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August 31, 2021

VIA EMAIL

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Please see the enclosed letter submitted for your consideration.

Sincerely,

Richard J. Lazarus

August 31, 2021

The Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Richard J. Durbin
Chairman 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

Re: Letter in Support of the Nomination of Elizabeth Prelogar to Serve as Solicitor General of the United States

Dear Majority Leader Schumer, Minority Leader McConnell, Chairman Durbin and Ranking Member Grassley:

We write to express our strong support of the President's nomination of Elizabeth Prelogar, Harvard Law School Class of 2008, to be Solicitor General of the United States. We are all professors of law at Harvard Law School and are familiar with the demands of the position based on our scholarship and teaching. Some of us have also practiced before the Court and served in the Justice Department, including in the Office of the Solicitor General. We are all thrilled by the President's nomination of Ms. Prelogar because we are confident that she will be an outstanding Solicitor General who will meet the necessarily high standards of that office.

Ms. Prelogar had a spectacular record of academic achievement as a student at Harvard Law School. She graduated with high honors, *magna cum laude*, served as an Articles Editor for the *Harvard Law Review*, and was a finalist in the Ames Moot Court Competition, our law school's most prestigious internal competition in which hundreds of students participate. Ms. Prelogar was also a student in many of our classes where she impressed law faculty with her striking intelligence, impressive work ethic, professional integrity, and personal kindness.

We are no less proud of her extraordinary record of public service since graduation. Ms. Prelogar served as a law clerk to then-Judge Merrick Garland of the United States Court of Appeals for the District of Columbia Circuit before clerking on the Supreme Court for Justices Ruth Bader Ginsburg and Elena Kagan in successive years. Following two years at a private law firm, Ms. Prelogar joined the Solicitor General's Office as an Assistant to the Solicitor General where she worked as a career attorney for six years during both Democratic and Republican Administrations.

At the Solicitor General's Office, Ms. Prelogar quickly earned a reputation as a highly skilled Supreme Court advocate possessing outstanding written and oral advocacy skills. From 2017-2019, she was detailed to work as an Assistant Special Counsel in the Special Counsel's Office for the Russia Investigation. Since, January of this year and until her nomination to serve as Solicitor General, Ms. Prelogar served as Acting Solicitor General of the United States. She served in the capacity with great skill and professional integrity as she ably met the substantial challenges invariably generated when a new President assumes office in the midst of significant pending litigation before the Supreme Court.

Ms. Prelogar has inspired our students by her example of professional and personal accomplishment. She has generously returned to Harvard Law School on many occasions to meet with students to offer advice about law school, public service careers, and how she has sought to balance professional aspirations with the demands of marriage and raising children. Ms. Prelogar also served as a Lecturer on Law here in the Fall of 2020, when, notwithstanding the demands of serving as a partner in a private law firm, she co-taught a workshop on Supreme Court and Appellate Advocacy.

The nation deserves one of its most outstanding appellate and Supreme Court advocates to lead the Office of the Solicitor General. Elizabeth Prelogar promises to be just such a Solicitor General, and we are proud to support her nomination.

We urge the Senate Judiciary Committee and the Senate to confirm Elizabeth Prelogar to serve as the Solicitor General of the United States.

Sincerely,¹

Martha Minow
300th Anniversary University Professor
Harvard University

Laurence H. Tribe
Carl M. Loeb University Professor and
Professor of Constitutional Law *Emeritus*
Harvard Law School

¹ Professional affiliations are listed for identification purposes. Signatories are signing in their individual capacity and not as representative of Harvard Law School.

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