

Congress of the United States
Washington, DC 20510

April 6, 2025

VIA EMAIL

Mr. David Warrington
White House Counsel
Executive Office of the President
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. Warrington:

We write today regarding President Trump's decision to target or harm certain law firms and members of the legal profession due to their representation of clients and causes he finds objectionable. President Trump's shocking actions obviously violate essential rights guaranteed to all Americans in the First, Fifth, and Sixth Amendments of the United States Constitution. We respectfully call upon you to use your influence to stop this onslaught against our common profession.

Over the past few weeks, in five executive orders targeting and punishing specific law firms, President Trump has taken aim at these firms for representing clients and advocating for causes that he abhors. He has attempted to punish the firms by revoking their attorneys' security clearances, preventing them from entering any federal buildings, and even seeking to terminate any government contracts they have and preventing them from future government employment.¹ The retaliatory nature of these executive orders has not been even tacitly disguised—each of the five orders detailed his personal grievances which led to its issuance.

These include targeting:

- Covington & Burling for offering pro bono assistance to former Special Counsel Jack Smith, who led investigations into President Trump's role in the January 6th attack on the U.S. Capitol and mishandling of classified materials;²
- Perkins Coie for its representation of Hillary Clinton during the 2016 Presidential Election and its commission of opposition research detailing President Trump's vast ties to Russia;³

¹ See, e.g., *Trump order targeting Perkins Coie is 'affront to the Constitution,' suit says; judge sees 'chilling harm of blizzard proportions'*, ABA JOURNAL (March 13, 2025), <https://www.abajournal.com/web/article/trump-order-targeting-perkins-coie-is-an-affront-to-the-constitution-law-firm-says-in-lawsuit>.

² Exec. Order, *Suspension of Security Clearances and Evaluation of Government Contracts* (Feb. 25, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/suspension-of-security-clearances-and-evaluation-of-government-contracts/>.

³ Exec. Order, *Addressing Risks from Perkins Coie LLP* (March 6, 2025), <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-risks-from-perkins-coie-llp/>.

- Paul, Weiss, Rifkind, Wharton & Garrison for its previous employment of Mark Pomerantz, who left the firm to work in the Manhattan District Attorney’s office on a fraud case against President Trump;⁴
- Jenner & Block for its previous employment of Andrew Weissmann, a lawyer who worked on special counsel Robert Mueller’s investigation of President Trump;⁵ and
- WilmerHale for its previous employment of Robert Mueller and two other members of his special counsel team (Aaron Zebley and James Quarles).⁶

This unprecedented abuse of executive power to settle personal scores is part of a broader effort by President Trump to use the powers of the presidency to intimidate and silence his perceived enemies. The courts that have considered these vendetta orders to date have universally ruled against them and noted that they violate the First Amendment right to free speech as they are plainly “retaliatory action” meant to “chill[] speech and legal advocacy,”⁷ and that they violate the right to counsel guaranteed by the Fifth Amendment and the Sixth Amendment by absurdly banning the targeted firms’ lawyers from federal buildings and terminating their clients’ government contracts.⁸ Indeed, by seeking to intimidate attorneys and prevent them from advocating on behalf of clients and causes at odds with the President, the orders “cast[] a chilling harm of blizzard proportion across the entire legal profession.”⁹

Beyond their specific constitutional infirmities, these executive orders are an open attack on the rule of law, which guarantees the equality of all citizens before the law and prevents the vindictive and arbitrary abuse of government power. These executive orders seek to impose harsh penalties on lawyers for the causes and clients they represent. This express form of viewpoint discrimination—a classic violation of First Amendment rights—runs counter to American values that have been the bedrock of our democracy and the legal profession since the founding era, when lawyer and later President John Adams defended British soldiers accused of participating in the Boston Massacre.¹⁰ Like so many attorneys since then, Adams did not shrink from taking on unpopular clients and defending them against the government’s prosecution because he “firmly believed that everyone had the right to a lawyer and a fair trial, so he willingly agreed to represent

⁴ Exec. Order, Addressing Risks from Paul Weiss (March 14, 2025), <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-risks-from-paul-weiss/>.

⁵ Exec. Order, Addressing Risks from Jenner & Block (March 25, 2025), <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-risks-from-jenner-block/>.

⁶ Exec. Order, Addressing Risks from WilmerHale (March 27, 2025), <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-risks-from-wilmerhale/>.

⁷ M. Order, ECF No. 10, *Wilmer Cutler Pickering Hale and Dorr LLP v. Executive Office of the President*, Case No. 1:25-cv-00917-RJL (D.D.C March 28, 2025).

⁸ See, e.g., *Trump order targeting Perkins Coie is 'affront to the Constitution,' suit says; judge sees 'chilling harm of blizzard proportions'*, *supra* note 1.

⁹ *Id.*

¹⁰ Boston Massacre Trial, Nat’l Parks Service, <https://www.nps.gov/articles/000/boston-massacre-trial.htm> (last visited Mar. 28, 2025).

the soldiers even if it meant risking his reputation.”¹¹ The same basic principles of fairness and the best defense for all are still cherished by the legal profession and constitutional patriots today.¹²

As far as we can tell from public reports, these executive orders have turned into an illegal shakedown of the legal profession.

The American people deserve transparency with respect to the President’s ongoing assault on constitutional rights and the rule of law. Accordingly, please provide the following information to the House Judiciary Committee and the Permanent Subcommittee on Investigations by April 14, 2025:

1. President Trump has issued executive orders targeting five specific law firms—Covington & Burling; Perkins Coie; Paul, Weiss, Rifkind, Wharton & Garrison; WilmerHale; and Jenner & Block. Did your office make an assessment that these orders were consistent with rights guaranteed under the U.S. Constitution?
 - a. *If so*: What precedent or legal authority did your office use to make this determination?
 - b. Was the Department of Justice (DOJ), including but not limited to its Office of Legal Counsel (OLC), consulted regarding the constitutionality of each of those executive orders?
 - c. *If so*: did OLC or any other DOJ office provide any written opinions regarding the legality of these executive orders? Did they offer the opinion that these executive orders were constitutional?
 - d. *If not*: why was DOJ not consulted?
2. Has OLC or any other DOJ personnel offered any written opinions regarding the legality of the President accepting the promise of pro bono legal services to causes he supports in return for (1) withdrawing executive orders or (2) not issuing planned executive orders?
3. How many law firms does President Trump intend to specifically target with executive orders?
 - a. Please provide the names of those law firms.
4. How have those law firms been chosen? Please explain in detail the process used to determine which law firms to specifically target with executive orders.

¹¹ *Id.* In his own words, John Adams reflected on his representation, in part noting “every Lawyer must hold himself responsible not only to his Country, but to the highest and most infallible of all Trybunals for the Part he should Act.” *Id.*

¹² See Associates Open Letter to Big Law Firms, https://docs.google.com/document/d/18ojmZhk6XmYM_gQJh11KAhDecdcerly9EvmxJu8A5rI/edit?tab=t.0 (last visited Apr. 5, 2025) (“As attorneys, our work often requires that we represent clients and interests that may not align with our own beliefs. Our system is predicated on the idea that everyone is entitled to zealous representation. Our duty as lawyers to conscientiously pursue our clients’ interests, regardless of whether we personally agree with those interests, is a bedrock principle within the legal profession.”).

5. Have officials in the Trump Administration contacted every law firm President Trump intends to target with an executive order and offered them the opportunity to negotiate an agreement for that executive order to not be issued?
6. The *New York Times* reported that those involved in the negotiations regarding the agreement to withdraw an executive order targeting Paul, Weiss included Susie Wiles, Steve Witkoff, Boris Epshteyn, and Robert Giuffra.
 - a. Were any other personnel from the Executive Office of the President involved in these negotiations?
 - b. Were any other non-White House personnel involved in these negotiations?
 - c. Please identify all other individuals involved in these negotiations, and provide a detailed explanation of their involvement.
7. Which Trump administration personnel were involved in the negotiations which led to the decision to not issue a planned executive order against Skadden, Arps, Slate, Meagher & Flom LLP, Willkie Farr & Gallagher LLP, and Milbank LLP?
 - a. Which personnel from the Executive Office of the President were involved in these negotiations?
 - b. Were any other non-White House personnel involved in these negotiations?
 - c. Please identify all other individuals involved in these negotiations, and provide a detailed explanation of their involvement.

In addition, please provide the House Judiciary Committee and the Permanent Subcommittee on Investigations with the following records¹³ by April 14, 2025, and any subsequently produced records responsive to these requests on a bi-weekly basis thereafter:

1. Any and all records related to the executive orders issued targeting Covington & Burling; Perkins Coie; Paul, Weiss, Rifkind, Wharton & Garrison; WilmerHale; and Jenner & Block, including but not limited to
 - a. Communications¹⁴ with individuals at any of these firms regarding the executive orders; and
 - b. Communications with individuals at any of these firms concerning agreements or potential agreements to rescind the executive orders.
2. Any and all records related to any planned executive order targeting Skadden, Arps, Slate, Meagher & Flom LLP, including but not limited to:
 - a. Communications with individuals at Skadden concerning the agreement announced on March 28, 2025 to not issue a planned executive order.

¹³ For purposes of this request, “records” include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), direct messages, chats, calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

¹⁴ For purposes of this request, “communications” include any records, as defined above, transmitted in any way between two or more individuals or entities.

3. Any and all records related to any planned executive order targeting Willkie Farr & Gallagher LLP, including but not limited to:
 - a. Communications with individuals at Willkie concerning the agreement announced on April 1, 2025 to not issue a planned executive order.
4. Any and all records related to any planned executive order targeting Milbank LLP, including but not limited to:
 - a. Communications with individuals at Milbank concerning the agreement announced on April 2, 2025 to not issue a planned executive order.
5. Any and all records related to executive orders targeting other law firms, including but not limited to:
 - a. Communications with these law firms and/or their representatives concerning potential agreements to avoid the issuance of these executive orders.

Please contact the House Judiciary Committee and the Permanent Subcommittee on Investigations should you have any questions about responding to these requests. Thank you for your attention to this matter.

Sincerely,



Richard Blumenthal
Ranking Member
Senate Permanent Subcommittee on
Investigations



Jamie Raskin
Ranking Member
House Committee on the Judiciary

cc: The Honorable Ron Johnson
Chairman
Senate Permanent Subcommittee on Investigations

The Honorable Jim Jordan
Chairman
House Committee on the Judiciary