

Law Firms Stay Busy Amid 'Unrelenting' Pace of Congressional Oversight Work

By Abigail Adcox

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What You Need to Know

- Wilmer Cutler Pickering Hale and Dorr is currently handling roughly 50 active congressional matters.
- Wilmer has represented Norfolk Southern and Moderna in recent high-profile hearings.
- Investigations practices have been lucrative for law firms amid increased government enforcement and congressional oversight.

Investigations practices have remained lucrative for Washington, D.C., law firms in the first half of the year, with government agencies ramping up enforcement across multiple industries and both chambers of Congress pursuing aggressive oversight agendas.

“The pace of congressional oversight has been unrelenting and you see that across chambers, both in the Senate and the House,” said Joel Green, co-chair of Wilmer Cutler Pickering Hale and Dorr’s congressional investigations practice. “You see it across committees—that typical oversight committees are very, very active, but then



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Stephane Bancel, chief executive officer of Moderna Inc., arrives during a Senate Health, Education, Labor, and Pensions Committee hearing in Washington, on Wednesday, March 22, 2023. Alyssa DaCunha, co-head of Wilmer’s congressional investigations practice, is second from left behind Bancel.

there are also new select committees and a number of committees that typically don’t do a tremendous amount of oversight or hearings.”

Wilmer’s congressional investigations practice itself has represented several clients in high-profile hearings this year, including Norfolk Southern and Moderna, and is presently handling roughly 50 active congressional matters, the firm said.

Earlier this month, the firm advised PGA Tour board member Jimmy Dunne in his testimony before the Senate Permanent Subcommittee on Investigations.

Overall, the firm said its congressional practice has helped clients prepare for seven hearings in the first five months of the year, six of which included CEOs.

The amount of active congressional matters the firm is handling is higher this year than the year prior, Alyssa DaCunha, who co-chairs the congressional investigations practice with Green, said in an interview, contributing to an uptick in oversight hearings this year overall.

The practice handles matters ranging from inquiries to letter responses to document production to hearing production, the firm said.

“We’ve represented Norfolk Southern in many of the inquiries arising out of the events in Ohio earlier this year. So that’s spanned a number of agencies and as it relates to congressional oversight, a number of different congressional committees as well as state-level legislative committees as well,” DaCunha said.

Wilmer within the last two years started externally marketing their congressional investigations practice as its own and more than just an extension of its internal investigations practice, formally putting it on the firm’s website.

However, the firm has been involved in congressional investigations work for decades, dating back to the Army–McCarthy hearings in 1954. Since 2019, Wilmer has handled more than 160 congressional representations and prepared more than 50 executives to testify before Congress, according to the firm.

Last year, Kramer Levin Naftalis & Frankel [formalized](#) its own Washington-based congressional investigations practice, tapping Barry Berke to helm the newly formed practice group. Several other law firms in D.C. have established congressional investigations practices, including Gibson, Dunn & Crutcher and Holland & Knight.

Looking forward, Green and DaCunha said the scrutiny from Congress isn’t expected to lighten up anytime soon, as both Republicans and Democrats use their oversight tools to highlight partisan interests ahead of the 2024 presidential election.

“I think incredibly active oversight by the Republicans in the House is going to continue. It’s going to continue to focus on the Biden administration and the Biden family,” Green said. “On the Democratic side, Sen. [Bernie] Sanders, Rep. [Jamie] Raskin has been very focused on various labor issues appealing to the union component of the Democratic base.”

In general, oversight work is likely to be centered around issues to “aid the various campaigns” ahead of the presidential election, Green added.