

**News**

## **BCLP FILES AMICUS BRIEF IN SUPPORT OF ANTHROPIC'S FIRST AMENDMENT RIGHTS**

AMICUS BRIEF FOR TAXPAYERS PROTECTION ALLIANCE FOUNDATION (TPAF) SUPPORTS ANTHROPIC'S CHALLENGE TO ADMINISTRATION'S SUPPLY CHAIN RISK DESIGNATION.

Apr 24, 2026

Partner David B. Schwartz, Appellate Practice Group Co-Leader Barbara Smith-Tyson, and Associate Jessica Limbaugh drafted and filed an amicus brief on behalf of the Taxpayers Protection Alliance Foundation (TPAF) in support of protecting Anthropic's core First Amendment-protected expression.

In its amicus brief, TPAF argues that the D.C. Circuit should grant Anthropic's petition for review because the government's actions violate the First Amendment, threaten the free market, ignore the plain meaning of the relevant statute, and lack an intelligible principle, all of which will harm American taxpayers. In particular, the TPAF amicus brief points out that the government's actions deny Anthropic the necessary scale to grow and compete with other global competitors, despite the import of AI to the U.S. economy and U.S. taxpayers.

In February 2026, President Trump, Secretary of War Pete Hegseth, and the Department of War branded Anthropic a "supply chain risk" under two different statutes after Anthropic and the government could not agree to limitations on the use of Anthropic's AI products in military disputes. Rather than cancel the Department of War's contract with Anthropic, Anthropic alleges that the government retaliated against the company, with President Trump directing all federal agencies to immediately cease use of Anthropic's technology and Secretary Hegseth ordering all U.S. contractors to stop any commercial activity with Anthropic.

Anthropic challenged the government's supply chain risk designations in two separate court cases - one in a district court in California and one in the D.C. Circuit. In California, the district court preliminarily enjoined the first statutory designation of Anthropic as a supply chain risk, which the government has appealed and is ongoing in the Ninth Circuit. On April 22, in the D.C. Circuit, Anthropic filed its petition challenging the second statutory designation of Anthropic as a supply chain risk, which TPAF supported in its amicus brief.

Read more about the amicus brief from the The Hill newsletter [here](#), and the amicus brief itself [here](#).

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