

September 3, 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 Elizabeth B. Prelogar's nomination to serve as Solicitor General of the United States

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

We are a bipartisan group of Supreme Court practitioners with decades of experience and thousands of interactions with the Office of the Solicitor General. Many of us worked in that Office; all of us have deep respect for its critical role; and each of us is keenly aware of the need for surpassing skill, judgment, and integrity in the person of the Solicitor General.

Elizabeth B. Prelogar has all of the characteristics necessary to serve as Solicitor General with the highest distinction. She is—as the federal statute (28 U.S.C. § 505) creating the office prescribes—learned in the law; she has superb judgment; and she has the temperament, prudence, and wisdom to craft and present the position of the United States to the Nation's highest Court in accordance with the institutional traditions of that Office.

Many of us have worked closely with Elizabeth in and out of government, either on her side or representing adverse parties. In all of these roles, we have known her to be a standout appellate advocate, a fair-minded individual, and among the finest lawyers in the Supreme Court bar. Her experience in three appellate clerkships (once on the D.C. Circuit and twice on the Supreme Court), membership in two private Supreme Court practices, and service in the Office of the Solicitor General as an Assistant to the Solicitor General and Acting Solicitor General amply qualify her to be Solicitor General. She has the candor and credibility to provide persuasive guidance to the Court, sound counsel within the government, and excellent representation of the interests of the United States and its people.

The Solicitor General's role is challenging: it demands intellectual honesty; consistent open-mindedness; and a willingness to listen—to Congress, to the views of the agencies of the United States, and to the voices of the American people. The Solicitor General also must have a deep dedication to the public interest and the rule of law. Throughout her career, Elizabeth has demonstrated these qualities. She treasures legal rigor, respects all persons, and is fully committed to serving the public interest.

We have full confidence that she will live up to the great traditions of the high office to which she has been nominated and deserves speedy confirmation.

Thank you for your consideration.

Sincerely,*

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* Institutional affiliations are listed for identification only; the views expressed in this letter are not intended to reflect the views of any institution or person other than the individual signatories. Former government affiliations are with the U.S. Department of Justice unless otherwise noted.

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