Grassley:

We write in support of the nomination of Elizabeth Prelogar to be Solicitor General of the United States. We have all been fortunate to lead the Office of the Solicitor General in previous administrations. We have served in the administrations of Presidents George H. W. Bush, William Clinton, George W. Bush, Barack Obama, and Donald J. Trump. Many of us have had the opportunity to interact with Elizabeth professionally. Some of us have served as her co-counsel, some as opposing counsel, and some as both. We are confident that Elizabeth has everything it takes to serve as Solicitor General.

Elizabeth has precisely the type of qualifications one needs to serve as the Solicitor General. She served as Acting Solicitor General of the United States from January 20 to August 10 of this year, leading the office and arguing 2 Supreme Court cases. Prior to that, she was a career attorney (Assistant to the Solicitor General) in the Office, where she argued 7 additional cases at the U.S. Supreme Court. She has also served as a partner at Cooley, LLP and an Associate at Hogan Lovells, LLP, and in both roles she focused on Supreme Court and appellate litigation. Prior to that, she served as a law clerk to the Honorable Merrick Garland (then on the United States Court of Appeals for the D.C. Circuit) as well as a law clerk to two different Justices, Justice Ruth Bader Ginsburg and Justice Elena Kagan. In each of these roles, she excelled as a legal thinker and analyst.

Elizabeth's prior experience in the Solicitor General's Office gives her an appreciation for the important norms, traditions, and responsibilities of the Office and will prepare her well in leading the Office. She is well known to the bar as an outstanding oral advocate. We have no doubt that Elizabeth's experience both in government and in private practice has prepared her extremely well for the varied docket and important responsibilities of the Solicitor General.

Through different administrations, both Republican and Democratic, we have served in the Office of Solicitor General and have the deepest of admiration and respect for the important work of the office and the dedicated career lawyers who serve in that office. Collectively, we have argued hundreds of cases before the Supreme Court and have decades of experience in the Office of the Solicitor General. That experience has given us a strong sense of the values and qualifications that are needed to discharge the important responsibilities of heading the Office.

We believe that Elizabeth shares our deep respect for the office, is well qualified to serve as Solicitor General, and should be confirmed.

Respectfully,

Jeffrey B. Wall

Acting Solicitor General (2017, 2020-2021)
Principal Deputy Solicitor General (2017-2020)
Assistant to the Solicitor General (2008-2013)

Noel J. Francisco

Solicitor General (2017-2020)

Ian Heath Gershengorn

Acting Solicitor General (2016-17)
Principal Deputy Solicitor General (2013-2016)

Donald B. Verrilli, Jr.

Solicitor General (2011-2016)

Neal Kumar Katyal

Acting Solicitor General (2010-2011)
Principal Deputy Solicitor General (2009-2011)

Gregory G. Garre

Solicitor General (2008-2009)
Principal Deputy Solicitor General (2005-2008)
Assistant to the Solicitor General (2000-2004)

Paul D. Clement

Solicitor General (2003-2008)
Principal Deputy Solicitor General (2001-2003)

Theodore B. Olson

Solicitor General (2001-2003)

Barbara D. Underwood

Acting Solicitor General (2001)
Principal Deputy Solicitor General (1998-2001)

Seth P. Waxman,

Solicitor General (1997-2001)

Walter Dellinger

Acting Solicitor General (1996-1997)

Kenneth W. Starr

Solicitor General (1989-1993)