

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee
Written Questions for Aaron Christian Peterson
Nominee to be U.S. District Judge for the District of Alaska
November 26, 2025

1. In your Questionnaire you noted that, earlier this year, you submitted an application to Senator Sullivan’s Alaska Federal Judiciary Council. According to public reporting and Senator Sullivan’s website, you were asked to list the judge or justice you most admired and why.¹

a. Which judge or justice did you list, and why?

Response: I listed Justice Antonin Scalia because his adherence to textualism and his insistence that judges apply the law as written, without regard to personal preference, reinforced the principle that judicial decisions must rest on constitutional and statutory text rather than policy judgments. His analytical precision forced courts and advocates alike to engage directly with the text, a shift reflected in Justice Kagan’s well-known acknowledgment that “we are all textualists now, in a way that was not remotely true when Justice Scalia joined the bench.”

You were also asked to list the Supreme Court decision you believed to be the most important or consequential.

b. Which Supreme Court decision did you list, and why?

Response: I listed *Marbury v. Madison* as the most consequential decision in American jurisprudence because it established the principle of judicial review, thereby cementing the judiciary’s role in interpreting the Constitution.

2. Last year, a Trump-appointed judge of the court to which you have been nominated resigned in disgrace, following an investigation into his sexual misconduct and his creation of a hostile work environment for court employees.

It is essential for judges to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary. But the fact remains that employees of the federal judiciary do not currently enjoy the same protections against workplace misconduct—including discrimination, harassment, and retaliation—that most workers have.

If you are confirmed to the district court, what steps will you take to ensure that court employees are not subject to abuse?

¹ Office of Senator Dan Sullivan, *Alaska Federal Judiciary Council – Application Information*, <https://www.sullivan.senate.gov/alaska-federal-judiciary-council>.

Response: If I am confirmed, I will take every possible step to ensure that no court employees are subjected to harassment, discrimination, retaliation, or any other form of misconduct. I will treat all employees with respect and professionalism and make it absolutely clear that maintaining the standard is condition of employment for everyone who works in my chambers. I will maintain an open environment where employees feel safe reporting concerns, and I will address any allegation of misconduct immediately and seriously.

If an issue arises, I would promptly consult the chief judge, other district judges, and the Clerk of Court, as well as any resources available through the Ninth Circuit and the Administrative Office of the U.S. Courts, to ensure that the matter is handled correctly, transparently, and in accordance with best practices. Abuse of any kind is unacceptable in the federal judiciary, and I am committed to fostering a workplace defined by integrity, professionalism, and mutual respect.

3. Did President Trump lose the 2020 election?

Response: President Biden was certified as the winner of the 2020 presidential election and served as the 46th President of the United States.

4. Where were you on January 6, 2021?

Response: I was working in my office at the Alaska Department of Law in Anchorage, Alaska.

5. Do you denounce the January 6 insurrection?

Response: The events of January 6, 2021, are matters of significant political debate which may come before me as a Judge. Events related to January 6, 2021, are also subject to ongoing litigation. Thus, as a judicial nominee, it would be inappropriate for me to answer this question or engage in any political commentary. *See* Code of Conduct United States Judges, Canons 3(A)(6), 5.

6. Do you believe that January 6 rioters who were convicted of violent assaults on police officers should have been given full and unconditional pardons?

Response: Under Article II, Section 2, Clause 1 of the Constitution, the president has the power to “grant Reprieves and Pardons for Offences against the United States....” The Supreme Court has affirmed on several occasions that the pardon power is one of the President’s most plenary powers. *See e.g. Ex Parte Garland*, 71 U.S. 333 (1866); *United States v. Klein*, 80 U.S. 128 (1871); *Trump v. United States*, 603 U.S. 593 (2024). Beyond that, this question calls for an opinion on political matters or potential future cases, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5.

7. The Justice Department is currently defending the Trump Administration in a number of lawsuits challenging executive actions taken by the Administration. Federal judges—both Republican and Democratic appointees—have enjoined some of these actions, holding that they are illegal or unconstitutional. Alarming, President Trump, his allies, and even some nominees before the Senate Judiciary Committee have responded by questioning whether the executive branch must follow court orders.

a. What options do litigants—including the executive branch—have if they disagree with a court order?

If a litigant disagrees with a court order, the appropriate options in nearly all cases are to comply with the order, seek relief through a motion for reconsideration or a request for a stay, or pursue appellate review. Courts have well-established procedures for challenging rulings, and those mechanisms must be followed to ensure respect for the rule of law. However, I am aware of narrow exceptions to the general rule. For example, A party's noncompliance may also be excused if it is impossible for the party to comply with the court's order. *See Shillitani v. United States*, 384 U.S. 364, 371 (1966) (“[T]he justification for coercive imprisonment as applied to civil contempt depends upon the ability of the contemnor to comply with the court's order.”) The Supreme Court has also recognized that, in some circumstances, it may be necessary for a party to defy a court order to appeal it. *See Mohawk Industries, Inc. v. Carpenter*, 558 U.S. 100, 111 (2009) (“Another long-recognized option is for a party to defy a disclosure order and incur court-imposed sanctions.”)

b. Do you believe a litigant can ever lawfully defy an order from a lower federal court? If yes, in what circumstances?

Response: Please see my response to Question 7.a.

c. Under the separation of powers, which branch of the federal government is responsible for determining whether a federal court order is lawful?

Response: As a general matter the Judicial Branch is responsible for determining whether a court order is lawful. Beyond that basic principle, the question calls for a hypothetical that touches on matters with significant political implications and issues that could come before me if I am confirmed. As a judicial nominee, it would be inappropriate for me to answer this question or engage in any political commentary. *See Code of Conduct United States Judges*, Canons 3(A)(6), 5.

8. District judges have occasionally issued non-party injunctions, which may include “nationwide injunctions” and “universal injunctions.”

a. Are non-party injunctions constitutional?

Response: In *Trump v. CASA*, 145 S. Ct. 2540 (2025), the Supreme Court held that federal courts likely lack the statutory authority to issue universal injunctions that broadly prohibit the enforcement of a law or policy against all non-parties. This is a developing area of law and if I am confirmed I will follow all Supreme Court and Ninth Circuit precedent. Because these matters could arise before me as a judge, it would be inappropriate for me to provide further comment. *See* Code of Conduct United States Judges, Canon 3A(6).

b. Are non-party injunctions a legitimate exercise of judicial power?

Response: Please see my response to Question 8.a.

c. Is it ever appropriate for a district judge to issue a non-party injunction? If so, under what circumstances is it appropriate?

Response: Please see my response to Question 8.a.

d. As a litigator, have you ever sought a non-party injunction as a form of relief? If so, please list each matter in which you have sought such relief.

Response: I cannot recall personally handling a case in which my client has sought a non-party injunction as a form of relief.

9. At any point during your selection process, did you have any discussions with anyone—including individuals at the White House, the Justice Department, or any outside groups—about loyalty to President Trump? If so, please provide details.

Response. No.

10. Does the U.S. Constitution permit a president to serve three terms?

Response: The 22nd Amendment states that “[n]o person shall be elected to the office of President more than twice....”

11. On May 26, 2025, in a Truth Social post, President Trump referred to some judges whose decisions he disagrees with, as “USA HATING JUDGES” and “MONSTERS”, who “...SUFFER FROM AN IDEOLOGY THAT IS SICK, AND VERY DANGEROUS FOR OUR COUNTRY...”²

a. Do you agree that these federal judges are “USA HATING” and “MONSTERS” “...SUFFER FROM AN IDEOLOGY THAT IS SICK, AND VERY DANGEROUS FOR OUR COUNTRY...”?

² Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 26, 2025, 7:22 AM), <https://truthsocial.com/@realDonaldTrump/posts/114573871728757682>.

Response: This question calls for a response to statements by a political figure regarding ongoing litigation, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5.

b. Do you believe this rhetoric endangers the lives of judges and their families?

Response: Please see my response to Question 11.a.

12. In addition to the President’s own attacks on judges, his adviser Stephen Miller took to social media to call a federal trade court’s ruling against President Trump’s tariffs a “judicial coup”³ and later reposted the images of the three judges who decided the case and wrote, “we are living under a judicial tyranny.”⁴

a. Do you agree that these judges are engaged in a “judicial coup” and that “we are living under a judicial tyranny”?

Response: This question calls for a response to statements by a political figure regarding ongoing litigation, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5.

b. Do you believe this rhetoric endangers the lives of judges and their families?

Response: Please see my response to Question 12.a.

c. Would you feel comfortable with any politician or their adviser sharing a picture of you on social media if you issue a decision they disagree with?

Response: Please see my response to Question 12.a.

13. When, if ever, may a lower court depart from Supreme Court precedent?

Response: It is never appropriate for a district court judge to depart from controlling Supreme Court precedent.

14. When, in your opinion, would it be appropriate for a circuit court to overturn its own precedent?

Response: Circuit courts each have standards for overturning its own precedent. The Ninth Circuit may do so *en banc* or when a new higher authority is “clearly irreconcilable” with its precedent. *Miller v. Gammie*, 335 F.3d 889, 900 (9th Cir. 2003).

³ Stephen Miller (@StephenM), X, (May 28, 2025, 7:48 PM), <https://x.com/StephenM/status/1927874604531409314>.

⁴ Stephen Miller (@StephenM), X, (May 29, 2025, 8:25 AM), <https://x.com/StephenM/status/1928065122657845516>.

My judicial duty, if confirmed as a district court judge, will be to apply precedent rather than to overturn it. I will faithfully adhere to the decisions of the Supreme Court and the Ninth Circuit.

15. When, in your opinion, would it be appropriate for the Supreme Court to overrule its own precedent?

Response: The Supreme Court has established precedent on when it will overturn its own precedents. My judicial duty, if confirmed, will be to apply precedent rather than to overturn it. I will faithfully adhere to the decisions of the Supreme Court.

16. Please answer yes or no as to whether the following cases were correctly decided by the Supreme Court:

a. *Brown v. Board of Education*

Response: Yes. As many previous nominees have said, it is almost always improper for judicial nominees to opine on whether Supreme Court precedent is correctly decided. The two exceptions to this general rule against opining on the merits of Supreme Court cases are *Brown* and *Loving*. I agree that both those decisions were correctly decided.

b. *Plyler v. Doe*

Response: *Plyer* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Please see my response to Question 16.a.

c. *Loving v. Virginia*

Response: Yes. Please see my response to Question 16.a.

d. *Griswold v. Connecticut*

Response: *Griswold* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

e. *Trump v. United States*

Response: *Trump* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

f. *Dobbs v. Jackson Women's Health Organization*

Response: *Jackson* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

g. *New York State Rifle & Pistol Association, Inc. v. Bruen*

Response: *Bruen* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

h. *Obergefell v. Hodges*

Response: *Obergefell* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

i. *Bostock v. Clayton County*

Response: *Bostock* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

j. *Masterpiece Cakeshop v. Colorado*

Response: *Masterpiece Cakeshop* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

k. *303 Creative LLC v. Elenis*

Response: *303 Creative* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

l. *United States v. Rahimi*

Response: *Rahimi* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

m. *Loper Bright Enterprises v. Raimondo*

Response: *Loper Bright* is binding Supreme Court precedent and if confirmed, I will faithfully apply it. Beyond that, please see my response to Question 16.a.

17. With respect to constitutional interpretation, do you believe judges should rely on the “original meaning” of the Constitution?

Response: Yes, the public’s original understanding of a constitutional provision’s meaning at the time of its ratification does constrain its application in later eras, as the Supreme Court has repeatedly held that the Constitution’s text must be interpreted according to its original public meaning to preserve its status as enduring law rather than a vehicle for evolving judicial policy preferences.

18. How do you decide when the Constitution’s “original meaning” should be controlling?

Response: Please see my response to Question 17.

19. Does the “original meaning” of the Constitution support a constitutional right to same-sex marriage?

Response: In *Obergefell v. Hodges*, 576 U.S. 644 (2015), the Supreme Court held that the Constitution includes the right to same-sex marriage. If confirmed, I would faithfully follow *Obergefell* and all other precedents of the Supreme Court.

20. Does the “original meaning” of the Constitution support the constitutional right to marry persons of a different race?

Response: Yes. In *Loving v. Virginia*, 388 U.S. 1 (1967), the Supreme Court held that the Constitution includes the right to marry persons of a different race. As explained in my response to Questions 16.a. and c., *Loving* is properly decided under the original meaning of the Constitution. If confirmed, I would faithfully follow *Loving* and all other precedents of the Supreme Court.

21. What is your understanding of the Equal Protection and Due Process clauses of the Fourteenth Amendment?

Response: The text of the Due Process and Equal Protection clauses in the Fourteenth Amendment state: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Generally speaking, the Equal Protection Clause requires courts to apply strict or intermediate scrutiny when a State classifies individuals based on a protected or quasi-protected characteristic. The Due Process Clause has been interpreted both to require basic procedural safeguards and to include a substantive component that limits the kinds of legislation a State may enact. There are tens of thousands of cases applying these provisions and if I am confirmed as a district court judge I will faithfully and dutifully apply all Supreme Court and Ninth Circuit precedent regarding these and all other issues.

22. How do these clauses apply to individuals that the Framers of the amendment likely did not have in mind, such as women? Or LGBTQ+ individuals?

Response: The Supreme Court has applied these constitutional provisions to discrimination based on sex, *see, e.g., United States v. Virginia*, 518 U.S. 515 (1996), and sexual orientation, *see, e.g., Lawrence v. Texas*, 539 U.S. 558 (2003). As with all other precedents of the Supreme Court, if confirmed I would faithfully apply these decisions.

23. Do you believe that judges should be “originalist” and adhere to the original public meaning of constitutional provisions when applying those provisions today?

Response: Please see my response to Question 17.

24. If so, do you believe that courts should adhere to the original public meaning of the Foreign Emoluments Clause when interpreting and applying the Clause today?

Response: Please see my response to Question 17.

25. Under the U.S. Constitution, who is entitled to First Amendment protections?

Response: The First Amendment states: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” The Supreme Court has issued thousands of decisions on how, to whom, and in what manner the First Amendment applies. Because related matters could appear before me as a judge, it would be inappropriate for me to provide further comment on how the applicable law might apply. *See* Code of Conduct United States Judges, Canon 3A(6).

26. How would you determine whether a law that regulates speech is “content-based” or “content-neutral”? What are some of the key questions that would inform your analysis?

Response: I would apply the relevant and binding decisions from the Supreme Court and the Ninth Circuit on the issue. Because related matters could appear before me as a judge, it would be inappropriate for me to provide further comment on how the applicable law might apply. *See* Code of Conduct United States Judges, Canon 3A(6).

27. What is the standard for determining whether a statement is protected speech under the true threats doctrine?

Response: “[T]rue threats are serious expressions conveying that a speaker means to commit an act of unlawful violence.” *Counterman v. Colorado*, 660 U.S. 66, 74 (2023). If I am confirmed, I would faithfully apply the precedents of the Supreme Court and the Ninth Circuit regarding the true threats doctrine.

28. Is every individual within the United States entitled to due process?

Response: The Fifth Amendment states that “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without

due process of law; nor shall private property be taken for public use, without just compensation.” The Supreme Court has held that “the Due Process Clause applies to all ‘persons’ within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). As a district court judge, I would apply all Supreme Court and Ninth Circuit precedents in addressing due process claims. To the extent this question asks about hypothetical cases or matters that are the subject of pending or impending litigation, it would be improper for me as a judicial nominee to comment further. *See* Code of Conduct of United States Judges, Canon 3(A)(6).

29. Can U.S. citizens be transported to other countries for the purpose of being detained, incarcerated, or otherwise penalized?

Response: The above question has been the subject of recent litigation. As a result, this question calls for a response that could be seen as opining on political matters or potential future cases, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5.

30. The Fourteenth Amendment states: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”

a. Is every person born in the United States a citizen under the Fourteenth Amendment?

Response: Because this issue is actively being litigated and could appear before me as a judge, it would be inappropriate for me to comment. *See* Code of Conduct United States Judges, Canon 3A(6).

b. Is the citizenship or immigration status of the parents of an individual born in the United States relevant for determining whether the individual is a citizen under the Fourteenth Amendment?

Response: Please see my response to Question 30.a.

31. Do you believe that demographic and professional diversity on the federal bench is important? Please explain your views.

Response: Yes, no one should ever be denied the opportunity to serve as a judge based on race, ethnicity, sex, religion, or any other protected characteristic.

32. The bipartisan *First Step Act of 2018*, which was signed into law by President Trump, is one of the most important pieces of criminal justice legislation to be enacted during my time in Congress. At its core, the Act was based on a few key, evidence-based principles. First, incarcerated people can and should have meaningful access to rehabilitative programming and support in order to reduce recidivism and help our communities

prosper. Second, overincarceration through the use of draconian mandatory minimum sentences does not serve the purposes of sentencing and ultimately causes greater, unnecessary harm to our communities. With these rehabilitative principles in mind, one thing Congress sought to achieve through this Act was giving greater discretion to judges—both before and after sentencing—to ensure that the criminal justice system effectively and efficiently fosters public safety for the benefit of all Americans.

a. How do you view the role of federal judges in implementing the *First Step Act*?

Response: If confirmed as a district judge, I would apply the provisions of the First Step Act faithfully, fairly and impartially as I would any other enacted law of the United States.

b. Will you commit to fully and fairly considering the individualized circumstances of each defendant who comes before you when imposing sentences to ensure that they are properly tailored to promote the goals of sentencing and avoid terms of imprisonment in excess of what is necessary?

Response. Yes.

33. The Federalist Society seeks to “reorder[] priorities within the legal system to place a premium on individual liberty, traditional values, and the rule of law.”

a. In your Questionnaire, you state that you are currently a member of the Federalist Society. What is your understanding of “traditional values”?

Response: I am not familiar with the quoted material. I have never participated in drafting any position statement of that organization. There are tens of thousands of Federalist Society members.

b. In your Questionnaire, you state that you joined the Federalist Society in 2025. Why did you join the Federalist Society earlier this year?

Response: I have attended Federalist Society events periodically over the years, but I had never been an active participant and often could not attend functions due to schedule conflicts. I have always appreciated the opportunity to hear different perspectives and to gather with colleagues from a variety of practice areas and professional backgrounds. When I attended an event in early 2025, I learned that the Alaska Chapter had new leadership and planned to become more active, with more regular programming. At that point, I decided to formally join so I could be informed of and participate more consistently in those events.

c. President Trump wrote on Truth Social that the Federalist Society gave him “bad advice” on “numerous Judicial Nominations.” He also wrote that

Leonard Leo is a “sleazebag” who “probably hates America.” If you are not familiar with this post, please refer to it in the footnote.⁵

- i. Do you agree with President Trump that the Federalist Society provided President Trump with bad advice during his first term? Why or why not?**

Response: This question calls for a response to statements by a political figure and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canon 5.

- ii. Do you agree with President Trump that Leo is a sleazebag who probably hates America? Why or why not?**

Response: Please see my response to Question 33.c.i.

- iii. If you are confirmed, do you plan to remain affiliated with the Federalist Society?**

Response: If confirmed, I will consult the canons of judicial ethics to determine generally what membership may or may not be appropriate and will make decisions in accordance with that guidance.

- d. During your selection process, have you spoken to or corresponded with any individuals associated with the Federalist Society, including Leonard Leo or Steven G. Calabresi? If so, please provide details of those discussions.**

Response: No.

- e. Have you ever been asked to and/or provided services to the Federalist Society, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- f. Have you ever been paid honoraria by the Federalist Society? If so, how much were you paid, and for what services?**

Response: No.

34. The Teneo Network states that its purpose is to “Recruit, Connect, and Deploy talented conservatives who lead opinion and shape the industries that shape society.”

⁵ Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 29, 2025, 8:10 PM), <https://truthsocial.com/@realDonaldTrump/posts/114593880455063168>.

- a. **During your selection process, have you spoken to or corresponded with any individuals associated with the Teneo Network, including Leonard Leo? If so, please provide details of those discussions.**

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have not spoken to or corresponded with any individuals associated with the Teneo Network. I have never spoken with Leonard Leo.

- b. **Have you ever been asked to and/or provided services to the Teneo Network, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. **Have you ever been paid honoraria by the Teneo Network? If so, how much were you paid, and for what services?**

Response: No.

35. The Heritage Foundation states that its mission is to “formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense.” Heritage Action, which is affiliated with the Heritage Foundation, seeks to “fight for conservative policies in Washington, D.C. and in state capitals across the country.”

- a. **During your selection process, have you spoken to or corresponded with any individuals associated with the Heritage Foundation or Heritage Action, including Kevin D. Roberts? If so, please provide details of those discussions.**

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have not spoken to or corresponded with any individuals associated with the Heritage Foundation or Heritage Action. I have never spoken with Kevin D. Roberts.

- b. **Have you ever been asked to and/or provided services to the Heritage Foundation or Heritage Action, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. **Were you ever involved in or asked to contribute to Project 2025 in any way?**

Response: No.

- d. **Have you ever been paid honoraria by the Heritage Foundation or Heritage Action? If so, how much were you paid, and for what services?**

Response: No.

- 36.** The America First Policy Institute (AFPI) states that its “guiding principles are liberty, free enterprise, national greatness, American military superiority, foreign-policy engagement in the American interest, and the primacy of American workers, families, and communities in all we do.”

- a. During your selection process, have you spoken to or corresponded with any individuals associated with AFPI? If so, please provide details of those discussions.**

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have not spoken to or corresponded with any individuals associated with the America First Policy Institute.

- b. Have you ever been asked to and/or provided services to AFPI, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. Have you ever been paid honoraria by AFPI? If so, how much were you paid, and for what services?**

Response: No.

- 37.** The America First Legal Institute (AFLI) states that it seeks to “oppose the radical left’s anti-jobs, anti-freedom, anti-faith, anti-borders, anti-police, and anti-American crusade.”

- a. During your selection process, have you spoken to or corresponded with any individuals associated with AFLI, including Stephen Miller, Gene Hamilton, or Daniel Epstein? If so, please provide details of those discussions.**

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have not spoken to or corresponded with any individuals associated with the America First Legal Institute. I have never spoken with Stephen Miller, Gene Hamilton, or Daniel Epstein.

- b. Have you ever been asked to and/or provided services to AFLI, including but not limited to research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. Have you ever been paid honoraria by AFLI? If so, how much were you paid, and for what services?**

Response: No.

38. The Article III Project is an organization which claims that, “The left is weaponizing the power of the judiciary against ordinary citizens.”

- a. During your selection process, have you spoken to or corresponded with any individuals associated with the Article III Project, including Mike Davis, Will Chamberlain, or Josh Hammer? If so, please provide details of those discussions.**

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have not spoken to or corresponded with any individuals associated with the Article III Project. I have never spoken with Mike Davis, Will Chamberlain, or Josh Hammer.

- b. Have you ever been asked to and/or provided services to the Article III Project, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. Have you ever been paid honoraria by the Article III Project? If so, how much were you paid, and for what services?**

Response: No.

39. The Alliance Defending Freedom (ADF) states that it is “the world’s largest legal organization committed to protecting religious freedom, free speech, the sanctity of life, marriage and family, and parental rights.”

- a. During your selection process, have you spoken to or corresponded with any individuals associated with ADF? If so, please provide details of those discussions.**

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have not spoken to or corresponded with any individuals associated with the Alliance Defending Freedom.

- b. Have you ever been asked to and/or provided services to ADF, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. Have you ever been paid honoraria by ADF? If so, how much were you paid, and for what services?**

Response: No.

40. The Concord Fund, also known as the Judicial Crisis Network, states that it is committed “to the Constitution and the Founders’ vision of a nation of limited government; dedicated to the rule of law; with a fair and impartial judiciary.” It is affiliated with the 85 Fund, also known as the Honest Elections Project and the Judicial Education Project.

- a. During your selection process, have you spoken to or corresponded with any individuals associated with these organizations, including Leonard Leo or Carrie Severino? If so, please provide details of those discussions.**

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have not spoken to or corresponded with any individuals associated with the Concord Fund, Judicial Crisis Network, 85 Fund, Honest Elections Project, or the Judicial Education Project. I have never spoken with Leonard Leo or Carrie Severino.

- b. Have you ever been asked to and/or provided services to these organizations, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. Have you ever been paid honoraria by these organizations? If so, how much were you paid, and for what services?**

Response: No.

- d. Do you have any concerns about outside groups or special interests making undisclosed donations to front organizations like the Concord Fund or 85 Fund in support of your nomination? Note that I am not asking whether you have solicited any such donations, I am asking whether you would find such donations to be problematic.**

Response: I am not aware of the allegations referenced in the question, nor am I familiar with the organization described. Accordingly, I have not had occasion to form an opinion on the matter. Moreover, to the extent the question invites comment on ongoing political controversies, it would be inappropriate for a judicial nominee to do so.

- e. If you learn of any such donations, will you commit to call for the undisclosed donors to make their donations public so that if you are confirmed you can have this information when you make decisions about recusal in cases that these donors may have an interest in?**

Response: I am unaware of any such donations. If confirmed, I will address all potential or actual conflicts in accordance with the federal recusal statute, the Code of Conduct for United States Judges, and any other laws and rules

governing disqualification. Where appropriate, I will consult additional authorities, such as ethics opinions from the Committee on Codes of Conduct for the Judicial Conference of the United States, as well as the opinions and experiences of my colleagues. To the extent that this question asks about policy or legal views on whether certain donations should be disclosed, under the Code of Conduct for United States Judges, it would be inappropriate for me to answer.

- f. Will you condemn any attempt to make undisclosed donations to the Concord Fund or 85 Fund on behalf of your nomination?**

Response: Please see my response to Question 40.d. and e.

Nomination of Aaron Christian Peterson
Nominee to the United States District Court for the District of Alaska
Questions for the Record
Submitted November 26, 2025

QUESTIONS FROM SENATOR WHITEHOUSE

Please answer each question and sub-question individually and as specifically as possible.

1. The U.S. Marshals Service is responsible for ensuring the safety of federal judges, including investigating threats against judges. In a threat investigation, would you expect the U.S. Marshals and FBI to investigate any party they have reason to believe is complicit or culpable, including under RICO and conspiracy statutes, in addition to the individual who made the threat?

Response: In any threat investigation, I would expect the U.S. Marshals Service and the FBI to investigate all individuals or entities for whom there is a factual basis to believe they may be complicit, whether as principals, accomplices, or co-conspirators. If the evidence indicates that others may have participated in planning, encouraging, facilitating, or otherwise contributing to the threat, I would anticipate that the agencies would pursue those leads and consider all potentially relevant federal statutes.

At the same time, I would expect the investigation to remain grounded in established Department of Justice guidelines, including the requirement that investigative steps be based on articulable facts rather than speculation, and that any charging decisions be made only when supported by sufficient evidence and consistent with federal law and prosecutorial standards.

2. Have you had any conversations with President Trump or members of the Trump administration concerning your views on any policy or case law? If so, please identify with whom you spoke and describe those conversations with specificity.

Response: No.

3. You said in your questionnaire that you joined the Federalist Society in 2025.
 - a. Why did you join this group?

Response: I have attended Federalist Society events periodically over the years, but I had never been an active participant and often could not attend functions due to schedule conflicts. I have always appreciated the opportunity to hear different perspectives and to gather with colleagues from a variety of practice areas and professional backgrounds. When I attended an event in early 2025, I learned that the Alaska Chapter had new leadership and planned to become more active, with more regular programming. At that point, I decided to formally join so I could be informed of and participate more consistently in those events.

b. Do you know Leonard Leo? If so, how do you know Leo?

Response: No.

c. Have you ever communicated with Leo? If so, state how many times and describe the communication(s).

Response: No.

4. Have you ever spoken with the following individuals or groups about your nomination? If so, please describe the conversation(s) with specificity.

a. Leonard Leo?

Response: No.

b. Anyone affiliated with an entity led or funded by Leonard Leo?

Response: No.

c. Carrie Severino?

Response: No.

d. Mike Davis?

Response: No.

e. Anyone affiliated with The Article III Project?

Response: No.

5. You indicated in your questionnaire that as the Statewide Fish and Wildlife Crimes Prosecutor, you handled complex commercial fishing and wildlife poaching cases. Please describe the importance of investigating and prosecuting networks of illegal commercial fishing operations.

Response: Investigating and prosecuting networks of illegal commercial fishing operations is essential to protecting Alaska's fish resources, which is a critical pillar of the State's economy, its subsistence traditions, and its coastal communities. Alaska's fisheries are unique in scale and importance. They support thousands of jobs, generate billions in economic activity, and sustain communities that depend on salmon, halibut, and other species not only for commercial harvest but also for food security, cultural practices, and community identity. Any unlawful activity that undermines the sustainability of these resources carries consequences that extend far beyond a single illegal catch.

During my tenure as the Statewide Fish and Wildlife Crimes Prosecutor, I handled cases involving deliberate commercial fishing in closed waters, falsification of harvest records, guiding without proper authority, and poaching that targeted vulnerable fish populations. These were not isolated violations but often patterns of conduct aimed at gaining economic advantage at the expense of the long-term health of the resource. Illegal fishing can devastate a run or a localized stock, particularly in areas near spawning streams where even small, concentrated takes can have disproportionate biological impacts. A single closed-area seine set can remove a significant percentage of returning salmon, jeopardizing a run's viability for years to come. That reality is why Alaska law imposes substantial penalties and why prosecuting these cases is so important.

Illegal commercial fishing networks directly undermine efforts to manage for sustainability into the future. They distort the regulatory framework by creating unreported and unaccounted removals, compromise scientific stock assessments, and impose unfair disadvantages on the law-abiding majority of fishermen and subsistence users. Left unchecked, unlawful operations can permanently damage local ecosystems and collapse fisheries on which entire regions rely.

For these reasons, Alaska has long taken a strong stance against illegal commercial exploitation. Investigating these cases requires coordination among wildlife troopers, biologists, federal partners, and prosecutors. Successfully prosecuting them often requires complex evidentiary work, expert testimony, and a clear demonstration to the court of the broader ecological and social consequences of the offenses. In my work, I focused not just on obtaining convictions but on ensuring that the penalties imposed—including forfeitures, fines, and license revocations—were significant enough to deter future violations and to communicate clearly that Alaska will protect the resources that sustain its people.

In short, prosecuting networks of illegal commercial fishing operations is essential to safeguarding Alaska's fisheries, maintaining the integrity of its management regimes, and ensuring that commercial, sport, and subsistence users continue to have access to healthy, sustainable fish populations.

Senate Judiciary Committee
Nomination Hearing
November 19, 2025
Questions for the Record
Senator Amy Klobuchar

For Aaron Peterson, to be U.S. District Judge for the District of Alaska

President Trump has claimed “I have an Article II, where I have the right to do whatever I want as President.” On August 26, he said “I have the right to do anything I want to do. I am the president of the United States.”

- Do you believe that the president is able to do “anything he want[s] to do”?

Response: Canon 5 of the Code of Conduct for United States Judges restricts judges and judicial nominees from engaging in political activity or commenting on partisan political statements, so I must respectfully decline to address any specific remark attributed to a political figure or campaign. As a general matter of constitutional law, however, Article II of the Constitution vests the executive power in the President and grants certain enumerated powers, including the roles of Commander in Chief of the armed forces, the authority to grant pardons for federal offenses, the power to make treaties and appoint major public officials with the advice and consent of the Senate, the duty to faithfully execute the laws, and the responsibility to take care that the laws be faithfully executed. These powers, like those of Congress and the judiciary, are not unlimited; they are constrained by the text of the Constitution itself, by statutes enacted consistent with it, and by the system of checks and balances that includes judicial review and congressional oversight.

- Do you believe that these statements are compatible with our constitutional order?

Response: Canon 5 of the Code of Conduct for United States Judges restricts judges and judicial nominees from engaging in political activity or commenting on partisan political statements, so I must respectfully decline to address any specific remark attributed to a political figure or campaign.

**Nomination of Aaron Peterson to the
United States District Court for the District of Alaska
Questions for the Record
Submitted November 26, 2025**

QUESTIONS FROM SENATOR COONS

1. Do you believe that the Senate Judiciary Committee has a responsibility to evaluate judicial nominees to the best of its ability, including by asking questions on the record to make each nominee's unique background and viewpoint clear to the American people?

Response: Yes. The Senate Judiciary Committee plays an important role in the confirmation process, and it is appropriate for the Committee to ask questions on the record to fully understand a nominee's background, experience, and approach to the law so the public can have confidence in the process.

2. Do you believe that you, as a judicial nominee, have a responsibility to the American people to give full and complete answers to the Committee's questions to the best of your ability and in good faith?

Response: Yes. I believe I have a responsibility to provide full and complete answers to the Committee's questions to the best of my ability and in good faith, consistent with the obligations and limitations set forth in the Code of Conduct for United States Judges.

3. Do you believe you fulfilled this responsibility with the answers you have provided to my questions for the record?

Response: Yes.

- a. Did you receive assistance from staff in the White House, the Department of Justice, or any other organization in writing your responses to these questions? If so, from whom did you receive assistance and what was the nature of the assistance you received?

Response: I drafted the answers, and staff from the Office of Legal Policy reviewed the drafts for completeness and compliance with the Committee's requirements. The answers I have submitted are my own.

- b. Do you believe it is appropriate for a nominee to answer my questions for the record with the verbatim answers of previous nominees who answered the same questions?

Response: It is entirely appropriate, and in fact common and prudent, for a nominee to provide answers that are substantively identical to those given by prior nominees when the nominee fully shares the same views on the same question of law or judicial philosophy. Doing so ensures consistency in the advice given to the Senate about how a prospective judge understands settled legal principles,

promotes transparency, and avoids unnecessary reinvention of well-considered responses that accurately reflect the nominee's own thinking. I have followed that approach here only where the prior answer precisely captures what I myself believe to be correct, and I stand behind every word I have submitted as my own.

- c. Did you review the answers to my questions for the record submitted by previous judicial nominees before answering these questions?

Response: Yes.

- d. To your knowledge, are any of your answers to these questions for the record exact duplicates of answers provided by previous nominees?

Response: Yes. Many of the questions, such as the above Question 3.c. is a question that elicits only a yes or no response so many of the answers are identical to answers provided by previous nominees.

- 4. At any point during the process that led to your nomination, did you make any representations or commitments to anyone—including but not limited to individuals at the White House, at the Justice Department, or at outside groups—as to how you would handle a particular case or matter if confirmed? If so, explain fully.

Response: No.

- a. At any point during the process that led to your nomination, were you asked about your opinion on any cases that involve President Trump or the Trump administration?

Response: No.

- 5. When it comes to conducting yourself ethically, who in the legal profession do you see as a role model?

Response: The judge for whom I clerked.

- 6. How would you describe your judicial philosophy?

Response: My judicial philosophy is anchored in the belief that judges must apply the law as written, evaluate each case on its individual merits, and ensure that all parties receive a fair and even application of the law. In practice, this means starting with the governing statute or constitutional provision, giving effect to its plain language, and respecting the roles assigned to each branch of government. It also means recognizing the importance of precedent and the stability it provides, while remaining attentive to the specific record and legal issues before the court.

Every case deserves careful consideration, regardless of the parties or the subject matter, and every litigant should have confidence that the court has listened, applied the law faithfully, and reached a principled result.

7. With respect to substantive due process, what factors do you look to when a case requires you to determine whether a right is fundamental and protected under the Fourteenth Amendment?

Response: If I am fortunate enough to be confirmed I would faithfully follow and apply Supreme Court and Ninth Circuit precedent in determining whether a right is fundamental and protected under the Fourteenth Amendment.

- a. Would you consider whether the right is expressly enumerated in the Constitution?

Response: Yes, I would consider whether the right is expressly enumerated in the Constitution or recognized by controlling precedent.

- b. Would you consider whether the right is deeply rooted in this nation's history and tradition? If so, what types of sources would you consult to determine whether a right is deeply rooted in this nation's history and tradition?

Response: Yes, I would consider whether the right is deeply rooted in this nation's history and tradition as set forth in controlling precedent. The Supreme Court articulated a framework in *Washington v. Glucksberg*, 521 U.S. 702 (1997) for identifying such rights, and I would faithfully follow that and other controlling precedent.

- c. Would you consider whether the right has previously been recognized by Supreme Court or circuit precedent? What about the precedent of another court of appeals?

Response: Yes, I would consider whether the right has previously been recognized by Supreme Court or Ninth Circuit precedent, if so, that would be controlling. Decisions of other circuits could also be important to review for their persuasive value.

- d. Would you consider whether a *similar* right has previously been recognized by Supreme Court or circuit precedent?

Response: Yes.

- e. What other factors would you consider?

Response: I would consider any other factors set out by Supreme Court or Ninth Circuit precedent in determining whether a right is fundamental and protected under the Fourteenth Amendment.

8. If you concluded that the President had violated his constitutional duty to faithfully execute the laws and then had to determine the remedy, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

Response: If I am fortunate enough to be confirmed I would faithfully apply all binding precedent of the Supreme Court and the Ninth Circuit, together with the text of the Constitution, statutes, and other authoritative sources of law, in any case or controversy properly before me. Beyond that, this question seeks a commitment to a specific analytical process in a hypothetical case challenging actions of a sitting President, which are matters that could conceivably come before me if I am confirmed. Doing so would risk violating the Code of Conduct for United States Judges, Canon 3(A)(6) which requires judges and nominees to abstain from public comment on the merits of any pending or impending proceeding, as well as the broader ethical principle that judicial nominees should not signal how they would rule in cases that might appear on their docket.

9. Is President Trump eligible to be elected President for a third term in 2028? Assume that I know what the text of the 22nd Amendment says. I am interested in your application of that text to whether or not President Trump can be elected President in 2028.

Response: The 22nd Amendment states that “[n]o person shall be elected to the office of President more than twice....”

10. Who won the 2016 U.S. Presidential Election?

Response: President Trump was certified as the winner of the 2016 presidential election and served as the 45th President of the United States.

11. Who won the 2020 U.S. Presidential Election?

Response: President Biden was certified as the winner of the 2020 presidential election and served as the 46th President of the United States.

12. Who won the 2024 U.S. Presidential Election?

Response: President Trump was certified as the winner of the 2024 presidential election and is serving as the 47th President of the United States.

13. If Congress certifies a candidate as being the winner of a presidential election, does that mean that the candidate won the election? If not, what does it mean?

Response: It means that Congress certified that a candidate secured the electoral majority, transforming that person from a candidate into the President-elect. To the extent that these issues have taken on a political valence it would be inappropriate for me, as a judicial nominee, to comment. *See* Code of Conduct for United States Judges, Canon 5.

14. Under 28 U.S.C. § 455, “[a]ny justice, judge, or magistrate judge of the United States shall disqualify [themselves] in any proceeding in which [their] impartiality might reasonably be questioned.” As a general matter, what criteria would you use when deciding whether to recuse yourself from a case?

Response: If I am fortunate enough to be confirmed I will refer to 28 U.S.C. § 455, the Code of Conduct for United States Judges, and all other laws, rules, and practices governing such matters.

15. I have been proud to co-lead the bipartisan *Safer Supervision Act*, a bill to reform our federal supervised release system that has received substantial conservative and law enforcement support. The premise of the bill is that our federal supervision system has strayed far from how Congress designed it, as courts impose it mechanically in essentially every case, which means that probation officers do not have time to properly supervise those who most need it. The bill reinforces courts’ existing obligations under 18 U.S.C. §§ 3553 and 3583 to impose supervision as warranted by the individual facts of the case and encourages more robust use of early termination when warranted to provide positive incentives encouraging rehabilitation. At the encouragement of a bipartisan group of members of Congress, the U.S. Sentencing Commission adopted an amendment to supervision guidelines implementing certain parts of the bill; this amendment went into effect on November 1.

- a. As a sentencing judge, would you endeavor to impose supervision thoughtfully and on the basis of the individual facts of the case consistent with 18 U.S.C. § 3553 and 18 U.S.C. § 3583?

Response: Yes.

- b. Would you agree that the availability of early termination under 18 U.S.C. § 3583(e)(1) can provide individuals positive incentives to rehabilitate?

Response: Yes.

- c. Will you commit if confirmed to reviewing the *Safer Supervision Act* and the recent Sentencing Commission amendment and considering them as you develop your approach to sentencing of supervised release?

Response: Yes.

16. If you had to determine whether it is appropriate for the President of the United States to punish a law firm for taking on a client that the President did not like, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

Response: This question calls for a response that could be seen as opining on political matters or potential future cases, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5.

17. Do you agree that the constitutional right to travel across state lines is fundamental and well established?

Response: Yes, the constitutional right to travel has been observed by both the Supreme Court, *see, e.g., Zobel v. Williams*, 457 U.S. 55 (1982), and the Ninth Circuit, *see, e.g., Roe v. Anderson*, 134 F.3d 1101 (9th Cir. 1998).

- a. If you had to determine whether it is constitutional for a state to restrict the interstate travel of its citizens, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

Response: The precedents I would look to might include the cases cited in Question 17, as the cases that are relevant would vary based on the arguments presented by the parties. *See United States v. Sineneng-Smith*, 590 U.S. 371, 376 (2020) (“Courts are essentially passive instruments of government. They do not, or should not, sally forth each day looking for wrongs to right. They wait for cases to come to them, and when cases arise, courts normally decide only questions presented by the parties.” (cleaned up)). Beyond that, this question calls for a response that could be seen as opining on political matters or current and potential future cases, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5.

18. Do you believe that the Constitution protects a fundamental right to privacy?

Response: While the Constitution does not expressly enumerate a “right to privacy” in its text, the Supreme Court has long recognized that certain zones of privacy are protected as fundamental liberties under the Constitution. *E.g. Griswold v. Connecticut*, 381 U.S. 479 (1965).

- a. Do you agree that that right protects a woman’s right to use contraceptives? If you do not agree, please explain whether this right is protected or not and which constitutional rights or provisions encompass it.

Response: The Supreme Court has specifically stated that the use of contraceptives is protected under the constitutional right to privacy. *See, e.g., Eisenstadt v. Baird*, 405 U.S. 438 (1972); *Griswold v. Connecticut*, 381 U.S. 479 (1965). If I am fortunate enough to be confirmed I will faithfully apply this and all other Supreme Court precedent.

19. Does the public's original understanding of the meaning of a constitutional provision constrain its application decades or centuries later?

Response: Yes, the public's original understanding of a constitutional provision's meaning at the time of its ratification does constrain its application in later eras, as the Supreme Court has repeatedly held that the Constitution's text must be interpreted according to its original public meaning to preserve its status as enduring law rather than a vehicle for evolving judicial policy preferences.

- a. What specific sources would you employ to discern the public's original understanding of the meaning of a constitutional provision? Please provide three examples of sources you consider reliable in this regard.

Response: To discern the original public meaning of a constitutional provision, I would rely on contemporaneous sources that reflect how the ratifying public understood the text at the time of adoption. Such sources include founding-era and ratification-era state constitutions, judicial decisions, and dictionaries. The Supreme Court has consistently relied on these types of historical materials in recent decisions, such as *District of Columbia v. Heller*, 554 U.S. 570 (2008), and *New York State Rifle & Pistol Ass'n v. Bruen*, 597 U.S. 1 (2022). If I am fortunate enough to be confirmed, I would follow the Supreme Court's and Ninth Circuit's precedent in interpreting constitutional provisions.

20. Do you believe that immigrants, regardless of legal status, are entitled to due process and fair adjudication of their claims?

Response: The Fifth Amendment states that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." The Supreme Court has held that "the Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). As a district court judge, I would apply all Supreme Court and Ninth Circuit precedents in addressing due process claims. To the extent this question asks about hypothetical cases or matters that are the subject of pending or impending litigation, it would be improper for me as a judicial nominee to comment further. *See* Code of Conduct of United States Judges, Canon 3(A)(6).

21. Should you be confirmed, what would you do if a party refuses to comply with one of your orders?

Response: In nearly all instances, unless a stay is granted, all parties must obey federal court orders unless and until the court's order is vacated or reversed by an appellate court. As a general matter, if a party defies a court order, the court should look to the Federal Rules of Civil and Criminal Procedure and to binding precedent from the Supreme Court and the Ninth Circuit to determine the appropriate course of action. Courts may consider show cause orders, sanctions, or contempt proceedings, but the analysis would depend on the nature of the violation. I cannot comment on a more specific scenario, as similar issues could come before me if I am confirmed as a district judge.

22. What criteria would you use to determine whether a party was engaging in abusive litigation tactics, such as excessive discovery requests, repeatedly or frivolously filing motions, or other procedural delays?

Response: In determining whether a party is engaging in abusive litigation tactics, such as excessive or oppressive discovery, repetitive frivolous motions, or deliberate delay, I would apply the objective standards established by the Federal Rules of Civil Procedure and any controlling Ninth Circuit precedent.

- a. If you determined that a party was engaging in such tactics, how would you address it?

Response: Much like the response to Question 21, the court should look to the Federal Rules of Civil and Criminal Procedure and to binding precedent from the Supreme Court and the Ninth Circuit to determine the appropriate course of action. Courts may consider show cause orders, sanctions, or contempt proceedings, but the analysis would depend on the nature of the violation. I cannot comment on a more specific scenario, as similar issues could come before me if I am confirmed as a district judge.

23. What role, if any, should the practical consequences of a particular ruling play in a judge's rendering of a decision?

Response: District court judges should always impartially apply the law to the facts of the case in accordance with controlling precedent. Pursuant to precedent, some circumstances call for the practical consequences to be considered, like in the case of balancing the equities when considering injunctive relief. *See e.g. Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7 (2008).

24. What role, if any, should a judge's personal life experience play in his or her decision-making process?

Response: A judge's personal life experiences can help develop the wisdom and judgment essential to the judicial role, but they must never displace the duty to decide every case impartially, based solely on the law and the facts presented.

25. What role, if any, should empathy play in a judge's decision-making process?

Response: A judge's fundamental duty is to decide every case impartially and solely according to the law and the facts presented. In fulfilling that duty, judges must treat every litigant and attorney with equal respect and dignity, and an appropriate measure of empathy can help ensure that the courtroom remains a place where all parties feel heard and fairly treated.

26. What case or legal matter are you most proud of having worked on during your career?

Response: I am proud of the body of work I have been fortunate to do throughout my career at the Alaska Department of Law, both as a prosecutor and as a civil litigator. As a prosecutor, I was honored to help secure justice for victims of violent crime and to protect communities across Alaska. In my current role, I am equally proud of the work I have done defending Alaska's interests in natural resource and environmental litigation, where the outcomes directly affect the livelihoods, culture, and well-being of Alaskans.

27. Some district court judges have issued standing orders indicating that the court will favor holding an oral argument when there is a representation that the argument would be handled by a junior lawyer. Such efforts are intended to provide more speaking opportunities in court for junior lawyers. Would you consider issuing a standing order that would encourage more junior lawyers to handle oral arguments? Why or why not?

Response: I am not personally familiar with this practice, but I am certainly open to considering it if confirmed. Oral argument is a vital part of the litigation process because it sharpens the issues, allows judges to probe counsel's reasoning in real time, and gives attorneys the opportunity to address the court's questions directly. While I would not commit in advance to a blanket standing order without first assessing the needs of the court and the cases on the docket, I would likely generally lean toward scheduling oral argument whenever it would aid the decisional process, provided it remains consistent with the fair, efficient, and orderly administration of justice.

a. How else would you support the skills development of junior lawyers appearing before you?

Response: Early in my career as a prosecutor, I was fortunate to appear in court nearly every day before judges who were patient with my relative lack of experience yet uncompromising in their expectations of preparation, professionalism, and clarity. If confirmed, I would strive to provide the same constructive environment for young lawyers in my courtroom by maintaining a respectful and orderly atmosphere that encourages their participation, giving them a full and fair opportunity to be heard, and holding them to the same high standards of diligence and candor that I would require of all counsel.

28. Discuss your proposed hiring process for law clerks.

Response: If I am fortunate enough to be confirmed, I would seek to hire the most qualified law clerks possible who exhibit a demonstrated interest in the legal issues that

commonly arise in Alaska. In doing so, I would consult with my colleagues on the District of Alaska bench and, when helpful, with other judges, to benefit from their experience and to ensure that my hiring practices align with the best traditions of the federal judiciary.

- a. Do you think law clerks should be protected by Title VII of the Civil Rights Act?

Response: As a judicial nominee it would be inappropriate for me to comment on whether Title VII of the Civil Rights Act should apply to law clerks. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5. As a general matter, if I am fortunate enough to be confirmed, discrimination will have no place in my chambers.

- 29. Recently, multiple studies have revealed ongoing problems with workplace conduct policies and outcomes in the federal judiciary. In a national climate survey, hundreds of judiciary employees reported that they experienced sexual harassment, discrimination, or other forms of misconduct on the job. A study by the Federal Judicial Center and the National Academy of Public Administration found the branch has failed to set up trusted reporting systems for employees who experience misconduct or ensure those handling complaints are adequately trained.

- a. If confirmed, what proactive steps would you take to ensure that the clerks and judicial assistants who work in your chambers are treated with respect and are not subject to misconduct?

Response: If I am confirmed, I will treat everyone in my chambers with respect, professionalism, and courtesy, and I will make clear that the same standard of conduct is required of all who work there.

- b. What proactive steps would you take to ensure that any workplace-related concerns that your clerks and judicial assistants may have are fully addressed?

Response: I would consult with other district judges and any available resources, such as the Clerk of Court and the Executive Office of United States Courts, to determine what resources are available and best practices in timely addressing workplace-related concerns.

- c. If you are confirmed and you later hear from a colleague or your chambers staff that another judge is acting inappropriately, what steps would you take to help ensure the problem is addressed?

Response: I would consult with the chief judge and take any steps necessary, including following any guidelines in the District of Alaska, the Ninth Circuit, the Executive Office of United States Courts, or other authorities to rectify the situation. It is worth repeating that I will treat everyone with respect,

professionalism, and courtesy, and I will make clear that the same standard of conduct is required of all who work there.

30. Do you agree with me that the attack at the U.S. Capitol on January 6, 2021, was an insurrection? Why or why not?

Response: The events of January 6, 2021, are matters of significant political debate which may come before me as a Judge. Events related to January 6, 2021, are also subject to ongoing litigation. Thus, as a judicial nominee, it would be inappropriate for me to answer this question or engage in any political commentary. *See* Code of Conduct United States Judges, Canon 3A(6); Canon 5.

- a. If you think this question would require you to express an opinion on “political” matters, as some judicial nominees have responded when asked this question, please explain why labeling the events of January 6, 2021, as either “an insurrection” or “not an insurrection” requires you to opine on a “political” matter.

Response: Please see my response to Question 30.

31. As you know, the President has the power under the Constitution to grant executive clemency relief. Even so, in your opinion, do you think the individuals convicted of assaulting law enforcement officers at the Capitol on January 6, 2021, deserved to be pardoned? I am asking for your opinion about whether the pardons were prudent, not whether the President has the authority to issue them.

Response: Under Article II, Section 2, Clause 1 of the Constitution, the president has the power to “grant Reprieves and Pardons for Offences against the United States....” The Supreme Court has affirmed on several occasions that the pardon power is one of the President’s most plenary powers. *See e.g. Ex Parte Garland*, 71 U.S. 333 (1866); *United States v. Klein*, 80 U.S. 128 (1871); *Trump v. United States*, 603 U.S. 593 (2024). Beyond that, this question calls for an opinion on political matters or potential future cases, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canons 3(A)(6), 5.

32. If you were the President on January 20, 2025, would you have pardoned the individuals convicted of assaulting law enforcement officers at the Capitol on January 6, 2021? Again, I know that the President has the power under the Constitution to grant executive clemency relief. I want to know whether you—if serving as President on January 20, 2025—would have chosen to issue pardons to those convicted of assaulting law enforcement officers at the Capitol on January 6, 2021.

Response: Please see my response to Question 31.

33. In your Senate Judiciary Questionnaire, you note that you interviewed with Senator Dan Sullivan for this role on March 29, 2025. A few days before your interview, on March

20, Senator Sullivan said, “I’m going to make sure Alaska does not get a federal judge who sides with the far-left radical enviros on every case.”

- a. Have you discussed your views on environmental law cases with Senator Sullivan, during your interview or otherwise?

Response: We discussed my background and work in the Office of Special Prosecutions, including as the Statewide Fish and Wildlife Crimes Prosecutor, and my experience representing Alaska’s Department of Fish and Game and Board of Fisheries, which includes working on litigation involving the Alaska National Interest Lands Conservation Act (ANILCA), Endangered Species Act (ESA), National Environmental Policy Act (NEPA), the Magnuson-Stevens Act, and the Marine Mammal Protection Act. I do not recall discussing my policy views on environmental law. If I am confirmed, I will apply the law as written, evaluate each case on its individual merits, and ensure that all parties receive a fair and even application of the law. To the extent that this question calls for a response to statements by a political figure, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of United States Judges, Canon 5.

- b. Have you made any representations to him or anyone else about how you would rule in cases about protecting the environment, during your interview or otherwise?

Response: No.

34. Why did you decide to join the Federalist Society in 2025? Were you told, or did you otherwise believe, that membership in the Federalist Society would increase your chances of being nominated for a judicial position?

Response: I have attended Federalist Society events periodically over the years, but I had never been an active participant and often could not attend functions due to schedule conflicts. I have always appreciated the opportunity to hear different perspectives and to gather with colleagues from a variety of practice areas and professional backgrounds. When I attended an event in early 2025, I learned that the Alaska Chapter had new leadership and planned to become more active, with more regular programming. At that point, I decided to formally join so I could be informed of and participate more consistently in those events. I was not told and had no reason to believe that it would increase my chances of being nominated for a judicial position.

35. At your Senate Judiciary Committee nomination hearing, Senator Moody said, “I’m really concerned right now that the judicial branch has a PR crisis . . . because we have many district court judges around the nation that are more interested in wearing a blue jersey than a black robe. . . . Based on my fundamental belief we have to have impartial judges that will faithfully apply the laws that are given to them, I believe this . . .

fundamentally disrupts the carefully balanced powers set forth in our Constitution.” She then asked you if you agreed and you replied that you did.

- a. Because you said you agreed with Senator Moody’s statement, which district court judges do you believe are “more interested in wearing a blue jersey than a black robe”?

Response: I agree that judges must remain impartial, apply the law as written, and avoid any appearance of favoring one side or ideology. It is essential that judges faithfully apply the governing text, history, and precedent, and that they approach each case with neutrality and restraint. If I am confirmed, that is the standard I would hold myself to in every case.

- b. What specific action(s) did each judge take to make you form that belief?

Response: Please see my response to Question 35.a.

Nomination of Aaron Christian Peterson
United States District Court for the District of Alaska
Questions for the Record
Submitted November 26, 2025

QUESTIONS FROM SENATOR BOOKER

1. The American Bar Association (ABA) Standing Committee on the Federal Judiciary has conducted extensive peer evaluations of the professional qualifications of a president's nominees to become federal judges for seven decades. This practice has endured through 18 presidential administrations, under Republican and Democratic presidents.

On May 29, 2025, Attorney General Pam Bondi ended this longstanding practice when she informed the ABA that, "[T]he Office of Legal Policy will no longer direct nominees to provide waivers allowing the ABA access to nonpublic information, including bar records. Nominees will also not respond to questionnaires prepared by the ABA and will not sit for interviews with the ABA."¹

- a. Do you agree with AG Bondi that "the ABA no longer functions as a fair arbiter of nominees' qualifications and its ratings invariably and demonstrably favor nominees put forth by Democratic administrations"?

Response: As a judicial nominee, it would be inappropriate for me to comment on political matters such as this. *See* Code of Conduct United States Judges, Canons 3A(6), 5.

2. If this Committee were to establish that a sitting federal judge knowingly provided false testimony to this Committee, what do you believe the appropriate process and consequences should be?

Response: If such a situation were established, I presume procedures are in place to effectively address it and those procedures should be followed. Beyond that general statement, as a judicial nominee, it would be inappropriate for me to comment on matters such as this. *See* Code of Conduct United States Judges, Canons 1, 2.

3. If this Committee were to establish that a political appointee knowingly provided false testimony to this Committee, what do you believe the appropriate process and consequences should be?

Response: If the Committee determined that a political appointee knowingly provided false testimony, the appropriate process would be to follow the mechanisms Congress has already established for addressing misconduct by Executive Branch officials. It is my understand that some of those mechanisms include referral to the relevant Inspector General, the Department of Justice, or other appropriate oversight entities, depending on the circumstances. It would

¹ Letter from Attorney General Pam Bondi to William R. Bay, President, American Bar Association (May 29, 2025), <https://www.justice.gov/ag/media/1402156/dl?inline>.

not be appropriate for me to comment on how those processes should be applied to any individual or hypothetical situation.

4. How would you characterize your judicial philosophy?

Response: My judicial philosophy is anchored in the belief that judges must apply the law as written, evaluate each case on its individual merits, and ensure that all parties receive a fair and even application of the law. In practice, this means starting with the governing statute or constitutional provision, giving effect to its plain language, and respecting the roles assigned to each branch of government. It also means recognizing the importance of precedent and the stability it provides, while remaining attentive to the specific record and legal issues before the court. Every case deserves careful consideration, regardless of the parties or the subject matter, and every litigant should have confidence that the court has listened, applied the law faithfully, and reached a principled result.

5. What do you understand originalism to mean?

Response: I understand originalism to mean a disciplined method of constitutional interpretation that begins with the text and the meaning that text would have had to the public at the time it was adopted. It ensures that the judiciary respects the choices made by the Framers and the democratic processes that amended the Constitution over time.

6. Do you consider yourself an originalist?

Response: Different people use that term to mean different things. My view is that courts should apply the law as it is written rather than how a judge might prefer it to be. I would focus on interpreting the law faithfully and deciding each case on its facts and the governing text.

7. What do you understand textualism to mean?

Response: Similar to originalism, textualism is a method of statutory interpretation that begins with the text and the meaning that text would have had to the public at the time it was adopted.

8. Do you consider yourself a textualist?

Response: Different people use that term to mean different things. My view is that courts should apply the law as it is written rather than how a judge might prefer it to be. I would focus on interpreting the law faithfully and deciding each case on its facts and the governing text.

9. Please provide an example of a federal judge, or judges, whose jurisprudence you most agree with. Why?

Response: I am hesitant to single out individual federal judges because doing so would be similar to taking positions on which decisions are right or wrong. As a nominee to a district court, it would be inappropriate for me to characterize particular judges or endorse specific lines of cases. *See* Code of Conduct for United States Judges, Canon 3(A)(6). If confirmed, I will faithfully apply all binding Supreme Court and Ninth Circuit precedent in every case before me.

10. What is your view of stare decisis?

Response: Stare decisis is the fundamental legal doctrine that courts should follow precedents established in prior decisions when deciding cases with similar facts and legal issues.

11. Legislative history refers to the record Congress produces during the process of passing a bill into law, such as detailed reports by congressional committees about a pending bill or statements by key congressional leaders while a law was being drafted. Some federal judges consider legislative history when analyzing the meaning of a statute.

- a. If you are confirmed to serve on the federal bench, would you consult and cite legislative history to analyze or interpret a federal statute?

Response: If confirmed as a federal district court judge in Alaska I would follow all binding Supreme Court and Ninth Circuit precedent when analyzing or interpreting federal statutes. The starting point for interpreting any statute is its text. If the text is clear, that is the end of the inquiry. In the rare circumstance where a statute is genuinely ambiguous after applying the traditional tools of interpretation, I may consider legislative history for whatever limited value it provides, but I would not rely on it to override or alter the statutory language enacted by Congress.

- b. Do you believe that congressional intent matters when interpreting a statute? Why or why not.

Response: Congressional intent matters, and the clearest expression of that intent is the text that Congress passed. Following the enacted text ensures that courts give effect to the intent of the legislature as expressed through the lawmaking process.

12. According to an academic study, Black men were 65 percent more likely than similarly situated white men to be charged with federal offenses that carry harsh mandatory minimum sentences.²

- a. What do you attribute this to?

Response: I am not familiar with this study. If confirmed as a district judge, I will treat every person fairly and impartially.

² Sonja B. Starr & M. Marit Rehavi, *Racial Disparity in Federal Criminal Sentences*, 122 J. POL. ECON. 1320, 1323 (2014).

- b. Do you believe the law should address the effects of disparate impact?

Response: As I said in response to 12.a. I am not familiar with the cited study. However, as a general matter, any unfair treatment of people based on race is a significant cause for concern. The Fourteenth Amendment prohibits government discrimination on the basis of race, and equal protection principles apply throughout the criminal justice system. If confirmed, my responsibility as a district judge would be to apply the Constitution and the statutes Congress has enacted, including any legal standards that govern claims involving disparate impact, in a fair and evenhanded manner.

13. A recent report by the United States Sentencing Commission observed demographic differences in sentences imposed during the five-year period studied, with Black men receiving federal prison sentences that were 13.4 percent longer than white men.³

- a. What do you attribute this to?

Response: I am not familiar with this study. If confirmed as a district judge, I will treat every person fairly and impartially.

14. What role do you think federal judges, who review difficult, complex criminal cases, can play in ensuring that a person's race did not factor into a prosecutor's decision or other instances where officials exercise discretion in our criminal justice system?

Response: If confirmed as a district judge, I will treat every person fairly and impartially and will faithfully apply 18 U.S.C. § 3553(a), which direct judges to consider a variety of factors in sentencing, including "the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct..."

15. Do you believe it is an important goal for there to be demographic diversity in the judicial branch? Why or why not.

Response: Yes, no one should ever be denied the opportunity to serve as a judge based on race, ethnicity, sex, religion, or any other protected characteristic.

16. Do you believe demographic diversity is an important goal in the legal profession? Why or why not.

Response: Yes, no one should ever be denied the opportunity to work in the legal profession based on race, ethnicity, sex, religion, or any other protected characteristic.

17. Please indicate whether you have ever published written material or made any public statements relating to the following topics. If so, provide a description of the written or

³ U.S. SENTENCING COMM'N, DEMOGRAPHIC DIFFERENCES IN SENTENCING 2 (Nov. 2023), https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2023/20231114_Demographic-Differences.pdf.

public statement, the date and place/publication where the statement was made or published, and a summary of its subject matter. Mere reference to the list of publications and statements provided in your Senate Judiciary Questionnaire is insufficient; provide specific responses.

If you have not disclosed a copy of the publication or a transcript of the statement to the Judiciary Committee, please attach a copy or link to the materials and please explain why you have not previously disclosed them.

- a. Abortion
- b. Affirmative action
- c. Contraceptives or birth control
- d. Gender-affirming care
- e. Firearms
- f. Immigration
- g. Same-sex marriage
- h. Miscegenation
- i. Participation of transgender people in sports
- j. Service of transgender people in the U.S. military
- k. Racial discrimination
- l. Sex discrimination
- m. Religious discrimination
- n. Disability discrimination
- o. Climate change or environmental disasters
- p. “DEI” or Diversity Equity and Inclusion

Response: I do not recall having published written material or made public statements regarding the topics set forth above.

18. Under what circumstances would it be acceptable for an executive branch official to ignore or defy a federal court order?

Response: In nearly all instances, unless a stay is granted, all parties must obey federal court orders unless and until the court’s order is vacated or reversed by an appellate court. However, I am aware of narrow exceptions to the general rule. For example, A party’s noncompliance may also be excused if it is impossible for the party to comply with the court’s order. *See Shillitani v. United States*, 384 U.S. 364, 371 (1966) (“[T]he justification for coercive imprisonment as applied to civil contempt depends upon the ability of the contemnor to comply with the court’s order.”) The Supreme Court has also recognized that, in some circumstances, it may be necessary for a party to defy a court order to appeal it. *See Mohawk Industries, Inc. v. Carpenter*, 558 U.S. 100, 111 (2009) (“Another long-recognized option is for a party to defy a disclosure order and incur court-imposed sanctions.”)

- a. If an executive branch official ignores or defies a federal court order, what legal analysis would you employ to determine whether that official should be held in contempt?

Response: As a general matter, if a party defies a court order, the court should look to the Federal Rules of Civil and Criminal Procedure and to binding precedent from the Supreme Court and the Ninth Circuit to determine the appropriate course of action. Courts may consider show cause orders, sanctions, or contempt proceedings. I cannot comment on a more specific scenario, as similar issues could come before me if I am confirmed as a district judge.

- b. Is there any legal basis that would allow an executive branch official to ignore or defy temporary restraining orders and preliminary injunctions issued by federal district court judges? Please provide each one and the justification.

Response: Please see my responses to Questions 18 and 18.a.

19. Does the president have the power to ignore or nullify laws passed by Congress?

Response: This question seeks an opinion on an issue regarding ongoing or potential litigation. Therefore, I cannot provide an answer consistent with my ethical obligations as a district court judicial nominee. *See* Code of Conduct United States Judges, Canon 3A(6).

20. Does the president have the power to withhold funds appropriated by Congress?

Response: This question seeks an opinion on an issue regarding ongoing or potential litigation. Therefore, I cannot provide an answer consistent with my ethical obligations as a district court judicial nominee. *See* Code of Conduct United States Judges, Canon 3A(6).

21. Does the president have the power to discriminate by withholding funds against state or local jurisdictions based on the political party of a jurisdiction's elected officials?

Response: This question seeks an opinion on an issue regarding ongoing or potential litigation. Therefore, I cannot provide an answer consistent with my ethical obligations as a district court judicial nominee. *See* Code of Conduct United States Judges, Canon 3A(6).

22. Does the Supremacy Clause of the U.S. Constitution establish that federal laws supersede conflicting state laws?

Response: Yes. Article VI, Clause 2 of the U.S. Constitution states that the "Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land..."

23. Does the Fifth Amendment of the U.S. Constitution apply to non-citizens present in the United States?

Response: The Fifth Amendment states that “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.” The Supreme Court has held that “the Due Process Clause applies to all ‘persons’ within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). As a district court judge, I would apply all Supreme Court and Ninth Circuit precedents in addressing due process claims. To the extent this question asks about hypothetical cases or matters that are the subject of pending or impending litigation, it would be improper for me as a judicial nominee to comment further. See Code of Conduct of United States Judges, Canon 3(A)(6).

24. Is it constitutional for Congress to delegate to federal agencies the power to implement statutes through rulemaking?

Response: The Supreme Court has held that it is lawful for Congress to delegate power to federal agencies so long as Congress provides an “intelligible principle” to guide the action. See, e.g., *FCC v. Consumers’ Rsch.*, 145 S. Ct. 2482, 2491 (2025).

25. Was *Brown v. Board of Education*, 347 U.S. 483 (1954), correctly decided?

Response: Yes. As many previous nominees have said, it is almost always improper for judicial nominees to opine on whether Supreme Court precedent is correctly decided. The two exceptions to this general rule against opining on the merits of Supreme Court cases are *Brown* and *Loving*. I agree that both those decisions were correctly decided.

26. Is *Griswold v. Connecticut*, 381 U.S. 479 (1965), binding precedent? Please describe the facts and holding of this case.

Response: *Griswold v. Connecticut* is binding precedent. Griswold provided contraceptives to married couples and was arrested and convicted under a Connecticut statute that made it a crime for any person to use or counsel the use of contraceptives. The Supreme Court held that a state law criminalizing the use of contraceptives by a married couple was unconstitutional.

27. Is *Lawrence v. Texas*, 539 U.S. 558 (2003), binding precedent? Please describe the facts and holding of this case.

Response: *Lawrence v. Texas* is binding precedent. Two men were arrested under a Texas law that prohibited same-sex sodomy. The Supreme Court held that a Texas statute criminalizing consensual sexual conduct between same-sex adults violated the Due Process Clause of the Fourteenth Amendment.

28. Is *Obergefell v. Hodges*, 576 U.S. 644 (2015), binding precedent? Please describe the facts and holding of this case.

Response: *Obergefell v. Hodges* is binding precedent. Several same-sex couples sued state officials challenging state bans on same-sex marriage and refusal to recognize valid out-of-state same-sex marriages. The Supreme Court held that state laws banning same-sex marriage (or refusing to recognize out-of-state same-sex marriages) are unconstitutional

29. Do you believe that President Biden won the 2020 election? Note that this question is not asking who was certified as president in the 2020 election.

Response: President Biden was certified as the winner of the 2020 presidential election and served as the 46th President of the United States. To the extent you are asking about disputes or political statements regarding the conduct of the 2020 presidential election, consistent with the positions of prior judicial nominees when asked questions regarding the 2020 election, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. See Code of Conduct of United States Judges, Canons 3(A)(6), 5.

a. Did Biden win a majority of the electoral vote in the 2020 election?

Response: Please see my response to Question 29.

b. Do you believe that the results of the 2020 election, meaning the vote count, were accurate? If not, please provide why not and examples.

Response: Please see my response to Question 29.

30. The 22nd Amendment says that “no person shall be elected to the office of the President more than twice.”⁴

a. Do you agree that President Trump was elected to the office of the President in the 2016 election?

Response: President Trump was certified as the winner of the 2016 presidential election and served as the 45th President of the United States.

b. Did Trump win a majority of the electoral vote in the 2016 election?

Response: Please see my response to Question 30.a.

c. Do you agree that President Trump was elected to the office of the President in the 2024 election?

Response: President Trump was certified as the winner of the 2024 presidential election and is serving as the 47th President of the United States.

⁴ U.S. CONST. amend. XXII.

d. Did Trump win a majority of the electoral vote in the 2024 election?

Response: Please see my response to Question 30.c.

e. Do you agree that the 22nd Amendment, absent a constitutional amendment, prevents President Trump from running for a third presidential term?

Response: The 22nd Amendment states that “[n]o person shall be elected to the office of President more than twice....”

31. Has any official from the White House or the Department of Justice, or anyone else involved in your nomination or confirmation process, instructed or suggested that you not opine on whether any past Supreme Court decisions were correctly decided?

Response: As part of the process for preparing for the confirmation hearing I watched several previous hearings and observed responses to commonly asked questions. I also had general discussions with personnel at the Office of Legal Policy regarding the common responses to those commonly asked questions. I was encouraged to understand and follow the Code of Conduct for United States Judges. My answers are based upon my understanding of what is appropriate under the Code of Conduct for United States Judges.

32. Have you spoken or corresponded with Elon Musk since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

Response: No.

33. Have you spoken or corresponded with any member of the Department of Government Efficiency (DOGE) since November 2024? If yes, identify the member(s) and provide the dates, mode, and content of those discussions and communications.

Response: No.

34. Have you spoken or corresponded with Stephen Miller since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

Response: No.

35. Have you spoken or corresponded with Chad Mizelle since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

Response: No.

36. Have you spoken or corresponded with Pam Bondi since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

Response: No.

37. Have you spoken or corresponded with Todd Blanche since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

Response: No.

38. Have you spoken or corresponded with Emil Bove since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

Response: No.

39. Have you spoken or corresponded with Leonard Leo since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

Response: No.

40. Have you—personally or through any of your affiliated companies or organizations, agents, or employees—provided financial support or other resources to any members of the Proud Boys or of the Oath Keepers for their legal fees or for other purposes? If yes, state the amount of financial support provided, dates provided, and for what purposes.

Response: No.

41. Have you ever spoken or corresponded with any of the following individuals? If yes, provide the dates, mode, and content of those discussions and communications.

- a. Enrique Tarrío
- b. Stewart Rhodes
- c. Kelly Meggs
- d. Kenneth Harrelson
- e. Thomas Caldwell
- f. Jessica Watkins
- g. Roberto Minuta
- h. Edward Vallejo
- i. David Moerschel
- j. Joseph Hackett
- k. Ethan Nordean
- l. Joseph Biggs
- m. Zachary Rehl
- n. Dominic Pezzola
- o. Jeremy Bertino
- p. Julian Khater

Response: No to all of the above listed names in 41.a.-p.

42. Have you ever spoken or corresponded with any individuals convicted and later pardoned of offenses related to the January 6, 2021 attack on the U.S. Capitol? If yes, identify the individual(s) and provide the dates, mode, and content of those discussions and communications.

Response: No.

43. Federal judges must file annual financial disclosure reports and periodic transaction reports. If you are confirmed to the federal bench, do you commit to filing these disclosures and to doing so on time?

Response: Yes.

44. Article III Project (A3P) “defends constitutionalist judges and the rule of law.” According to Mike Davis, Founder & President of A3P, “I started the Article III Project in 2019 after I helped Trump win the Gorsuch and Kavanaugh fights. We saw then how relentless—and evil—too many of today’s Democrats have become. They’re Marxists who hate America. They believe in censorship. They have politicized and weaponized our justice systems.”⁵

- a. Do you agree with the above statement?

Response: I have no familiarity with this organization or this statement. As a district court nominee, it is inappropriate for me to comment on the political statements of others. *See* Code of Conduct for United States Judges, Canon 5.

- b. Have you discussed any aspect of your nomination to the federal bench with any officials from or anyone directly associated with A3P, or did anyone do so on your behalf? If yes, identify the individual(s) and provide the dates, mode, and content of those discussions and communications.

Response: No. To the best of my knowledge, neither I nor anyone acting on my behalf has discussed my nomination with any official of the Article III Project or with any person directly associated with Article III Project.

- c. Are you currently in contact with anyone associated with A3P? If so, who?

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I am not currently in contact with anyone associated with the Article III Project.

- d. Have you ever been in contact with anyone associated with A3P? If so, who?

⁵ <https://www.article3project.org/about>

Response: No. I am not familiar with the members of that association, but to the best of my knowledge, I have never been in contact with anyone associated with the Article III Project.

45. Since you were first approached about the possibility of being nominated, did anyone associated with the Trump Administration or Senate Republicans provide you guidance or advice about which cases to list on your Senate Judiciary Questionnaire (SJQ)?

Response: No.

- a. If so, who? What advice did they give?
- b. Did anyone suggest that you omit or include any particular case or type of case in your SJQ?

Response: No.

46. During your selection process did you talk with any officials from or anyone directly associated with the Article III Project, or did anyone do so on your behalf? If so, what was the nature of those discussions?

Response: No. To the best of my knowledge, neither I nor anyone acting on my behalf has discussed my nomination with any official of the Article III Project or with any person directly associated with Article III Project.

47. During your selection process did you talk with any officials from or anyone directly associated with the Federalist Society, or did anyone do so on your behalf? If so, what was the nature of those discussions?

Response: I know people associated with the Federalist Society and consulted a some of my lawyer friends and colleagues about the nomination process, including lawyers who are members of the Federalist Society.

48. Please explain, with particularity, the process whereby you answered these written questions, including whether you personally drafted initial responses and whether anyone helped draft, review, or edit the answers.

Response: I reviewed the responses of several previous nominees to get a sense for the generally appropriate expected level of detail and length. I drafted the answers, and staff from the Office of Legal Policy reviewed the drafts for completeness and compliance with the Committee's requirements. The answers I have submitted are my own.