

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee
Written Questions for Arthur Roberts Jones
Nominee to be U.S. District Judge for the Southern District of Texas
May 6, 2026

1. Officials within the Trump Administration, including then-Acting Deputy Attorney General Emil Bove and then-Interim U.S. Attorney Ed Martin, fired Assistant U.S. Attorneys who had been assigned to investigate and prosecute cases against defendants accused of committing crimes arising out of the January 6 attack on the Capitol.

- a. **Do you believe that apolitical, career civil servants should be terminated simply because they were assigned to work on certain matters?**

Response: I am not familiar with the reasons underlying the termination of the specific employees described above, and it would be inappropriate for me to comment on the management decisions other individuals in other Department of Justice offices made. Further, this question likely calls for me to issue what could be construed as a political comment, which I am prohibited from doing as a judicial nominee under Canon Five of the Code of Conduct of U.S. Judges.

- b. **During your tenure, the U.S. Attorney’s Office for the Southern District of Texas handled several cases against January 6 rioters. Did you manage, advise, or supervise any such prosecutions or investigations?**

Response: The Southern District of Texas did not prosecute any individuals present at the U.S. Capitol on January 6th, and my understanding is that all such prosecutions were handled by the United States Attorney’s Office for the District of Columbia. Accordingly, I did not personally handle, supervise, or advise on any such prosecutions or investigations. The defendants in such cases resided throughout the country, so the Southern District of Texas occasionally provided assistance in the execution of warrants within the district and other preliminary matters, as it would in any other case prosecuted by an out-of-district office.

2. As we discussed at your hearing, you joined the organization Gun Owners of America (GOA) in 2025.

GOA has called for the repeal of the Bipartisan Safer Communities Act. That historic bill was enacted after 19 children and two teachers were gunned down in their classrooms by a man armed with an AR-15 in Uvalde, Texas. It was the most significant gun safety reform in generations.

The Bipartisan Safer Communities Act cracked down on gun trafficking at the border, took steps to close the “boyfriend loophole” for domestic violence offenders, expanded background checks for those under 21 years of age, and offered billions in funding for mental health treatment.

- a. Were you aware of GOA’s position on the Bipartisan Safer Communities Act when you decided to join the organization?**

Response: I was not aware of GOA’s position on this topic.

- b. As a federal prosecutor in Texas, do you believe this legislation has helped crack down on gun trafficking at the southern border?**

Response: I believe this question calls for a response that could be seen as opining on a political matter, which I am prohibited from doing as a judicial nominee under Canon Five of the Code of Conduct of U.S. Judges.

- 3. You have spent more than 20 years as a federal prosecutor in the Southern District of Texas. This district includes a large portion of the Texas-Mexico border, and it appears that you have worked on prosecutions that have a nexus to immigration enforcement.**

Last month, members of my staff traveled to the Dilley Family Detention Facility in Southwest Texas to conduct oversight of President Trump’s mass deportation campaign. They encountered Hayam El Gamal and her five children, who range in age from five to 18 years old and had been held at the Dilley facility for nearly a year. Hayam’s husband faces state charges for a violent attack, and he is rightfully being prosecuted.

Both the Federal Bureau of Investigation and an immigration judge have found that Hayam and her children engaged in absolutely no wrongdoing. In fact, a magistrate judge held that the family was detained in violation of their due process rights.

- a. In your experience as a federal prosecutor, would you consider Hayam and her five children an example of the “worst of the worst” offenders that President Trump promised to target?**

Response: I believe this question calls for a response that could be seen as opining on a political matter, which I am prohibited from doing as a judicial nominee under Canon Five of the Code of Conduct of U.S. Judges. This matter is also being actively litigated in federal court, and Canon Three of the Code of Conduct of U.S. Judges prohibits me as a judicial nominee from commenting on such current or potential litigation.

- b. Is it appropriate to indefinitely detain a child as young as five years old because that child’s father has been accused of a crime?**

Response: I believe this question calls for a response that could be seen as opining on a political matter, which I am prohibited from doing as a judicial nominee under Canon Five of the Code of Conduct of U.S. Judges. This matter is also being actively litigated in federal court, and Canon Three of the Code of

Conduct of U.S. Judges prohibits me as a judicial nominee from commenting on such current or potential litigation.

4. Did President Trump lose the 2020 election?

Response: Congress certified Joseph Robinette Biden, Jr. as the winner of the 2020 election.

5. Where were you on January 6, 2021?

Response: Houston, Texas.

6. Do you denounce the January 6 insurrection?

Response: I denounce political violence. 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 U.S. Judges, Canons 3(A)(6) & 5.

7. 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: Article II, Section 2, Clause 1 of the U.S. Constitution empowers the President to issue pardons. Beyond that, this question calls for a response that could be seen as opining on political matters, pending litigation 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 U.S. Judges, Canons 3(A)(6) & 5.

8. 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?

Response: Litigants may ask the Court for reconsideration of the matter, request a stay of the order, or pursue an appeal of the order.

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

Response: In almost 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, there are some potential exceptions to this general rule, including lack of jurisdiction or impossibility. 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 Such sanctions allow a party to obtain postjudgment review without having to reveal its privileged information.”).

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

Response: The judicial branch is responsible for making such a determination, and there is a review process through which courts can evaluate whether lower-court orders or their own prior orders are lawful.

9. 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 injunctions granted under a court’s equitable powers are suspect when they go beyond granting complete relief to the parties before the court. There are still open legal questions about constitutional and statutory limits on the scope of equitable relief. To the extent that this question asks for me to opine on a subject of pending litigation or a matter that could come before me as a federal judge, it would not be appropriate for me to do so under the judicial canons.

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

Response: Please see my response to Question 9(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 9(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: No, I cannot recall ever doing so.

10. 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.

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

Response: Section 1 of the Twenty-Second Amendment to the Constitution states, in relevant part, that “[n]o person shall be elected to the office of the President more than twice.”

12. 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...”¹

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

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 U.S. 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).

13. 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”² and later reposted the images of the three judges who decided the case and wrote, “we are living under a judicial tyranny.”³

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 U.S. Judges, Canons 3(A)(6) & 5.

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

¹ Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 26, 2025, 7:22 AM), <https://truthsocial.com/@realDonaldTrump/posts/114573871728757682>.

² Stephen Miller (@StephenM), X, (May 28, 2025, 7:48 PM), <https://x.com/StephenM/status/1927874604531409314>.

³ Stephen Miller (@StephenM), X, (May 29, 2025, 8:25 AM), <https://x.com/StephenM/status/1928065122657845516>.

Response: Please see my response to Question 13(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 13(a).

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

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

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

Response: If I am fortunate enough to be confirmed as a district court judge, I will not be in a position to overturn or consider overturning circuit court precedent. The Fifth Circuit may choose to revisit or overturn its own precedent by convening *en banc*.

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

Response: If I am fortunate enough to be confirmed as a district court judge, I will not be in a position to overturn or consider overturning Supreme Court precedent. The Supreme Court discussed the circumstances in which it will overturn one of its own precedents. *See Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022).

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

- a. Brown v. Board of Education*
- b. Plyler v. Doe*
- c. Loving v. Virginia*
- d. Griswold v. Connecticut*
- e. Trump v. United States*
- f. Dobbs v. Jackson Women's Health Organization*
- g. New York State Rifle & Pistol Association, Inc. v. Bruen*
- h. Obergefell v. Hodges*
- i. Bostock v. Clayton County*
- j. Masterpiece Cakeshop v. Colorado*
- k. 303 Creative LLC v. Elenis*
- l. United States v. Rahimi*
- m. Loper Bright Enterprises v. Raimondo*

Response: All Supreme Court precedent is binding on lower courts, and I would fairly and faithfully apply all Supreme Court precedent. Consistent with the approach followed

by many judicial nominees before me, in general, I cannot appropriately comment on whether a given Supreme Court precedent is correctly decided. There are limited exceptions to that general proposition, and *Brown v. Board of Education* and *Loving v. Virginia* are two such exceptions. *Brown v. Board of Education* was correctly decided. While it is almost always improper for judicial nominees to opine on whether a Supreme Court precedent is correctly decided, numerous nominees have made an exception and offered their views that *Brown* and *Loving v. Virginia* were correctly decided. In line with that practice, I believe it appropriate for me to offer my view that *Brown* and *Loving* were correctly decided.

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

Response: The Supreme Court has recognized that the original public meaning of a constitutional provision is an important inquiry when evaluating the scope of that provision. See, e.g., *New York State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1 (2022). I would follow Supreme Court and Fifth Circuit precedent as to the scope and application of such an analysis.

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

Response: Please see my response to Question 18.

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

Response: The Supreme Court has addressed this issue. In *Obergefell*, the Supreme Court stated that it “holds same-sex couples may exercise the fundamental right to marry in all States” and “hold[s] . . . that there is no lawful basis for a State to refuse to recognize a lawful same-sex marriage performed in another State on the ground of its same-sex character.” 576 U.S. 644, 681 (2015). *Obergefell v. Hodges* is a binding precedent of the Supreme Court, and if I am confirmed as a district court judge, I will follow all Supreme Court precedent.

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

Response: The Supreme Court addressed this issue in *Loving v. Virginia*, where the Supreme Court recognized that the Constitution prohibits state law from barring interracial couples from marrying.

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

Response: The Fourteenth Amendment 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.” The application of those portions of the Fourteenth Amendment have been perhaps the most discussed constitutional issues of the past century and thus cannot be readily synthesized in the context of this question. If confirmed as a district court judge, I would be bound to apply all Supreme Court and Fifth Circuit caselaw regarding such matters, and would do so.

23. 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 cases involving claims of discrimination based on sex and sexual orientation. *See, e.g., United States v. Virginia*, 518 U.S. 515 (1996); *Lawrence v. Texas*, 539 U.S. 558 (2003). As a district court judge, I would be bound to apply all Supreme Court and Fifth Circuit caselaw regarding such a question, and would do so.

24. 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 18.

25. 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 18. To the extent this question calls for a response that could be seen as opining on political matters or potential future cases, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

26. 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.” If I am confirmed as a district court judge, I would faithfully apply the relevant and governing First Amendment precedent of the Supreme Court and the Fifth Circuit.

27. 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: Several recent Supreme Court cases have addressed speech and whether it is “content-based” or “content-neutral,” including *TikTok Inc. v. Garland*, 604 U.S. 56 (2025), among others. According to the Supreme Court, “[c]ontent-based laws—those that target speech based on its communicative content—are presumptively

unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests.” *Id.* at 70 (quoting *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015)). “Content-neutral laws, in contrast, ‘are subject to an intermediate level of scrutiny because in most cases they pose a less substantial risk of excising certain ideas or viewpoints from the public dialogue.’” *Id.* (quoting *Turner Broadcasting System, Inc. v. FCC*, 512 U.S. 622, 641 (1994)). I will apply the precedent of the Supreme Court and the Fifth Circuit in determining whether a law that regulates speech is “content-based” or “content-neutral.”

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

Response: The Supreme Court has addressed “true threats” in cases such as *Counterman v. Colorado*, 600 U.S. 66 (2023).

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

Response: The Supreme Court has held that “the Due Process Clause applies to all ‘persons’ within the United States.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). I would follow all binding Supreme Court and Fifth Circuit precedent on this topic. To the extent this question asks that I opine on a matter of political controversy or a matter that could come before me should I be confirmed, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

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

Response: The answer to this question may depend on, among other things, treaties and reciprocal agreements. I am aware that 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 or a matter that could come before me should I be confirmed, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

31. 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: I am aware that 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 U.S. Judges, Canons 3(A)(6) & 5.

- 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 31(a).

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

Response: Yes. No one should be excluded from judicial service based on characteristics like sex, race, religion, ethnicity or any other protected characteristic. Selecting the most highly qualified individuals from a wide range of backgrounds enhances public confidence in the judiciary, promotes respect for the rule of law, and ensures that the courts benefit from varied perspectives and experiences. In addition, lawyers of many different backgrounds, including those pursuing law as a second career, or who attended law schools not considered “elite,” can add a valuable perspective to the federal bench.

- 33. 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: It is the role of a federal judge to faithfully, fairly, and impartially apply all laws, including the *First Step Act*, as written to the facts of the case and controversy before them. In discharging this duty, the judge must apply the law without considering their own personal or policy views.

- 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: If I am fortunate enough to be confirmed as a district judge, every sentence I would impose would be the product of an individualized assessment,

based on the unique facts and circumstances of each defendant, and would be determined in accordance with the sentencing factors set forth in 18 U.S.C. § 3553(a).

34. 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. What is your understanding of “traditional values”?

Response: I am not a member of this organization nor am I familiar with the quoted material, and cannot offer an opinion on what that term means in this context.

b. 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.⁴

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 that could be seen as opining on political matters, the statements made by individuals in a political branch, or pending litigation, and thus I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct Judges, Canons 3(A)(6) & 5.

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

Response: This question calls for a response that could be seen as opining on political matters, the statements made by individuals in a political branch, or pending litigation, and thus I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct Judges, Canons 3(A)(6) & 5.

c. 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: I am not aware of whether any given person is “associated with” the Federalist Society, an organization that I believe has thousands of members. I know several people in the Houston legal community who are members of the

⁴ Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 29, 2025, 8:10 PM), <https://truthsocial.com/@realDonaldTrump/posts/114593880455063168>.

organization, and I have spoken with some of them about my selection process. I do not believe I have ever met or spoken to either Mr. Leo or Mr. Calabresi.

- d. 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.

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

Response: No.

35. 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.”

- 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: Yes. I recently learned the former United States Attorney for the Southern District of Texas was associated with the Teneo Network. During his time as U.S. Attorney I only interacted with him on a professional basis, and I never spoke or corresponded with him about the Teneo Network.

- 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.

36. 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.

- 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.

37. 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.

- 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.

38. 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.

- 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.

39. 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.

- 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.

40. 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.

- 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.

- 41.** 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.

- 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: If confirmed, I would be guided by the Code of Conduct for United States judges, which states, “a judge should not personally participate in fundraising activities, solicit funds for any organization, or use or permit the use of the prestige of judicial office for that purpose. A judge should not personally participate in membership solicitation if the solicitation might reasonably be perceived as coercive or is essentially a fund-raising mechanism.” To the extent that this question calls for a response that could be seen as opining on political matters or potential future cases, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

- 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: Please see my response to Question 41(d). If confirmed, I will address all actual or potential conflicts by reference to 28 U.S.C. § 455, the Code of Conduct for United States Judges, and any other applicable laws and rules.

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 41(d).

**Nomination of Arthur Jones to the
United States District Court for the Southern District of Texas
Questions for the Record
Submitted May 6, 2026**

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: I believe the Senate Judiciary Committee plays an important role in the advice and consent process for the confirmation of judicial nominees.

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, to the extent allowed by law and ethical rules, such as 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 to each question after reviewing the responses of several prior nominees. I received feedback from the staff from the Office of Legal Policy, and after reviewing that feedback, I finalized my answers and authorized them to be submitted to the Committee. 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 very similar or even 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. My answers that I have submitted are 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: Please see my answer to Question 3(c).

- 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: While I do not have any specific judge or justice that I would consider a role model in this area, I generally admire judges and justices who apply the law as it is written fairly and impartially in all situations and for all parties, and who treat all parties who appear before them fairly, equally and with respect. During my 30-plus years as a practicing lawyer, I have had the privilege of seeing many jurists conduct their courtroom in such a manner, including several I have practiced before in the Southern District of Texas. All of these judges I admire have also held themselves to the highest ethical standards, which I would also do if confirmed.

- 6. How would you describe your judicial philosophy?

Response: I believe that judges must generally apply the law as written to the facts of each case before them, evaluating each case on its merits and making decisions that are consistent with the statutes and precedent. I also believe in treating every party before the court equally, with respect, and allowing each party to present their case within the bounds of the law and ethics.

- 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 confirmed, I would follow Supreme Court and Fifth Circuit precedent on this topic, and the Supreme Court touchstone for determining whether such a right is fundamental is whether the right is “deeply rooted in this Nation’s history and tradition” and “implicit in the concept of ordered liberty.” See *Washington v. Glucksberg*, 521 U.S. 702 (1997); *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. 215 (2022).

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

Response: Yes, I would consider this fact and whether there were any controlling Supreme Court or Fifth Circuit 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: Please see my response to Question 7.

- 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 look to decisions of other circuits for any potential persuasive value they could provide if there were no controlling Supreme Court or Fifth Circuit precedent.

- 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 outlined in Supreme Court and Fifth Circuit precedent stated should be considered.

- 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: I would first look to binding Supreme Court and Fifth Circuit precedent and faithfully follow it. Any statement regarding further analysis 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 U.S. Judges, Canons 3(A)(6) & 5.

9. Do you believe that part of the role of a federal judge is to apply the text of the U.S. Constitution, including its amendments?

Response: Yes.

10. At your Senate Judiciary Committee nomination hearing, I asked you and your fellow nominees to apply the plain text of the 22nd Amendment to the question of whether President Trump can run for President again in 2028. Here is the text of the relevant section of the 22nd Amendment: “No person shall be elected to the office of the President more than twice.”

- a. Was President Trump elected to the office of the President twice?

Response: Yes.

- b. If President Trump were elected again in 2028, how many times in total would he have been elected to the office of the President?

Response: Three.

- c. Is President Trump eligible to be elected President for a third term in 2028?

Response: No.

11. 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: Congress is charged with certification of presidential election results under the Twelfth Amendment, to include who they certify as the winner by virtue of that person having received a majority of electoral votes.

12. At your hearing, Senator Blumenthal asked you who won the 2020 election. You echoed fellow nominee Michael Hendershot’s response that “President Biden was certified the winner of the 2020 election.”

- a. In advance of the hearing, did you prepare a potential answer or set of answers to question(s) you might receive related to who won the 2020 election? If so, what information or sources did you use to develop your answer(s)?

Response: I based my answer on my understanding of the precise way the Constitution and laws determine how presidential elections are decided.

- b. Prior to the hearing, did anyone instruct, suggest, imply, or otherwise represent that you should avoid directly answering questions about who won the 2020 election? If so, please explain. If not, please explain how you, without any

outside input, made the decision to reply with who was *certified* the winner when asked about who *won* the 2020 election.

Response: I based my answer on my understanding of the precise way the Constitution and laws determine how Presidential elections are decided. I also watched several previous hearings of judicial nominees.

- c. Do you believe that you would face any adverse professional consequences if you directly stated, during your hearing or otherwise on the record, that President Trump lost the 2020 election, or that President Biden won the 2020 election? Please explain.

Response: I do not, but please also see my answer to Question 12(a).

13. As I discussed at your hearing, the *New York Times* reported that on March 25, 2026, President Trump stated the following at a National Republican Congressional Committee event: “The time has also come for Republicans to pass a tough new crime bill that imposes harsh penalties for dangerous repeat offenders, cracks down on rogue judges. We got rogue judges that are criminals. They are criminals, what they do to our country. The decisions that they hand down and hurt our country.”

- a. Is it a crime for a judge to rule against President Trump’s desired outcome in a particular case?

Response: No.

- b. Do you think that judges ruling against President Trump’s desired outcome should be “crack[ed] down on”?

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 U.S. Judges, Canons 3(A)(6) & 5.

- c. Is it possible for a judge’s decision to be correct, as a matter of fact and law, even if it differs from President Trump’s desired outcome?

Response: Yes.

- d. Do you agree with President Trump that we need a “tough new crime bill” that “cracks down on rogue judges”?

Response: Please see my response to Question 13(b).

- e. Do you think that rhetoric like the example quoted above could discourage a judge from ruling against President Trump’s desired outcome?

Response: Please see my response to Question 13(b).

- f. If you were confirmed and you ruled against President Trump's desired outcome in a case, would you consider yourself a "rogue judge[]" and a "criminal[]"?

Response: Please see my response to Question 13(b).

- g. Do you think statements like those made by President Trump quoted above make federal judges more or less safe?

Response: Please see my response to Question 13(b).

- 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 confirmed, I will carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices, governing such circumstances, and recuse myself from matters if I were to conclude a reasonable person could question my impartiality.

- 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, I would base any decision on this matter solely on the facts of the case and the law.

- 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, such an incentive could be a possibility, but I cannot comment further as a judicial nominee on matters that could come before me. *See* Code of Conduct of U.S. Judges, Canon 3.

- 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: I would base any decision solely on the facts of the case and the law, and cannot comment further as a judicial nominee on matters that could come before me. *See* Code of Conduct of U.S. Judges, Canon 3.

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 current 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 U.S. 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, *see Saenz v. Roe*, 526 U.S. 489 (1999).

- 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: I would consider the arguments made by the parties, review the facts of the case, and apply and follow all binding Supreme Court precedent such as *Saenz v. Roe*, and *United States v. Guest*, 383 U.S. 745 (1966), and Fifth Circuit precedent.

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

Response: While the words “right to privacy” do not appear in the Constitution, the Supreme Court has long recognized that certain zones of privacy are protected as fundamental liberties under the Constitution. *See 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 in *Griswold v. Connecticut*, 381 U.S. 479 (1965) held the use of contraceptives is protected under the constitutional right to privacy. 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: The public’s original understanding of the meaning of the words of a constitutional provision provides guidance to courts on the meaning of those provisions.

- 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 Fifth 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 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 Fifth 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: Under the Code of Conduct for United States Judges, it would be inappropriate for me as a judicial nominee to respond to this question to the extent it involves an issue

that could come before me if I am confirmed. And to the extent the question asks about my views on questions of policy or political disputes, it would also be inappropriate under the Code of Conduct for United States Judges for me to weigh in. But the Supreme Court has stated that “[t]he power to punish for contempts is inherent in all courts; its existence is essential to the preservation of order in judicial proceedings, and to the enforcement of the judgments, orders, and writs of the courts, and, consequently to the due administration of justice.” *Bessette v. W. B. Conkey Co.*, 194 U.S. 324, 327 (1904). If confirmed, I will faithfully apply this precedent and all binding precedent.

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: I would consider all evidence before me, local rules adopted by the Southern District of Texas, the Federal Rules of Civil Procedure, Fifth Circuit precedent, and Supreme Court precedent.

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

Response: Please see my response to Question 22.

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

Response: A judge is constrained by the facts of the case and the law as applied to those facts. In most cases, the consequences of a ruling that is required by law should have no impact on the judge’s decision.

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 experience would hopefully have prepared him for the role of a judge, including experience as a lawyer and manager, where he has practiced patience, respect and courtesy. A judge should endeavor to ensure that his decision-making process is fair and impartial and adheres to precedent and the law.

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

Response: A judge should consider cases before him in light of binding precedent and should fulfill his duties by being fair and impartial to all parties.

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

Response: I am most proud of the work I did in the case of *U.S.A. v. Delgado* that is listed in my Senate Judiciary Questionnaire.

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: Should I be confirmed, my expectation would be that all parties before me would be capable of conducting any portion of the litigation.

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

Response: If confirmed, I intend to participate in bar functions or CLEs or other training courses designed to improve such skills, to include trial advocacy courses and similar programs.

28. Discuss your proposed hiring process for law clerks.

Response: If confirmed, I would select clerks based on merit and try and choose people I thought would be best-suited to serving in that role. While I believe a person's background and experiences can be very valuable in determining whether that person would make a good law clerk, I would not consider race, ethnicity, sex, religion, or any other protected characteristic in making my choices. I believe having clerks with diverse backgrounds and experiences would be very valuable to accomplishing my duties should I be confirmed as a district judge.

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

Response: The Judiciary is a separate, co-equal branch of the government. I understand that legislation has been proposed to extend Title VII to the judicial branch. Under the Canons of the Code of Conduct for United States Judges, as a judicial nominee it would be inappropriate for me to comment on the efficacy of such legislation. However, if confirmed, I commit to ensuring that my chambers are free of harassment, misconduct, or discrimination.

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: I would ensure I ran a disciplined office where everyone treated everyone with respect. I would swiftly address any problems in that area if they arose, and impose remedial measures as appropriate.

- 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 Administrative 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 Southern District of Texas, the Fifth Circuit, the Administrative Office of United States Courts, or other authorities to address the situation swiftly and appropriately.

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) & 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: Article II, Section 2, Clause 1 of the U.S. Constitution empowers the President to issue pardons. Beyond that, this question calls for a response that could be seen as

opining on political matters, ongoing litigation, or potential future cases, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct for 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 indicate that your membership in Gun Owners of America spanned from 2025 to 2026. However, during your hearing, you told Ranking Member Durbin that you would resign your membership in the organization if confirmed.
- a. Are you currently a member of Gun Owners of America? If so, why in your Questionnaire did you list your membership as “2025-2026” rather than, for example, “2025-present”? If not, what did you mean when you told Ranking Member Durbin that you would resign your membership if confirmed?

Response: I am a member, and did not mean to imply by writing 2026 that I was not. In addition, my understanding of Canon 4 of the Code of Conduct for United States Judges is that judges should not generally be members of any organizations who may be regularly engaged in adversarial proceedings in any court. Accordingly, if I am confirmed, I will resign my membership in this organization prior to taking the oath of office.

34. During the hearing, you also told Ranking Member Durbin that you joined Gun Owners of America because you are a “long-time firearms owner” and you “saw them as a general advocacy group.”
- a. Please explain what you believe Gun Owners of America “general[ly] advoca[tes]” for.

Response: My understanding is that the group generally advocates for the rights of lawful firearms owners under the Second Amendment.

- b. Please describe the positions for which Gun Owners of America advocates that drew you to join the organization in 2025.

Response: Please see my response to Question 34(a).

- c. You told Ranking Member Durbin that you are “aware that they often engage, or occasionally engage, in litigation on matters.” What “matters” were you referring to?

Response: It is my understanding that this group is involved in litigation on matters involving the Second Amendment, although I am not familiar with every specific matter. In addition, my understanding of Canon 4 of the Code of Conduct for United States Judges is that judges should not generally be members of any organizations who may be regularly engaged in adversarial proceedings in any court. Accordingly, if I am confirmed, I will resign my membership in this organization prior to taking the oath of office.

- d. Were you aware when you joined Gun Owners of America that they advocate for abolishing the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)?

Response: I was not aware of every position the organization has taken when I joined.

- e. Were you aware when you joined Gun Owners of America of the view of their former executive director, Larry Pratt, that “[i]f the [Supreme] Court were to be consistently constitutional, all federal gun control legislation, starting with Roosevelt’s 1934 National Firearms Act, would be thrown out”?

Response: I do not know Mr. Pratt, nor am I aware of any statements he has made on this issue, to include the quoted language.

- f. Why did you choose to join Gun Owners of America rather than another group that might be considered a “general advocacy group” in the gun rights sphere, such as the National Rifle Association (NRA)?

Response: Please see my response to Question 34(a).

- g. Please explain why, as you said to Ranking Member Durbin, you do not agree “with the characterization of [Gun Owners of America] being radical.”

Response: I believe that term is subjective, and did not believe the organization to be such when I joined.

- h. Given your recent membership in Gun Owners of America, will you recuse yourself:

A) From cases that might come before you involving the Second Amendment or gun control laws?

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 potential recusals, as I would do in every case.

B) From cases in which Gun Owners of America is a party?

Response: Please see my response to Question 34(h)(A).

35. In your Questionnaire, you note that 0% of your practice has involved civil proceedings.

- a. Why do you think you are qualified to serve as a federal judge overseeing a substantial civil docket if you have little to no experience with civil cases?

Response: In my 30-plus years of practice, I have extensive litigation experience that I think will translate very well to handling civil cases. And even though the vast majority of my legal experience has been as a criminal practitioner, I have also handled civil matters early in my career, and overseen many aspects of them in my current position as an Executive United States Attorney. Civil cases use the same rules of evidence as criminal cases, and many of the procedural rules rely on similar concepts of due process and fairness that the Federal Rules of Criminal Procedure do. Many current and former federal judges had experience in different areas of the law and were able to become successful federal judges on areas where they had less experience by taking various steps to get up to speed in those areas where they were less familiar. I believe my skills, experience, work ethic and ability to learn quickly will allow me to get up to speed on civil matters very quickly and be able to successfully oversee a civil docket in a relatively short amount of time.

- b. If you are confirmed, what resources will you use to get up to speed on civil proceedings?

Response: I will continue to familiarize myself with the Federal Rules of Civil Procedure, ensure I am knowledgeable on all major Supreme Court and Fifth Circuit precedent on civil cases and try and observe federal civil trials if possible. I will also consult others in the legal community, to include practitioners and United States District and Magistrate Judges. I will avail myself of training offered by the Administrative Office of U.S. Courts and the Federal Judicial Center. If I am fortunate enough to be confirmed, I will be ready to handle civil proceedings as soon as I take the bench.

Questions for the Record for Arthur Roberts Jones
Submitted by Senator Richard Blumenthal
April 29, 2026

1. If confirmed, will you recuse yourself from any case where a reasonable person, knowing all the relevant facts, might question your impartiality, even if you personally believe you can be fair?

- a. If confirmed, will you recuse yourself from cases involving individuals, organizations, or entities to which you or your family members have made political contributions or provided political support?

Response: If confirmed, I will carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices, governing such circumstances, and recuse myself from matters if I were to conclude a reasonable person could question my impartiality.

- b. If confirmed, will you recuse yourself from cases involving former clients, former law firms, or organizations with which you have had significant professional relationships?

Response: Please see my response to Question 1(a).

- i. You have represented President Trump in multiple cases. Will you recuse yourself from matters involving President Trump?

Response: I have not represented President Trump in any cases.

- ii. Will you recuse yourself from matters involving President Trump's administration?

Response: Please see my response to Question 1(a).

- c. If confirmed, will you recuse yourself from cases involving personal friends, social acquaintances, or individuals with whom you have ongoing personal relationships?

Response: Please see my response to Question 1(a).

2. If confirmed, will you commit to avoiding all *ex parte* communications about pending cases, including informal discussions at social events or professional gatherings?

Response: If confirmed, I will adhere to all ethical rules and obligations that apply to federal judges.

- d. If confirmed, will you avoid discussing pending cases or judicial business with elected officials, political appointees, or political operatives?

Response: Please see my response to Question 2.

- e. If confirmed, will you commit to declining meetings or communications with lobbyists, advocacy groups, or special interests seeking to influence your judicial decisions?

Response: Please see my response to Question 2.

- f. If confirmed, will you refrain from making public statements about legal or political issues that could reasonably be expected to come before your court?

Response: Please see my response to Question 2.

- 3. If confirmed, will you commit to filing complete and accurate financial disclosure reports that include all required information about your financial interests and activities?

Response: Yes. If confirmed, I will adhere to all ethical rules and obligations that apply to federal judges.

- g. If confirmed, will you decline all gifts from parties who might appear before your court or who have interests that could be affected by your judicial decisions?

Response: Please see my response to Question 3.

- h. If confirmed, will you decline privately funded travel, hospitality, or entertainment that could create an appearance of impropriety or special access?

Response: Please see my response to Question 3.

- i. If confirmed, will you ensure that any teaching, speaking, or writing activities comply with judicial ethics requirements and do not create conflicts with your judicial duties?

Response: Please see my response to Question 3.

- 4. The House Republican-authored budget reconciliation bill for Fiscal Year 2026 had included a provision that would have limited federal judges' ability to hold government officials in contempt. While the Senate Parliamentarian ruled that the provision violated the Byrd Rule, and it was, therefore, removed, it would have prohibited federal courts from issuing contempt penalties against officials who disobey preliminary injunctions or Temporary Restraining Orders if the party seeking the order did not provide financial security to cover potential future damages for wrongful enjoining.

The contempt power was first codified in law in the Judiciary Act of 1789. In 1873, the Supreme Court described it as “inherent in all courts” and “essential to the preservation of order in judicial proceedings and to the enforcement of the judgments, orders, and writs of the courts, and consequently to the due administration of justice.” Yet House Republicans are seeking to exempt government officials from this key tool for judicial enforcement.

- a. Do you believe the contempt power is “essential . . . to the due administration of justice[?]”

Response: Under the Code of Conduct for United States Judges, it would be inappropriate for me as a judicial nominee to respond to this question to the extent it involves an issue that could come before me if I am confirmed. And to the extent the question asks about my views on questions of policy or political disputes, it would also be inappropriate under the Code of Conduct for United States Judges for me to weigh in. But as the question notes, the Supreme Court has stated that “[t]he power to punish for contempts is inherent in all courts; its existence is essential to the preservation of order in judicial proceedings, and to the enforcement of the judgments, orders, and writs of the courts, and, consequently to the due administration of justice.” *Bessette v. W. B. Conkey Co.*, 194 U.S. 324, 327 (1904). If confirmed, I will faithfully apply this precedent and all binding precedent.

- b. Do you believe that federal judges should be limited in their ability to hold government officials who defy court orders in contempt?

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 U.S. Judges, Canons 3(A)(6) & 5.

5. If confirmed, you, like all other members of the federal bench, would have the ability to issue orders. On February 9, 2025, Vice President Vance posted on X that “[j]udges aren’t allowed to control the executive’s legitimate power.” This raises an extremely concerning specter of Executive Branch defiance of court orders.

- a. If confirmed, would you have the ability to issue orders?

Response: Yes, assuming I had jurisdiction over the case and parties.

- i. Would you have the ability to enforce those orders?

Response: Yes, if I had jurisdiction over the case and parties, I could enforce such orders.

- ii. What powers would you have to enforce those orders?

Response: Federal courts have the power to order sanctions, including through civil and criminal contempt proceedings, to hold parties accountable who violate court orders. As part of that process, courts may also order litigants or parties to appear and show cause as to whether they have complied with an order or otherwise provide information regarding compliance efforts.

- b. Does there exist a legal basis for federal Executive Branch officials to defy federal court orders? If so, what basis and in which circumstances?

Response: The normal practice for any party who would be bound by a federal court order would be to seek a stay of that order from the district court or ask an appellate court to stay the order. The party could also ask the court to reconsider the order, and if that request failed, the party could then appeal the order when the applicable law provides for an appeal. If none of those avenues provided relief from the order, the party would normally be expected to comply with the order unless and until it is vacated or reversed by an appellate court. The only other basis for such a party to defy such an order would be in a situation where the court lacked jurisdiction over the party or subject matter, or if complying with the order would be impossible.

- c. Does there exist a legal basis for state officials to defy federal court orders? If so, what basis and in which circumstances?

Response: Please see my response to Question 5(b).

- d. What would make a court order unlawful?

Response: Please see my response to Question 5(b).

- i. What is the process a party should follow if it believes a court order to be unlawful?

Response: Please see my response to Question 5(b).

- ii. Is it ever acceptable to not follow this process? When and why?

Response: Please see my response to Question 5(b).

- 6. Were you in Washington, D.C. on January 6, 2021?

Response: No.

- a. Were you inside the U.S. Capitol or on the U.S. Capitol grounds on January 6, 2021?

Response: No.

7. You have been a member of Gun Owners of America (GOA), a self-described “no compromise” gun lobby that believes “gun control of all forms is ineffective and unconstitutional.”

- a. Do you believe that all gun control laws are unconstitutional?

Response: The Supreme Court has previously upheld certain types of regulation of arms under the Second Amendment. If I am fortunate enough to be confirmed, I would faithfully follow all Supreme Court and Fifth Circuit precedent on this issue in any case that would come before me, and decide every case solely on the facts and law. To the extent this question calls for a response that could be seen as opining on political matters or potential future cases, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6), 5.

- i. Do you believe that laws banning the following individuals from owning guns are unconstitutional:

1. Convicted murderers?

Response: Convicted murderers are felons, and U.S. Supreme Court and Fifth Circuit precedent has found that certain laws banning felons from possessing a firearm are consistent with the Second Amendment, and I would faithfully follow such precedent.

2. Convicted rapists?

Response: Please see my response to Question 7(a)(i)(1).

3. Convicted violent domestic abusers?

Response: Please see my response to Question 7(a)(i)(1).

4. Convicted mass shooters?

Response: Please see my response to Question 7(a)(i)(1).

- ii. Do you believe that it should be legal to buy machine guns?

Response: Current federal law allows persons to legally buy machine guns under certain limited circumstances. I would follow Supreme Court and Fifth Circuit precedent on this issue in any case involving such a matter that may come before me. To the extent this question calls for a response that could be seen as opining on political matters or potential future cases,

I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

- iii. If it is your position that all gun laws are unconstitutional, do you believe that a convicted murderer should be legally permitted to purchase a machine gun and bring it to a school?

Response: Please see my response to Questions 7(a) and 7(a)(i)(1-4).

- iv. If confirmed, would you use your position as a federal judge to strike down as unconstitutional any gun laws that come before you?

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

- b. If confirmed, how can future litigants trust that you will remain unbiased on gun control issues?

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

- 8. You have spent nearly 25 years as a member of law enforcement. Many of those pardoned by President Trump for their roles in the January 6, 2021, attack on the Capitol engaged in assaults on law enforcement.

- a. Do you support President Trump’s pardon of Daniel Ball, who threw an explosive device into a tunnel filled with law enforcement officers?

Response: Article II, Section 2, Clause 1 of the U.S. Constitution empowers the President to issue pardons. Beyond that, 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 for United States Judges, Canons 3(A)(6), 5.

- b. Do you support President Trump’s pardon of Jacob Lang, who was filmed hitting law enforcement officers with a baseball bat and riot shield?

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

- c. Do you support President Trump’s pardon of Jeffrey McKellop, who stabbed a law enforcement officer in the face with a flagpole?

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

- d. Do you support President Trump’s pardon of Daniel “D.J.” Rodriguez, who plunged a stun gun into the neck of Metropolitan Police Officer Michael Fanone

and repeatedly shocked him, and then was sentenced to more than 12.5 years in prison?

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

- e. Do you support President Trump's pardon of Julian Khater, who sprayed U.S. Capitol Police Officer Brian Sicknick with pepper spray, pled guilty to assaulting officers with a deadly weapon, and was sentenced to more than 6.5 years in prison?

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

- f. Do you support President Trump's pardon of Ryan Nichols, who sprayed officers with pepper spray, pushed the crowd against officers defending a door to the Capitol, and was sentenced to more than five years in prison?

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

Nomination of Arthur Roberts Jones
United States District Court for the Southern District of Texas
Questions for the Record
Submitted May 6, 2026

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, I believe it would be inappropriate for me to comment on political matters such as this. *See* Code of Conduct for United States Judges, Canons 3(A)(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 understanding that some of those mechanisms include referral to the relevant Inspector General, the

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>.

Department of Justice, or other appropriate oversight entities, depending on the circumstances. It would 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: I believe that judges must generally apply the law as written to the facts of each case before them, evaluating each case on its merits and making decisions that are consistent with the statutes and precedent. I think a judge's starting point should be the plain language of the relevant statute or Constitutional provision at issue. I also believe in treating every party before the court equally, with respect, and allowing each party to present their case within the bounds of the law and ethics.

5. What do you understand originalism to mean?

Response: I understand originalism is a term used to describe a certain type of constitutional interpretation that holds that judges should begin their analysis with the text and the meaning that text would have had to the public at the time it was adopted. This approach to consider the "original public meaning" of the text ensures consistency with how the Constitution is applied, and that what the words meant at the time the Framers would endure and continue to guide the nation.

6. Do you consider yourself an originalist?

Response: I believe this term is subjective and means different things to different people. I believe courts should apply the law and Constitution as written rather than how a judge might prefer it to be. I believe a judge should only follow the meaning of the text and all applicable precedent, and apply that analysis to the facts of the case before the court. If I am confirmed, I would faithfully do so in any case that were to come before me.

7. What do you understand textualism to mean?

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

8. Do you consider yourself a textualist?

Response: I believe this term is subjective and means different things to different people. I believe courts should apply the law as written rather than how a judge might prefer it to be. I believe a judge should begin any statutory analysis by looking to the plain, objective meaning of the text at the time it was adopted.

9. 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 the Southern District of Texas, I would follow all binding Supreme Court and Fifth 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 might consider legislative history for any limited value it could provide, but I would not rely on it to override or alter the plain meaning of the statutory language enacted by Congress.

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

Response: I believe such congressional intent matters, and that the best way to determine that intent is to look to the text of the law Congress passed. Following this text, and its original public meaning at the time it was passed, ensures that courts give effect to the will of the people as expressed through the legislative process. I would follow all binding Supreme Court and Fifth Circuit precedent when analyzing or interpreting federal statutes.

10. 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 and do not feel qualified to offer any comment on it. If confirmed as a district judge, I will treat every person who appears in my courtroom fairly and impartially.

11. 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?

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

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.

Response: I am not familiar with this study and do not feel qualified to offer any comment on it. If confirmed as a district judge, I will treat every person who appears in my courtroom fairly and impartially.

12. 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: While it might be difficult to determine what factors a prosecutor considered before making any decision in a criminal case, it is the obligation of all participants in the criminal justice system, especially judges, to be aware of the possibility of any and all types of bias and to endeavor to minimize them as consistent with their judicial duties.

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

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

14. 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 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. I have disclosed any published writings or public statements I have made in my Senate Judiciary Questionnaire.

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

Response: In the absence of a stay, appeal, or some other legal mechanism delaying or invalidating such an order, all parties to a case must follow court orders. There are some limited exceptions to this general principle, such as when the court lacks jurisdiction over the parties or if it is impossible for the parties to comply with the order.

- 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: If any party defied a court order I issued, I would consult the Federal Rules of Criminal and Civil Procedure, any applicable statutes as well as binding Supreme Court and Fifth Circuit precedent to help me decide what next steps to take. As a judicial nominee, I do not believe the Code of Conduct for United States Judges allows me to provide any more detail in this response, as this type of matter 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 response to Question 15.

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

Response: The Constitution gives the President the authority to veto legislation passed by Congress. Art. I, § 7, cl. 2. Beyond that, this question seeks an opinion on an issue regarding ongoing or potential litigation as well as comment on a political matter. Therefore, I cannot provide an answer consistent with my ethical obligations as a district court judicial nominee. *See* Code of Conduct for United States Judges, Canons 3(A)(6) & 5.

17. 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 as well as comment on a political matter. Therefore, I cannot provide an answer consistent with my ethical obligations as a district court judicial nominee. *See* Code of Conduct for United States Judges, Canons 3(A)(6) & 5.

18. 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 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 U.S. Judges, Canons 3(A)(6) & 5.

19. 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...”

20. 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 Fifth 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. 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).

22. 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, which is consistent with the practice of judicial nominees appearing before this committee

for many years, are *Brown* and *Loving*. I believe that both of those decisions were correctly decided.

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

Response: Yes, *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.

24. 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 in Texas 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.

25. 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.

26. 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: Congress certified President Biden as the winner of the 2020 presidential election and he served as the 46th President of the United States.

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

Response: Please see my response to Question 26.

- 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 26.

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

⁴ U.S. CONST. amend. XXII.

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

Response: Congress certified President Trump as the winner of the 2016 presidential election and he 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 27(a).

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

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

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

Response: Please see my response to Question 27(c).

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

Response: Section 1 of the Twenty-Second Amendment to the Constitution states, in relevant part, that “[n]o person shall be elected to the office of the President more than twice.” The text speaks for itself.

28. 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.

29. 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.

30. 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, not to my knowledge.

31. 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.

32. 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.

33. 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.

34. 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: Yes. Acting Attorney General Blanche made an official visit to the United States Attorney's Office for the Southern District of Texas in Houston on April 17, 2026. As a member of our District's management, I participated in two group discussions with him that day. The first discussion involved him speaking with upper management of the office about the general activities of our office and overall resource issues. The second briefing involved him primarily speaking with leaders of the various federal law enforcement agencies in the District and was a general discussion of the law enforcement activities of the respective law enforcement agencies.

35. 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.

36. 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.

37. 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.

38. 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, for all of the above individuals.

39. 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.

40. 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.

41. 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

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

- 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. I am unaware of anyone having any such conversations on my behalf and did not ask anyone to do so.

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

Response: No.

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

Response: No, not to my knowledge.

42. 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?

Response: Please see my answer to Question 43.

- b. Did anyone suggest that you omit or include any particular case or type of case in your SJQ?

Response: No, please see my answer to Question 43.

43. 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, and please see my responses to Question 41.

44. 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 do not know any officials of this organization, and am not aware of whether any given person is “associated with” the Federalist Society, an organization that I believe has thousands of members. I know several people in the Houston legal community who are members of the organization, and I have spoken with some of them about my selection process in general.

45. 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 judicial 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.

**Questions for the Record from Senator Alex Padilla
Senate Judiciary Committee
"Nominations"**

April 29, 2026

Questions for Arthur Jones (SD-TX):

1. Explain the nature of your relationship with the Gun Owners of America (“GOA”) advocacy organization.

Response: I have no relationship with them other than being a member at the lowest membership level since 2025.

GOA has repeatedly referred to governmental officers who seek to regulate gun ownership as “anti-gun tyrants.”

- a. Do you support this characterization?

Response: I was not aware of every position any and every member of the organization had, and to the extent this question calls for a response related to the characterization of any such positions, doing so 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 U.S. Judges, Canons 3(A)(6) & 5. The Supreme Court has previously upheld certain types of regulation of arms under the Second Amendment. If I am fortunate enough to be confirmed, I would faithfully follow all Supreme Court and Fifth Circuit precedent on this issue in any case that would come before me, and decide every case solely on the facts and law.

- b. Were you aware of this stated position, along with the other inflammatory positions mentioned during your confirmation hearing, when you joined GOA?

Response: Please see my response to Question 1(a).

2. You served in the U.S. Air Force from 1995 to 2023, both in active-duty and in the U.S. Air Force Reserve. During your military service, you were subject to the Uniform Code of Military Justice and the chain of command.
 - a. Military service members are trained to follow lawful orders and to refuse unlawful ones. In your experience, how did you distinguish between an order that was lawful and one that was not?

Response: A member of the military generally has an obligation to obey all lawful orders given to them by anyone with the authority to do so. Beyond that, this question appears to call for a response that could be seen as opining on political matters or potential future cases. As such, I cannot provide such an answer consistent with my

ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

- b. The obligation to refuse an unlawful order is a foundational principle of military law. Do you believe the principle that no order from a superior, however senior, justifies unlawful conduct?

Response: Please see my response to Question 2(a).

- 3. In November 2025, six Democratic members of Congress -- all of whom served in the military or in the intelligence community -- posted a video urging active-duty service members and intelligence officers to refuse unlawful orders.

President Trump responded on Truth Social, writing: "Each one of these traitors to our Country should be ARRESTED AND PUT ON TRIAL," and separately characterized their conduct as "SEDITIONOUS BEHAVIOR, punishable by DEATH."

- a. President Trump characterized the lawmaker's restatement of settled law as sedition punishable by death. As an expert in military law, do you agree with the President's characterization?

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

- 4. On January 7, 2021, a joint session of Congress certified 306 electoral votes for Joseph Biden and 232 electoral votes for Donald Trump. Joe Biden received more votes than Donald Trump across 25 states, DC, and NE-02 in the 2020 election.

- a. Do you have any reason to believe that Congress was wrong to certify each of these states' electoral votes?

Response: Congress is charged with certification of election results under the Twelfth Amendment. Beyond that, this question calls for a response that could be seen as opining on political matters or potential future cases, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

- b. Members of Congress have the right to object to slates of electors under federal law. Do you contend that members of Congress were justified in doing so on January 6th? If so, please explain.

Response: Please see my response to Question 4(a).

- 5. How do you define whether a candidate "wins" a presidential election?

Response: The Constitution mandates that for a presidential candidate to win such an election that candidate must get a majority of the electoral votes in the Electoral College, which is currently 538 electoral votes. To win, a candidate would need to win at least 270 electoral votes. If no one candidate receives such a majority, or two candidates tie with 269 electoral votes each, the matter would go to the House of Representatives, who would then elect the President from among the five candidates who received the most electoral votes.

6. The following are yes or no questions related to the 2020 election:

- a. Did Joe Biden receive over 19,000 more votes than Donald Trump in the state of Wisconsin in the 2020 General Election?

Response: I have no personal knowledge of this matter so I cannot answer it with a simple yes or no. My understanding from public reporting is that this state's Secretary of State certified more votes for Joe Biden, and as such, certified the state's electoral votes on that basis.

- b. Did Joe Biden receive over 80,000 more votes than Donald Trump in the state of Pennsylvania in the 2020 General Election?

Response: Please see my response to Question 6(a).

- c. Did Joe Biden receive over 11,000 more votes than Donald Trump in the state of Georgia in the 2020 General Election?

Response: Please see my response to Question 6(a).

- d. Did Joe Biden receive over 40,000 more votes than Donald Trump in the state of Arizona in the 2020 General Election?

Response: Please see my response to Question 6(a).

- e. Did Joe Biden receive over 20,000 more votes than Donald Trump in the state of Nevada in the 2020 General Election?

Response: Please see my response to Question 6(a).

- f. Did Joe Biden receive over 154,000 more votes than Donald Trump in the state of Michigan in the 2020 General Election?

Response: Please see my response to Question 6(a).

- g. Based on your answers to questions 6(a) through 6(f), did Joe Biden win more votes than Donald Trump in each of those six states?

Response: Based on public reporting, my understanding is that officials in each of those states certified presidential electors for Joe Biden. As stated in my response to Question 6(a), I have no personal factual knowledge that would be responsive to the question.

- h. Do you have any reason to believe that the outcome in any of those states was impacted by irregularities or fraud

Response: This question asks for me to opine on how the elections were administered in each of these states. This questions calls for a response that could be seen as opining on political matters, and I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canon 5.

- 7. More than 60 federal and state courts, including courts presided over by judges appointed by Republican presidents, dismissed legal challenges to the 2020 presidential election results for lack of evidence, lack of standing, or lack of merit.
 - a. Do you have any reason to believe that any of those courts reached the wrong conclusion?

Response: This question calls for a response that could be seen as opining on political matters or assessing the decisions of other courts. Accordingly, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

- b. Do you believe those judges -- many of whom were appointed by Republican presidents, including President Trump -- acted improperly or in bad faith in dismissing those challenges?

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

- 8. Do you believe in a constitutional right to privacy as recognized in *Griswold v. Connecticut*, and do you believe *Griswold* was correctly decided?

Response: *Griswold* is binding precedent, and I would faithfully follow and apply it if I were to be confirmed.

- 9. At a recent speaking event at Catholic University, Justice Kavanaugh stated that he considers himself “in many ways, a Bork, Scalia, Rehnquist guy” when discussing his judicial role models. What judges or justices would you consider foundational to your judicial philosophy, and why?

Response: While I do not have any specific judge or justice that I would consider a role model, I generally admire judges and justices who apply the law as it is written fairly and impartially in all situations and for all parties, and who treat all parties who appear before

them fairly, equally and with respect. During my 30-plus years as a practicing lawyer, I have had the privilege of seeing many jurists conduct their courtroom in such a manner, including several I have practiced before in the Southern District of Texas.

10. If confirmed, cases involving reproductive rights -- including access to abortion, contraception, and assisted reproductive technology -- may come before you. Do you believe that individuals have any constitutionally protected right to make reproductive healthcare decisions? Please explain.

Response: If confirmed, I will follow all binding Supreme Court and Fifth Circuit precedent on this topic. Beyond agreeing to follow such precedent, 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 U.S. Judges, Canons 3(A)(6) & 5.

11. Judicial clerkships serve several important professional roles. They are a meaningful opportunity for recent law graduates to learn from an experienced mentor, and they serve as an important -- and often necessary -- step toward the highest levels of our legal profession. Too often, students from diverse backgrounds are overlooked for these opportunities despite equivalent qualifications.

- a. Do you believe that diversity at all levels of the federal judiciary is important? Please explain your view.

Response: Yes, I believe no one should ever be denied the opportunity to serve in the judiciary based on race, ethnicity, sex, religion, or any other protected characteristic.

- b. If confirmed, how will you personally ensure diversity among your law clerk classes?

Response: If confirmed, I would select clerks based on merit and try and choose people I thought would be best-suited to serving in that role. While I believe a person's background and experiences can be very valuable in determining whether that person would make a good law clerk, I would not consider race, ethnicity, sex, religion, or any other protected characteristic in making my choices. I believe having clerks with diverse backgrounds and experiences would be very valuable to accomplishing my duties should I be confirmed as a district judge.

12. I wanted to give you an opportunity to discuss your views on the 22nd Amendment, as none of the judicial nominees were able to articulate their views on the 22nd Amendment during your nomination hearing.

- a. What does the 22nd Amendment state?

Response: Section 1 of the Twenty-Second Amendment to the Constitution states, in

relevant part, that “[n]o person shall be elected to the office of the President more than twice.”

- b. Under the text of that amendment, is there any basis on which an individual who has already been elected President twice could lawfully be elected to a third term?

Response: No.

- c. Donald Trump was elected President in 2016 and again in 2024. How many times has Donald Trump been elected President?

Response: Twice.

- d. Are you aware of any provision of the Constitution, federal statute, or judicial precedent that would permit Donald Trump to be elected to a third term?

Response: No.

- e. If a case came before you challenging the eligibility of any individual to appear on a presidential ballot in violation of the 22nd Amendment and you concluded a candidate was ineligible to run for under that amendment, would you have any hesitation in ruling against them regardless of that individual’s political standing or the political consequences of your decision?

Response: If confirmed, I would faithfully apply the 22nd Amendment, no matter the party’s political standing or the political consequences of such a decision.

- 13. If confirmed, cases involving discrimination claims brought by LGBTQ+ individuals under Title VII or other federal civil rights statutes may come before you. Will you commit to treating these individuals with dignity by ensuring that your courtroom is a forum where LGBTQ+ litigants, witnesses, and counsel are addressed respectfully -- including by use of their correct name and gender identity -- and where their claims receive the same full and fair consideration afforded to all parties?

Response: If confirmed, I will treat all individuals who appear in my courtroom equally, fairly and respectfully, and will give full and fair consideration to the issues raised by all parties.

- 14. Article III judges serve during good behavior and are insulated from political pressure precisely so they can rule impartially, including against the interests of the branch that appointed them.

- a. If the administration that nominated you directed a federal agency to take an action that you concluded was unlawful, would you have any hesitation in ruling against that administration?

Response: If confirmed, I will decide every case solely on its merits, after applying the law to the facts and following all Supreme Court and Fifth Circuit precedent. To the extent this question calls for a response that could be seen as opining on political matters or potential future cases, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6) & 5.

- b. If confirmed, will you commit to deciding every case before you solely on the basis of the law and facts, without regard to the preferences of the executive branch, the political party of the president who appointed you, or the anticipated reaction of any political actor to your ruling?

Response: Please see my response to Question 14(a).

15. Do you believe that individuals in immigration removal proceedings, including those who entered the United States without authorization, are entitled to the due process protections guaranteed under the US Constitution? Please explain.

Response: 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 Fifth 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).

16. If confirmed, will you commit to ensuring that every person who appears before you is treated with dignity and afforded the full protection of the Constitution and federal law regardless of their immigration status, national origin, or language?

Response: Yes.

17. Do you believe the executive branch is bound to comply with court orders? What recourse do you believe is available to a federal judge whose orders are not followed?

Response: Generally, yes. If litigants disagree with an order, they may ask the Court for reconsideration of the matter, request a stay of the order or pursue an appeal of the order. In almost 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, there are some potential exceptions to this general rule, including lack of jurisdiction or impossibility. 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 Such sanctions allow a party to obtain postjudgment review without having to reveal its privileged information.”).