Senator Dick Durbin
Ranking Member, Senate Judiciary Committee
Written Questions for Peter M. Mansfield
Nominee to be U.S. District Judge for the Eastern District of Louisiana
October 7, 2026

1. You have served as a federal prosecutor for many years, during both Democratic and Republican Administrations. The role of the prosecutor is one that demands great care in bringing cases supported by facts and the law—without regard to partisan politics. As a result, prosecutors are usually afforded the "presumption of regularity," meaning that judges presume that the Executive Branch's representations about its reasons for taking a particular action are trustworthy. You currently serve as your Office's Civil Division Chief, and you previously served as the First Assistant U.S. Attorney.

Is it harmful to line prosecutors' efforts to hold criminals accountable when the Justice Department loses the presumption of regularity?

Response: Erosion of that presumption has the potential to adversely affect a criminal case. But, the presumption of regularity notwithstanding, prosecutors must always be ready to prove their cases beyond a reasonable doubt to secure a conviction and hold criminals accountable. To the extent this question contemplates specific pending cases or public controversies, it would be inappropriate to offer any further substantive response to this question under Canons 3(A)(6) and 5(C) of the Code of Conduct for United States Judges.

2. I consider your work on two matters during your time in the U.S. Attorney's Office to be commendable. The first involved voting rights, when you defended a consent decree that helped create a majority-Black voting district for Louisiana Supreme Court elections. The second involved your support for local officials' efforts to remove Confederate monuments in New Orleans. Those monuments were eventually taken down. You have also participated in naturalization ceremonies and gun violence prevention programs while working for the U.S. Attorney's Office.

How has your work on these matters, along with your other activities as an Assistant U.S. Attorney, prepared you to serve as a district court judge?

Response: As I explained in response to Chairman Grassley's similar question to me at the September 30, 2026, hearing, my 21 years working as a generalist litigator for the Department of Justice has afforded me the opportunity to litigate and supervise a wide variety of cases and issues, both civil and criminal, for the United States in the Eastern District of Louisiana. I've been required to research, apply, and explain federal law—and supervise others who also do so—on a daily basis. Our caseload ranges from multi-year investigations potentially implicating millions in damages, to same-day temporary restraining orders requiring immediate action. While I would defer to the pleadings filed in the two cited cases regarding our precise legal positions and postures, those two matters are an apt

illustration of the breadth of disputes we are called upon to litigate in federal courts.

In much the same way, a federal district court judge must manage a diverse docket of civil and criminal cases arising under a variety of federal laws and, in diversity jurisdiction, state laws. An effective judge, therefore, must pivot quickly from one case to another, identify the material issues in dispute, analyze the relevant law, and issue timely, clear, and consistent decisions. My two decades as a generalist litigator and supervisor have prepared me to undertake these essential tasks, and do so immediately after taking the oath of office if I am fortunate enough to be confirmed.

Beyond courtroom work, I have always believed that lawyers and judges should be active and visible in their communities. Serving as the Attorney General's delegee at naturalization ceremonies has been a great privilege and honor. If fortunate enough to be confirmed, I would look forward to presiding over these ceremonies as a federal district court judge, signing naturalization orders, personally greeting our newest citizens and their families, and remaining engaged with school-aged youth in our community, especially those in the most at-risk areas of our local community in southeast Louisiana.

3. Did President Trump lose the 2020 election?

Response: Under the 12th Amendment, President Biden was certified the winner of the 2020 election by Congress, having received the most Electoral College votes.

4. Where were you on January 6, 2021?

Response: Metairie and New Orleans, Louisiana.

5. Do you denounce the January 6 insurrection?

Response: Without reservation or qualification, I categorically denounce any acts of violence, trespass, vandalism, and other unlawfulness that occurred on January 6, 2021, in Washington, D.C. The term "insurrection" carries a certain legal significance under federal law, and whether the events of that day, considered collectively or individually, meet that legal definition has been a matter of ongoing, active political debate and litigation. For that reason, it would be inappropriate for me to offer further substantive comment beyond the first sentence of this answer under Canons 3(A)(6) and 5(C) of the Code of Conduct for United States Judges.

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

Response: The Constitution of the United States grants plenary pardon power to the President, unchecked by any action or review from the other coordinate branches. *See*

U.S. Const. art. II, § 2, cl. 1. Therefore, it would be inappropriate for me as a judicial nominee under Canon 5(C) of the Code of Conduct for United States Judges to comment upon or grade the President's discretionary exercise of his constitutional authority.

7. The Justice Department is currently defending the Trump Administration in a number of lawsuits challenging executive actions taken by the Administration. Federal judges—both Republican and Democratic appointees—have enjoined some of these actions, holding that they are illegal or unconstitutional. Alarmingly, 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: Parties should move the court to reconsider the order, seek a stay of the order, or file an appeal seeking a vacatur or reversal 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: The Supreme Court has recognized a few limited exceptions to the general rule requiring compliance with court orders, including: orders issued in the absence of any valid jurisdiction (*i.e.*, power) to do so, *In re Sawyer*, 124 U.S. 200, 220 (1888); impossibility of compliance, *United States v. Rylander*, 460 U.S. 752, 757 (1983); and noncompliance to confect appellate jurisdiction over interlocutory discovery orders, *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 101 (2009).

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

Response: It is the province of the judiciary to say what the law is.

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

a. Are non-party injunctions constitutional?

Response: In *Trump v. CASA, Inc.*, the Supreme Court held that universal injunctions exceed a federal court's authority to issue equitable relief under the Judiciary Act of 1789. 606 U.S. 831 (2025). The Supreme Court didn't expressly rule on the constitutionality of universal injunctions, so that remains a potentially open issue for further litigation. For that reason, it would be inappropriate for me as a judicial nominee to offer any substantive opinion on that issue under Canon 3(A)(6) of the Code of Conduct for United States Judges.

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

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

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

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

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

Response: I do not specifically recall ever seeking that form of equitable relief, but would defer to the official court records of the nearly 1,000 discrete matters I have litigated in state and federal courts.

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

Response: No.

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

Response: The 22nd Amendment provides, in part, that "[n]o person shall be elected to the office of the President more than twice."

11. On May 26, 2025, in a Truth Social post, President Trump referred to some judges whose decisions he disagrees with, as "USA HATING JUDGES" and "MONSTERS", who "…SUFFER FROM AN IDEOLOGY THAT IS SICK, AND VERY DANGEROUS FOR OUR COUNTRY…"[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: As a judicial nominee, it would be inappropriate under Canon 5(C) of the Code of Conduct for United States Judges for me to offer commentary on or criticism of political speech from the head of a coordinate branch of government.

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

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

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

12. In addition to the President's own attacks on judges, his adviser Stephen Miller took to social media to call a federal trade court's ruling against President Trump's tariffs a "judicial coup"[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: As a judicial nominee, it would be inappropriate under Canon 5(C) of the Code of Conduct for United States Judges for me to offer commentary on or criticism of political speech from an adviser to the head of a coordinate branch of government. Further, under Canon 3(A)(6) of the Code of Conduct for United States Judges, it would be inappropriate for me to offer public comment on the merits of a matter pending or impending in any court.

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

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

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

Response: If I am fortunate enough to be confirmed, I understand that political disagreement or criticism of my decisions from members of the coordinate political branches is an unavoidable byproduct of my firm commitment to judicial independence. My picture is already available online, so its inclusion or omission in connection with any such hypothetical criticism on social media does not strike me as an outcome-determinative factor to my potential reaction.

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

Response: Lower courts are bound to faithfully apply all Supreme Court precedent under principles of vertical stare decisis.

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

Response: As a nominee to a district court inferior to the Fifth Circuit Court of Appeals and bound by that court's precedents under principles of vertical stare decisis, it would be inappropriate for me to opine on the circumstances when a circuit court may overturn its own precedent. In general, the Fifth Circuit adheres to a rule of orderliness whereby the

[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.

earliest published decision of the court controls, and may be overruled only by the court sitting en banc, or by intervening Supreme Court precedent.

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

Response: In *Dobbs v. Jackson Women's Health Org.*, the Supreme Court outlined several factors to consider, including: the nature of the error, the quality of the reasoning, the workability of the rules imposed on the country, their disruptive effect on other areas of the law, and the absence of concrete reliance. 597 U.S. 215, 266 (2022)

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

a. ***Brown v. Board of Education***
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: For at least the past 30 years, nominees to all levels of federal courts have declined to grade the rectitude of decisions from the United States Supreme Court. Nominees to the Supreme Court reasoned that it would be inappropriate to offer any hints, forecasts, or previews on how they might rule, and lower-court nominees correctly concluded that they would be bound by vertical stare decisis to faithfully apply all Supreme Court precedents regardless of whether they would have decided the issue similarly as a matter of first impression if seated on the Supreme Court. I agree that this settled practice accurately reflects the obligations of a nominee to the federal bench under the Canons of the Code of Conduct for United States Judges. Consistent with past practice before this committee, prior nominees have noted their agreement with the holdings of a few landmark Supreme Court cases, including *Brown v. Board of Education* (16(a)) and *Loving v. Virginia* (16(c)), and I am comfortable answering that those two cases were correctly decided.

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

Response: In the absence of binding precedent from the United States Supreme Court or Fifth Circuit Court of Appeals on the constitutional provision under consideration, I agree that judges should interpret the provision in accord with the original public meaning of the text.

18. How do you decide when the Constitution's "original meaning" should be controlling?

Response: Please see my response to Question 17.

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

Response: As a nominee to an inferior federal court, I would faithfully apply the holdings of binding Supreme Court precedents on same-sex marriage, including *Obergefell v. Hodges*, 576 U.S. 644 (2015), and *United States v. Windsor*, 570 U.S. 744 (2013), regardless of whether the reasoning used in the Court's opinions sought to ascertain or apply the original public meaning of the 14th Amendment to the United States Constitution.

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

Response: As a nominee to an inferior federal court, I would faithfully apply binding Supreme Court precedent, including *Loving v. Virginia*, 388 U.S. 1 (1967), whose holding was correct and can be justified under an originalist approach to constitutional interpretation. *See, e.g.*, Steven G. Calabresi & Andrea Matthews, *Originalism and* Loving v. Virginia, 2012 B.Y.U. L. Rev. 1393 (2012).

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

Response: The equal-protection clause prohibits class-based discriminatory treatment based upon protected characteristics. The due-process clause includes both substantive and procedural components. Substantive due-process rights are enumerated in the Constitution, deeply rooted in the nation's history and tradition, or implicit in the concept of ordered liberty. Procedural rights are typically understood to require notice and an opportunity to be heard before a deprivation of life, liberty, or property.

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

Response: The United States Supreme Court has held that gender-based classifications are subject to intermediate scrutiny, *Craig v. Boren*, 429 U.S. 190 (1976), and classifications based on sexual orientation receive a heightened rational-basis review. *Romer v. Evans*, 517 U.S. 620 (1996). The Supreme Court has applied these constitutional provisions to same-sex conduct and relationships in *Lawrence v. Texas*, 539 U.S. 558 (2003), and *Obergefell v. Hodges*, 576 U.S. 644 (2015). If fortunate enough to be confirmed, I would faithfully apply these four precedents and other binding decisions from the Supreme Court and Fifth Circuit Court of Appeals on these issues.

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

Response: Please see my response to Question 17.

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

Response: Please see my response to Question 17.

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

Response: First Amendment rights belong to "the people" as the United States Supreme Court and Fifth Circuit Court of Appeals have defined that classification.

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

Response: The United States Supreme Court has held that "[g]overnment regulation of speech is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed." *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015) (internal citations omitted). This standard "requires a court to consider whether a regulation of speech 'on its face' draws distinctions based on the message a speaker conveys." *Id*. In contrast, laws "agnostic as to content" or lacking "a content-based purpose or justification" are content neutral. *City of Austin v. Reagan Nat'l Advert. of Austin, LLC*, 596 U.S. 61, 69 (2022). If I am fortunate enough to be confirmed, I would apply these standards as they have been further explained by the United States Supreme Court and Fifth Circuit Court of Appeals.

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

Response: "True threats are serious expressions conveying that a speaker means to commit an act of unlawful violence." *Counterman v. Colorado*, 600 U.S. 66, 74 (2023). The speaker must be "aware that others could regard his statements as threatening violence," but "delivers them anyway." *Id*. at 79.

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

Response: Yes, 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). The extent of the substantive and procedural protections due in the immigration and removal context, however, are matters presently disputed in active litigation. For that reason, it would be inappropriate to offer any further substantive response to this question under Canon 3(A)(6) of the Code of Conduct for United States Judges.

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

Response: U.S. Citizens are entitled to due process if their liberty is restrained.

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

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

Response: The Supreme Court has held that "children born of parents unlawfully or temporarily present in the United States . . . are thus subject to the jurisdiction of the United States," "satisfy both elements of the Citizenship Clause," and "are citizens at birth." *Trump v. Barbara*, 146 S. Ct. 2438, 2450 (2026).

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

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

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

Response: The best, brightest, and most deserving applicants should receive consideration for federal judgeships based on their objective merit, and not be subject to

discrimination or exclusion based on any immutable characteristics. No one demographic background enjoys a monopoly on producing legal talent, so nominating and confirming the best-qualified, most-meritorious attorneys as federal judges should ensure a level of diversity reflective of the citizenry we serve as federal judges.

32. The bipartisan *First Step Act of 2018*, which was signed into law by President Trump, is one of the most important pieces of criminal justice legislation to be enacted during my time in Congress. At its core, the Act was based on a few key, evidence-based principles. First, incarcerated people can and should have meaningful access to rehabilitative programming and support in order to reduce recidivism and help our communities prosper. Second, overincarceration through the use of draconian mandatory minimum sentences does not serve the purposes of sentencing and ultimately causes greater, unnecessary harm to our communities. With these rehabilitative principles in mind, one thing Congress sought to achieve through this Act was giving greater discretion to judges—both before and after sentencing—to ensure that the criminal justice system effectively and efficiently fosters public safety for the benefit of all Americans.

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

Response: A federal judge should apply all relevant statutes in making sentencing decisions.

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

Response: Yes, if fortunate enough to be confirmed, I would faithfully apply 18 U.S.C. § 3553(a), which requires consideration of the history and characteristics of the defendant and specifies that a sentence should be sufficient, but not greater than necessary, to satisfy the § 3553(a) factors.

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

a. In your Questionnaire, you state that you are currently or were previously a member of the Federalist Society. What is your understanding of "traditional values"?

Response: I can't speak for the Federalist Society's understanding of or intent in using that term. My personal understanding of traditional values would include belief in the existence of natural, God-given, unalienable rights, including life, liberty, and the pursuit of happiness, that the democratic republican form of government enshrined in our Constitution is a guarantor of human liberty and flourishing, and that the principle of subsidiarity implicit in our system of

federalism should be the presumptive and first means to address issues that most directly affect the people.

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: As a judicial nominee, it would be inappropriate under Canon 5(C) of the Code of Conduct for United States Judges for me to offer commentary on or criticism of political speech from the head of a coordinate branch of government.

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

Response: Please see my response to Question 33(b)(i).

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

Response: As of now, yes.

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 have not spoken to or corresponded with Leonard Leo or Steven G. Calabresi. I am not aware of a comprehensive listing of all individuals associated with the Federalist Society, so I am unable to state with certainty whether I discussed my selection with someone who is a member.

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.

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

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

Response: No.

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

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: I have not spoken to or corresponded with Leonard Leo. I am not aware of a comprehensive listing of all individuals associated with the Teneo Network, but to the best of my knowledge, I have not had contact with anyone associated with that organization.

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

Response: No.

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

Response: No.

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

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

Response: I have not spoken to or corresponded with Kevin D. Roberts. I am not aware of a comprehensive listing of all individuals associated with the Heritage Foundation or Heritage Action, but to the best of my knowledge, I have not had contact with anyone associated with those organizations.

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

Response: No.

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

Response: No.

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

Response: No.

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

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

Response: I am not aware of who may be associated with AFPI. To the best of my knowledge, I had no contact with anyone from this organization.

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

Response: No.

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

Response: No.

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

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

Response: I have not spoken to or corresponded with Stephen Miller, Gene Hamilton, or Daniel Epstein. I am not aware of a comprehensive listing of all

individuals associated with the AFLI, but to the best of my knowledge, I have not had contact with anyone associated with that organization.

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

Response: No.

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

Response: No.

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

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

Response: I have not spoken to or corresponded with Mike Davis, Will Chamberlain, or Josh Hammer. I am not aware of a comprehensive listing of all individuals associated with the Article III Project, but to the best of my knowledge, I have not had contact with anyone associated with that organization.

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

Response: No.

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

Response: No.

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

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

Response: I am not aware of who may be associated with the ADF. To the best of my knowledge, I had no contact with anyone from this organization.

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

Response: No.

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

Response: No.

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

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

Response: I have not spoken to or corresponded with Leonard Leo or Carrie Severino. I am not aware of a comprehensive listing of all individuals associated with the 85 Fund, Honest Elections Project, or Judicial Education Project, but to the best of my knowledge, I have not had contact with anyone associated with those organizations.

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

Response: No.

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

Response: No.

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

have solicited any such donations, I am asking whether you would find such donations to be problematic.

Response: I do not believe that any outside groups or special interests have made donations in support of my nomination. I am not familiar with the Concord Fund or 85 Fund.

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

Response: I will evaluate recusal in accordance with 28 U.S.C. § 455, the Canons of the Code of Conduct for United States Judges, and any other applicable ethics rules and codes of conduct that may govern situations suggesting the appearance of impropriety or bias.

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

Response: Please see my response to Question 40(d).

Nomination of Peter M. Mansfield
Nominee to the U.S. District Court for the Eastern District of Louisiana
Questions for the Record
Submitted October 7, 2026

QUESTIONS FROM SENATOR WHITEHOUSE

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

1. You said in your questionnaire that you have been a member of the Federalist Society since 2018. Have you ever spoken with the following individuals or groups about your nomination? If so, please describe the conversation(s) with specificity.

    a. Leonard Leo?

    Response: No.

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

    Response: I am not aware of a comprehensive listing of all individuals affiliated with an entity led or funded by Leonard Leo, but to the best of my knowledge, I have not spoken with anyone affiliated with him or his organizations concerning my nomination.

    c. Carrie Severino?

    Response: No.

    d. Mike Davis?

    Response: No.

    e. Anyone affiliated with The Article III Project?

    Response: I am not aware of a comprehensive listing of all individuals affiliated with The Article III Project, but to the best of my knowledge, I have not spoken with anyone affiliated with the organization concerning my nomination.

    f. Mark Paoletta?

    Response: No.

Nomination of Peter Mansfield to the
United States District Court for the Eastern District of Louisiana
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Submitted October 5, 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: Yes.

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, subject to any limitations imposed by applicable privileges and the Canons of 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 personally drafted my responses to questions for the record with no assistance. I submitted my draft responses to individuals at the Department of Justice Office of Legal Policy, who suggested edits for clarity and typographical corrections. I reviewed and incorporated those suggestions and corrections as I deemed appropriate, then finalized and submitted my responses. All answers 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: I believe each nominee has a personal obligation to answer each question truthfully, completely, and in good faith. I do not believe that nominees' similar or identical answers to verbatim questions posed to them is an indication of anything inappropriate, untruthful, or in bad faith.

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

Response: I reviewed some answers from prior nominees.

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

Response: I did not verbatim copy any answers, nor have I compared my final responses to the responses of any prior nominees. It would not be surprising if some of the answers are the same, however, since many of the same questions have been asked of previous nominees.

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

Response: No.

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

Response: No.

5. In your Senate Judiciary Questionnaire, you note that President Trump called you on August 18, 2026, to inform you that he planned to nominate you to a judgeship.

a. How long did the call last?

Response: Less than two minutes.

b. What topics or issues were discussed?

Response: President Trump stated that he intended to nominate me as a federal district judge for the Eastern District of Louisiana. He congratulated me and indicated that I owed thanks to my two home-state senators for their support. I thanked the President for the honor of the nomination and we exchanged pleasantries.

c. Other than you and President Trump, did anyone else join the call? If so, who?

Response: I was connected to the President by what sounded like a female operator. To the best of my knowledge, no one else was part of the call after I was connected to the President.

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

   Response: I have had the privilege of serving on the Eastern District of Louisiana's Lawyer Disciplinary Committee for several years. In that role, I have seen firsthand the careful attention that current members of that court give to ethics and professionalism in the practice of law. If fortunate enough to be confirmed, I would seek to continue and emulate the fine example of ethical conduct set by the current members of the bench in the Eastern District of Louisiana.

7. How would you describe your judicial philosophy?

   Response: My judicial philosophy is grounded in the oath of office for federal judges. If confirmed, I will administer equal justice under the law without regard to a party's immutable characteristics or socio-economic status, and will render fair decisions without fear or favor from the parties, politicians, or public opinion. I will approach each case and issue impartially and with an open mind. I will allow the parties a reasonable opportunity to develop a factual record and make their legal arguments. Then, I will faithfully apply the text of the applicable law to the facts established under the appropriate burden of proof. Finally, I will take the necessary time to thoughtfully deliberate on each matter, but then issue clear and timely rulings to move each matter, civil and criminal, to a just and speedy resolution.

8. 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: I would first look to precedents from the United States Supreme Court and Fifth Circuit Court of Appeals that may address the issue. In the absence of binding precedent on the issue, I would consider if the right is enumerated in the bill of rights or other constitutional provisions. If not, I would consider if the right is deeply rooted in the nation's history and tradition, or is implicit in the concept of ordered liberty. *See Washington v. Glucksberg*, 521 U.S. 702, 720–21 (1997).

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

      Response: Please see my response to Question 8.

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

      Response: Yes. The Supreme Court has considered historic common-law traditions, statutes, treatises, court decisions, and other evidence of historic

practices and understandings on the topic. *See Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215, 239–50 (2022).

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: If the United States Supreme Court or Fifth Circuit Court of Appeals has recognized the right in binding precedents, those decisions would be binding upon me as a matter of vertical stare decisis. I would consider cases from other courts of appeals on the subject to the extent their reasoning has the power to persuade.

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

Response: Yes, I would consider cases addressing a similar right and afford them appropriate weight based on the extent of the similarities, and the extent the reasoning of the cases has the power to persuade.

e. What other factors would you consider?

Response: While the standards outlined in my response to Question 8 reflect my understanding of current Supreme Court precedent on the topic, I would consider any additional factors relied upon in binding precedents from the United States Supreme Court and Fifth Circuit Court of Appeals.

9. 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 examine whether the case raises a non-justiciable political question under Article III of the Constitution. I would also consider precedents governing executive power and immunities, including *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952), and *Trump v. United States*, 603 U.S. 593 (2024). The typical remedy for judicial review of executive action is found in the Administrative Procedure Act, 5 U.S.C. § 706.

10. The 22nd Amendment states: "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 times.

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 is the difference between being certified as the winner of a presidential election and winning the presidential election?

Response: Under the Twelfth Amendment, a joint session of Congress certifies the winner of a presidential election by determining which Presidential candidate has received a majority of the electoral votes.

12. At your hearing, Senator Blumenthal asked you who won the 2020 election. You agreed with fellow nominee Robert Long, Jr.'s response that "Joe Biden was certified as 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: In advance of the hearing, I prepared potential answers to questions on a variety of topics raised in prior hearings, including questions directed to the results of the 2020 presidential election. To do so, I watched hearings of prior nominees, and reviewed the responses to questions for the record from Justice Ketanji Brown Jackson on this subject, which had been referenced in some prior hearings. I also reviewed the Twelfth Amendment and Canon 5 of the Code of Conduct for United States Judges.

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: As to the first question, no one told me what I could or could not say in response to any question posed by members of the committee on any topic. As to the second question, please see my response to Question 12(a).

13. 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: As a judicial nominee, it would be inappropriate under Canon 5(C) of the Code of Conduct for United States Judges for me to offer commentary on or criticism of political speech from the head of a coordinate branch of government.

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, a judge's resolution of a disputed issue in any adversarial case-or-controversy will necessarily differ from at least one party's desired outcome.

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(c).

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 [themself] 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 would apply the standards of 28 U.S.C. § 455, Canon 3(C) of the Code of Conduct for United States Judges, and any other applicable laws, rules, and practices governing such circumstances to resolve recusal questions. For potential conflicts of interest or any matters suggesting the appearance of impropriety or bias, I would disclose all relevant information to the parties, allow sufficient time for them to raise any recusal concerns, then issue a timely ruling based on the relevant authorities and guidance outlined above.

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

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

        Response: Yes.

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

        Response: Yes.

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

        Response: If I am fortunate enough to be confirmed, I will carefully review and apply all relevant and applicable federal statutes and guidelines governing sentencing.

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 seeks an opinion on a matter in recent or ongoing litigation and, as such, it would be inappropriate for me to offer substantive commentary under Canon 3(A)(6) of the Code of Conduct for United States Judges.

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

    Response: According to the U.S. Supreme Court, the "freedom to travel throughout the United States has long been recognized as a basic right under the Constitution." *United States v. Guest*, 383 U.S. 745, 758 (1966).

    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 look to case precedents arising under U.S. Const. art. IV, § 2, cl. 1, and U.S. Const. amend. XIV, § 1. In addition to *Guest*, other United States Supreme Court precedents on the issue include *Edwards v. California,* 314 U.S. 160 (1941), and *Saenz v. Roe*, 526 U.S. 489 (1999). I would apply these and other binding right-to-travel precedents from the United States Supreme Court and Fifth Circuit Court of Appeals.

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

    Response: If I am fortunate enough to be confirmed, I would faithfully apply all binding United States Supreme Court and Fifth Circuit Court of Appeals precedents on this subject, including *Griswold v. Connecticut*, 381 U.S. 479 (1965), and *Eisenstadt v. Baird*, 405 U.S. 438 (1972).

    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: Please see my response to Question 18.

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

    Response: The quest to ascertain the original public understanding of a particular term or provision is an interpretive technique used to determine the objective meaning of ambiguous words or provisions in the Constitution. By definition, I do not believe there is an expiration date on the original public meaning of a term or provision.

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: The original public meaning of words, phrases, and provisions can be gleaned from period dictionaries, reliable founding-era documents, and other contemporaneous legal writing and literature.

20. What specific method of analysis do you apply when interpreting constitutional provisions?

Response: Before undertaking any interpretive analysis of the constitution, I would first conduct exhaustive research to determine whether the United States Supreme Court or Fifth Circuit Court of Appeals has spoken to the particular issue under review. If it is truly a matter of first impression before me, I would engage in a textual analysis, as informed by the original public meaning of any ambiguous text.

a. Why do you apply this method of analysis? On what grounds do you conclude this method is the correct one to apply?

Response: According to my review of recent Supreme Court precedents, textualism and originalism are the dominant methods of constitutional interpretation that the Court most frequently employs. Further, these interpretive methods stand as a bulwark against any temptation for the judge to exercise legislative will and adopt policy preferences, rather than exercise pure judgment. The plain text of the constitutional provision, as enacted and ratified, is the solemn expression of the people's will through their elected representatives and delegates. If a judge departed from the text, it would undermine, if not negate, the core representative principles of our democratic republic.

21. 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). The extent of the substantive and procedural protections due in the immigration and removal context, however, are matters presently disputed in active litigation. For that reason, it would be inappropriate to offer any further substantive response to this question under Canon 3(A)(6) of the Code of Conduct for United States Judges.

22. What was the holding of the Supreme Court's ruling in *Trump v. Barbara*? Will you faithfully apply that precedent if confirmed?

Response: In *Trump v. Barbara*, the Supreme Court held that "children born of parents unlawfully or temporarily present in the United States . . . are thus subject to the

jurisdiction of the United States," "satisfy both elements of the Citizenship Clause," and "are citizens at birth." 146 S. Ct. 2438, 2450 (2026). If fortunate enough to be confirmed, I would faithfully apply *Barbara* and all other binding Supreme Court precedents.

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

Response: I would first issue a show-cause order to the recalcitrant party to explain the alleged non-compliance. In the absence of a sufficient explanation, I would consider the full range of contempt power, both civil and criminal, that arises under the district court's inherent authority and under federal statues and rules to enforce lawful orders and judgments.

24. What facts, circumstances, and authoritative precedent 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: If fortunate enough to be confirmed, I intend to utilize status conferences with the parties under Federal Rule of Civil Procedure 16(a) to expedite disposition of the action and discourage wasteful pretrial activities. If I become aware through motions to compel or for protective orders that a party is abusing the discovery process, Federal Rules of Civil Procedure 26(c)(3) and 37(a)(5) allow for sanctions against the abusive party. Finally, 28 U.S.C. § 1927 also allows for fee- and cost-shifting sanctions against an attorney that multiplies the proceedings in any case unreasonably and vexatiously. Before issuing any such sanctions, I would issue a show-cause order to ensure a party had appropriate due-process notice and opportunity to be heard to raise any justification or explanation for the alleged abusive litigation tactics.

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

Response: Please see my response to Question 24.

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

Response: Judges are bound by their oath of office to fairly and impartially administer justice. If application of the law as written to the facts as found would lead to harsh or seemingly inequitable practical consequences, it would constitute a judicial usurpation of legislative will to depart from the result mandated under law. There are, however, limited situations where an element of the relief sought, such as injunctive relief under Federal Rule of Civil Procedure 65(a), requires the court to consider the irreparable harm to a party if the injunction doesn't issue, and the balance of the hardships and equities if injunctive relief is granted or denied. In those situations, the court is required to consider the practical consequences of its ruling under the governing standard.

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

Response: Judges should make decisions based on the law as written and objective facts as found under the appropriate burden of proof. I do not believe a judge should rely upon his or her own personal life experiences as normative considerations in decision making. The subjectivity inherent in doing so has the potential to undermine confidence in the judicial system and further result in forum shopping.

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

Response: Please see my response to Question 26. Empathy is typically a subjective, emotional reaction. Relying on empathy in decision-making would inappropriately subordinate, if not negate, the exclusive role of objective law and facts as the outcome-determinative considerations in legal decision-making.

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

Response: I had the distinct privilege of serving as lead counsel on a civil interpleader matter to repatriate a Nazi-looted Monet pastel to the grandchildren of the original dispossessed Viennese owners of Jewish ancestry. The painting had been lost for nearly 80 years before appearing in the inventory of a New Orleans antiques and art dealer. The historic and artistic subject matter was fascinating, and I was able to secure binding legal agreements from a diverse group of stakeholders that culminated in a final judgment from district court. The case garnered extensive local, national, and even international press coverage after the grandchildren took possession of the artwork at the FBI New Orleans field office.

29. 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: As noted in my Senate Judiciary Committee Questionnaire, I have written an article on this subject for *The Federal Lawyer*, the national publication of the Federal Bar Association, which has garnered reprints in other publications, including the *Federal Magistrate Judge Association Bulletin*. *See Court Time Isn't Wasted on the Young: Federal Judges Encourage Meaningful Participation from Younger Attorneys*, Fed. Law., Summer 2023, at 30. For the reasons stated in that article, I believe standing orders encouraging speaking opportunities for younger lawyers in federal court are beneficial and effective. I intend to adopt one, likely allowing two lawyers to argue for one party if one of the two oral advocates is a younger lawyer in his or her first seven years of practice who has substantively contributed to the written motion under consideration.

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

Response: The New Orleans Chapter of the Federal Bar Association is the largest single chapter of that national organization in the country, boasting over 1,500 members. The Chapter has an active Younger Lawyers Division that hosts lunches with the court, continuing legal education sessions, mornings at the federal courthouse, social events, and even a year-long fellowship all focused on the professional development of lawyers in their first ten years of practice. I have been a member of the board of directors for the chapter for four years and currently serve on the executive committee. If fortunate enough to be confirmed, I intend to engage directly with the chapter's Younger Lawyers Division, the four law schools in the state of Louisiana, and other local bar associations and inns of court to ensure that my chambers are available for law-student internships and my courtroom affords opportunities for younger lawyers to argue motions, learn federal-court practice, and generally assuage the aura of anxiety that often accompanies the first few trips to federal court.

30. Discuss your proposed hiring process for law clerks.

Response: I have not yet decided whether to participate in the Administrative Office for U.S. Courts Online System for Clerkship Application and Review (OSCAR). I intend to seek applicants based on references from other state and federal judges, the local legal community in the Eastern District of Louisiana, the four law schools in Louisiana (Tulane, Loyola, LSU, and Southern), and my alma mater. I will consider applicants through other channels as well. I intend to ask for a cover letter, resume, law-school transcript, writing sample, and letters of recommendation. I will conduct interviews of applicants after reviewing the written submissions.

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

Response: This issue is under active debate in the political branches of government and may come before me in a case or controversy if I am fortunate enough to be confirmed. For that reason, it would be inappropriate under Canons 3(A)(6) and 5(C) of the Code of Conduct for United States Judges to offer any substantive commentary on the issue.

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

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

Response: If fortunate enough to be confirmed, I would adopt, maintain, and disseminate an anti-discrimination policy governing my chambers modeled after the Administrative Office of U.S. Courts Employment Dispute Resolution (EDR) plan. Further, as part of standard onboarding, I would ensure new clerks and chambers staff receive all pertinent materials and resources governing the topic from the Administrative Office of U.S. Courts, including identification of the appropriate channels to confidentially raise any complaints of discrimination or inappropriate workplace conduct.

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: Please see my response to Question 31(a).

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 refer the matter to the Chief Judge of the Eastern District of Louisiana and/or the Chief Judge of the Fifth Circuit Court of Appeals for further investigation and appropriate action.

32. 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 term "insurrection" carries a certain legal significance under federal law, and whether the events of that day, considered collectively or individually, meet that legal definition has been a matter of ongoing, active political debate and litigation. For that reason, it would be inappropriate for me to offer further substantive comment under Canons 3(A)(6) and 5(C) of the Code of Conduct for United States Judges. Without reservation or qualification, I categorically denounce any acts of violence, trespass, vandalism, and other unlawfulness that occurred on January 6, 2021, in Washington, D.C.

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: To the best of my knowledge, some politicians have characterized the events at the Capitol on January 6, 2021, as meeting the legal definition of an "insurrection," while others have contested that characterization. Indeed, that

dispute was the subject of recent litigation arising under Section 3 of the Fourteenth Amendment in *Trump v. Anderson*, 601 U.S. 100 (2024).

33. 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: The Constitution of the United States grants plenary pardon power to the President, unchecked by any action or review from the other coordinate branches. *See* U.S. Const. art. II, § 2, cl. 1. Therefore, it would be inappropriate for me as a judicial nominee under Canon 5(C) of the Code of Conduct for United States Judges to comment upon or grade the President's discretionary exercise of that Constitutional authority.

34. 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 33.

35. What specific practices have you, or will you plan to, adopt to ensure that litigants of all races, ethnicities, national origins, religions, sexes, genders, sexual orientations, ages, disabilities, and socioeconomic backgrounds, as well as litigants of every political affiliation, are treated fairly and equally in your courtroom?

Response: I do not believe that a chambers-specific practice need be adopted to ensure fair and equal treatment in a court of law because the oath of office for federal judges requires, in absolute terms, "justice without respect to persons" and "equal right to the poor and to the rich." If confirmed, I would treat all litigants and their counsel with respect, regardless of any immutable or personal characteristics, and give all parties full and fair consideration of their claims.

36. Does the phrase "separation of church and state" accurately describe what the Establishment Clause requires? Why or why not?

Response: The quoted phrase does not appear in the text of the First Amendment. The Supreme Court has previously applied iterations of this standard in Establishment Clause jurisprudence in cases including *Everson v. Board of Educ. of Ewing Twp.*, 330 U.S. 1, 16 (1947), and *Lemon v. Kurtzman*, 403 U.S. 602, 612 (1971). More recently, however, the Supreme Court has disavowed the *Lemon* test in favor of an analysis that focuses on historical practices and understandings. *See*, *e.g.*, *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 535 (2022). If I am fortunate enough to be confirmed, I would faithfully apply

all binding Establishment Clause precedents from the United States Supreme Court and Fifth Circuit Court of Appeals.

Questions for the Record for Peter Michael Mansfield
Submitted by Senator Richard Blumenthal
October 7, 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?

   Response: If confirmed, I would apply the standards of 28 U.S.C. § 455, Canon 3(C) of the Code of Conduct for United States Judges, and any other applicable laws, rules, and practices governing such circumstances to resolve recusal questions. The recusal standard of § 455(a) is an objective one, based on the perspective of a reasonable observer, and not based on the subjective view of the judge.

   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 would apply the standards of 28 U.S.C. § 455, Canon 3(C) of the Code of Conduct for United States Judges, and any other applicable laws, rules, and practices governing such circumstances to resolve recusal questions. For potential conflicts of interest or any matters suggesting the appearance of impropriety, I would disclose all relevant information to the parties, allow sufficient time for them to raise any recusal concerns, then issue a timely ruling based on the relevant authorities and guidance outlined above.

   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: If confirmed, I would recuse myself from any cases where in private practice I, or a lawyer with whom I previously practiced law, served as lawyer or material witness in the matter in controversy during the term of my employment, or any cases where I have served as counsel, adviser, or material witness while employed with the United States Department of Justice. *See* 28 U.S.C. § 455(b)(2)–(3).

   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 would adhere to Canon 3(A)(4) of the Code of Conduct for United States Judges, which prohibits ex parte communications concerning a pending or impending matter that are made outside the presence of the parties or their lawyers, subject to delineated exceptions.

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: If confirmed, I would adhere to Canon 3(A)(6) of the Code of Conduct for United States Judges, which prohibits public comment on the merits of a matter pending or impending in any court.

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 file all necessary financial-disclosure reports required by the Administrative Office of the U.S. Courts in accordance with the requirements of the Ethics in Government Act. *See* 5 U.S.C. §§ 13101–13111.

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: If confirmed, I would adhere to Canon 4(D)(4) of the Code of Conduct for United States Judges and comply with the restrictions on acceptance of gifts and the prohibition on solicitation of gifts set forth in the Judicial Conference Gift Regulations.

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

Response: If confirmed, I would adhere to Canon 4(H)(2) of the Code of Conduct for United States Judges regarding compensation and reimbursement of expenses for any law-related and extrajudicial activities permitted by the Code.

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: Yes. If confirmed, I would adhere to Canon 4 of the Code of Conduct for United States Judges regarding extrajudicial activities, including any teaching, speaking, or writing.

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 judgements, 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: If confirmed, I would adhere to all binding precedents from the United States Supreme Court and the Fifth Circuit Court of Appeals that are relevant to a district court's contempt power, including the above-quoted provision from *Bessette v. W. B. Conkey Co.*, 194 U.S. 324, 327 (1904).

   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 seeks an opinion regarding a proposal that is under active, ongoing debate in the coordinate political branches of government. As such, it would be inappropriate for me to offer a substantive assessment of this issue under Canon 5(C) of the Code of Conduct for United States Judges.

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.

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

Response: Yes.

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

Response: A district court possesses contempt power, both civil and criminal, that arises under the court's inherent authority and federal statues and rules to enforce lawful orders and judgments.

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: Parties subject to court orders, whether governmental or private, are bound to comply with them absent a stay, vacatur, reversal, or application of a limited number of exceptions recognized by the United States Supreme Court, including: orders issued in the absence of any valid jurisdiction (*i.e.*, power) to do so, *In re Sawyer*, 124 U.S. 200, 220 (1888); impossibility of compliance, *United States v. Rylander*, 460 U.S. 752, 757 (1983); and noncompliance to confect appellate jurisdiction over interlocutory discovery orders, *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 101 (2009).

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: Orders issued in the absence of jurisdiction (*i.e.*, power) to do so are considered void ab initio under United States Supreme Court precedent.

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

Response: Parties should move the court to reconsider the order, seek a stay of the order, or file an appeal seeking a vacatur or reversal of the order.

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.

Nomination of Peter M. Mansfield
United States District Court for the Eastern District of Louisiana
Questions for the Record
Submitted October 7, 2026

QUESTIONS FROM SENATOR BOOKER

1. Have you ever discussed with President Trump, or any person associated with him or his Administration, pursuing a nomination to the U.S. Supreme Court? Describe the nature of the discussion, the name of the individual, and the date of the discussion.

   Response: No.

2. Explain the factors you would consider, if you are confirmed, to determine whether to recuse yourself in matters involving former clients, recent legal work and advocacy, and parties with whom you have had substantial financial relationships.

   Response: If confirmed, I would apply the standards of 28 U.S.C. § 455, Canon 3(C) of the Code of Conduct for United States Judges, and any other applicable laws, rules, and practices governing such circumstances to resolve recusal questions. I would recuse myself from any cases where in private practice I, or a lawyer with whom I previously practiced law, served as lawyer or material witness in the matter in controversy during the term of my employment, or any cases where I have served as counsel, adviser, or material witness while employed with the United States Department of Justice. *See* 28 U.S.C. § 455(b)(2)–(3).

3. If you are confirmed, how would you handle a request or directive from President Trump, or anyone affiliated with him acting on his behalf, to decide a matter in a way that would benefit the President personally, financially, or politically?

   Response: I would disregard any request or directive and make my ruling according to the law as written and facts as found under the applicable burden of proof. If any such request or directive was made ex parte, I would follow Canon 3(A)(4) of the Code of Conduct for United States Judges.

   a. What ethical obligations govern your response to such a request or directive?

      Response: Please see my response to Question 3.

   b. Do you believe existing recusal and conduct rules are sufficient to address this scenario?

      Response: Yes.

4. President Trump has repeatedly responded to adverse judicial rulings by threatening sitting judges, including calling for their impeachment and publicly disparaging them by name.

a. Do you believe those statements are consistent with the rule of law?

Response: As a judicial nominee, it would be inappropriate under Canon 5(C) of the Code of Conduct for United States Judges for me to offer commentary on or criticism of political speech from the head of a coordinate branch of government.

b. If you were to rule against the Administration and face similar attacks, would you take any action in response?

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

c. Do you believe a President's public attacks on the judiciary constitute an attempt to interfere with the independence of the federal courts?

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

d. Are you aware of any ethical obligation on the part of judges to speak out when the independence of the judiciary is threatened by the political branches?

Response: I am aware that the U.S. Judicial Conference's Committee on Codes of Conduct has issued an advisory opinion stating that the Code of Conduct for United States Judges and previous advisory opinions "leave room, in at least some circumstances, for the measured defense of judicial colleagues from illegitimate forms of criticism and attacks that risk undermining judicial independence or the rule of law, whether or not they rise to the level of persecution." Opinion No. 118, *Ethics Considerations Related to Public Speech and Civic Engagement by Judges*. My understanding is that this opinion is advisory only, and does not impart any obligations or requirements on any particular judge in any particular circumstance.

5. The Code of Conduct for United States Judges requires judges to avoid impropriety and the appearance of impropriety in all activities (Canon 2). The Code does not list the acts that would create an appearance of impropriety. Instead, the commentary to Canon 2A explains that the prohibition is "cast in general terms that extend to conduct by judges that is harmful although not specifically mentioned in the Code."[1]

a. How do you interpret the appearance-of-impropriety standard? Provide examples of conduct that are not per se improper but could create an appearance of impropriety that a judge should avoid.

Response: I would interpret the appearance-of-impropriety standard in accordance with any applicable precedent from the United States Supreme Court and Fifth Circuit Court of Appeals interpreting or applying 28 U.S.C. § 455(a). I would also consider any advisory guidance from the Administrative Office of United States Courts, which

[1] Code of Conduct for United States Judges, https://www.uscourts.gov/administration-policies/judiciary-policies/ethics-policies/code-conduct-united-states-judges.

has published opinions on Canon 2 of the Code of Conduct for United States Judges and the appearance-of-impropriety standard.

6. Under 18 U.S.C. § 1001, knowingly and willfully making a materially false statement in a matter within the jurisdiction of the legislative branch is a federal crime punishable by up to five years in prison.

    a. When this Committee evaluates a nominee for the federal bench, is any knowingly false statement made by that nominee to the Committee—even one that would not meet Section 1001's materiality requirement — probative of the nominee's fitness for a judgeship? Explain.

    Response: Nominees to the federal bench have an obligation to give truthful and complete answers to all questions from the committee, subject to restrictions imposed by privileges and the Canons of the Code of Conduct for United States Judges. As a nominee to the federal bench, I do not believe it is appropriate for me to comment on the manner in which a coordinate branch of government exercises its constitutional advise-and-consent obligations in this context.

    b. When this Committee evaluates assessing the nomination of a political appointee, is any knowingly false statement made by that appointee to the Committee—even one that would not meet Section 1001's materiality requirement — probative of the nominee's fitness for executive service? Explain.

    Response: As a nominee to the federal bench, I do not believe it is appropriate for me to comment on the manner in which a coordinate branch of government exercises its constitutional advise-and-consent obligations over nominees to serve as officers in the executive branch.

7. If this Committee were to determine that a sitting federal judge knowingly provided false testimony to it, what process do you believe should follow, and what consequences would be appropriate?

    Response: As a nominee to the federal bench, I do not believe it is appropriate for me to comment on the circumstances in which a coordinate branch of government exercises its constitutional authority in this context, or the potential consequences of it pursuing a range of available legal or political remedies in this hypothetical context.

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

    Response: Please see my response to Question 7.

9. How would you characterize your judicial philosophy?

Response: My judicial philosophy is grounded in the oath of office for federal judges. If confirmed, I will administer equal justice under the law without regard to a party's immutable characteristics or socio-economic status, and will render fair decisions without fear or favor from the parties, politicians, or public opinion. I will approach each case and issue impartially and with an open mind. I will allow the parties a reasonable opportunity to develop a factual record and make their legal arguments. Then, I will faithfully apply the text of the applicable law to the facts established under the appropriate burden of proof. Finally, I will take the necessary time to thoughtfully deliberate on each matter, but then issue clear and timely rulings to move each matter, civil and criminal, to a just and speedy resolution.

10. What do you understand originalism to mean?

Response: Originalism is an interpretive technique that seeks to ascertain the original public meaning of a particular term or provision and, thereby, determine the objective meaning of ambiguous words or provisions in the constitution.

11. Do you consider yourself an originalist?

Response: In the absence of binding precedent from the United States Supreme Court or Fifth Circuit Court of Appeals on the particular issue, I would use an originalist interpretation of any ambiguous terms or provisions in the constitution.

12. What do you understand textualism to mean?

Response: Textualism is an interpretive technique that applies the plain language of the relevant statutory provision as written.

13. Do you consider yourself a textualist?

Response: Yes.

14. 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: The Supreme Court has cautioned that Congress's "authoritative statement is the statutory text, not the legislative history," *Exxon Mobil Corp. v. Allapattah Servs., Inc.*, 545 U.S. 546, 568 (2005), because "legislative history is not the law." *Azar v. Allina Health Servs.*, 587 U.S. 566, 579 (2019). Since legislative history has not undergone the requirements of bicameralism and presentment to become binding law, I would not consider legislative history to be a particularly reliable indication of objective textual meaning. But if I am confirmed and a party cites legislative history

to me in its arguments, I would consider it and afford it whatever weight it deserves under the above-stated principles and its power to persuade.

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

Response: Congressional intent should never supersede the actual text of the law that has undergone the constitutional requirements of bicameralism and presentment. There are times, however, where Congress has adopted findings and statements of purpose in the text of a statutory provision, especially in remedial statutory schemes. In that situation, express statements of Congressional intent as adopted into the law could be relevant to the interpretation of the statute in its appropriate context.

15. 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 have not studied or researched this topic in depth, and it would be inappropriate for me to speculate.

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

a. What do you attribute this to?

Response: Please see my response to Question 15(a).

17. 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: The United States Supreme Court has acknowledged that defendants may bring a selective-prosecution claim to challenge whether a criminal charge violates the equal-protection guarantee of the constitution. *See United States v. Armstrong*, 517 U.S. 456, 463 (1996). If I am fortunate enough to be confirmed, I would faithfully apply *Armstrong* and other precedents from the Supreme Court and Fifth Circuit Court of Appeals on this issue if raised in a criminal case pending before me. In general, federal judges may be called upon to approve the adequacy of factual bases and evidence to support a conviction when accepting a

[2] Sonja B. Starr & M. Marit Rehavi, *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.

plea agreement under Federal Rule of Criminal Procedure 11(b)(3) and deciding motions for judgment of acquittal filed under Federal Rule of Criminal Procedure 29(a).

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

    Response: The best, brightest, and most deserving applicants should receive consideration for federal judgeships based on their objective merit, and not be subject to discrimination or exclusion based on any immutable characteristics. No one demographic background enjoys a monopoly on producing legal talent, so nominating and confirming the best-qualified, most-meritorious attorneys as federal judges should ensure a level of diversity reflective of the citizenry we serve as federal judges.

19. 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, attach a copy or link to the materials and explain why you have not previously disclosed them.

    a. Abortion

       Response: No.

    b. Affirmative action

       Response: No.

    c. Contraceptives or birth control

       Response: No.

    d. Gender-affirming care

       Response: No.

    e. Firearms

       Response: No.

    f. Immigration

       Response: No.

g. Same-sex marriage

Response: No.

h. Miscegenation

Response: No.

i. Participation of transgender people in sports

Response: No.

j. Service of transgender people in the U.S. military

Response: No.

k. Racial discrimination

Response: This topic was discussed in a general and historic sense in my article titled *A Lowcountry Lesson: a Fort, Forgotten Law, and a Fleet*, Fed. Law., July/Aug. 2020, at 9, which was produced to the committee.

l. Sex discrimination

Response: No.

m. Religious discrimination

Response: No.

n. Disability discrimination

Response: No.

o. Climate change or environmental disasters

Response: No.

p. "DEI" or Diversity Equity and Inclusion

Response: I authored a judicial profile of a current United States magistrate judge in the Eastern District of Louisiana, which contains a direct quote from the profiled judge on this topic. *See Judicial Profile*: *Hon. Janis van Meerveld*, Fed. Law., Sept./Oct. 2021, at 38 (copy supplied to committee).

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

Response: Parties subject to court orders, whether governmental or private, are bound to comply with them absent a stay, vacatur, reversal, or application of a limited number of exceptions, including: orders issued in the absence of any valid jurisdiction (*i.e.*, power) to do so, *In re Sawyer*, 124 U.S. 200, 220 (1888); impossibility of compliance, *United States v. Rylander*, 460 U.S. 752, 757 (1983); and noncompliance to confect appellate jurisdiction over interlocutory discovery orders, *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 101 (2009).

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: I would first issue a show-cause order to the recalcitrant party to explain the alleged non-compliance. In the absence of a sufficient explanation, I would consider the full range of contempt power, both civil and criminal, that arises under the district court's inherent authority and under federal statues and rules to enforce lawful orders and judgments.

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? Provide each one and the justification.

Response: Please see my response to Question 20.

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

Response: I am aware that there is ongoing political debate and litigation concerning the executive branch's alleged powers of impoundment and rescission. For that reason, it would be inappropriate for me to offer substantive commentary on the issue under Canons 3(A)(6) and 5(C) of the Code of Conduct for United States Judges.

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

Response: Please see my response to Question 21.

23. 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: Please see my response to Question 21.

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

Response: In general, yes, though there is a developed body of law on federal preemption that would govern specific applications of this principle. If I am fortunate enough to be confirmed, I would faithfully apply all binding United States Supreme Court and Fifth Circuit Court of Appeals precedents on the federal Supremacy Clause and preemption.

25. Does the U.S. Constitution apply to non-citizens present in the United States?

Response: The United States Supreme Court has held that the due-process clause applies to non-citizens present in the United States. *See Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). The application of other provisions of the Constitution to non-citizens is an issue in ongoing litigation in federal courts, so it would be inappropriate for me to offer substantive commentary on the issue under Canon 3(A)(6) of the Code of Conduct for United States Judges. If I am fortunate enough to be confirmed, I would faithfully apply all binding precedents from the Supreme Court and Fifth Circuit Court of Appeals on this issue.

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

Response: The Supreme Court has approved the delegation of rulemaking functions to federal agencies, provided Congress supplies some intelligible principle to guide the rulemaking, and does not delegate major questions of vast economic or political magnitude to executive agencies.

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

Response: For at least the past 30 years, nominees to all levels of federal courts have declined to grade the rectitude of decisions from the United States Supreme Court. Nominees to the Supreme Court reasoned that it would be inappropriate to offer any hints, forecasts, or previews on how they might rule, and lower-court nominees correctly concluded that they would be bound by vertical stare decisis to faithfully apply all Supreme Court precedents regardless of whether they would have decided the issue similarly as a matter of first impression if on the Supreme Court. I agree that this settled practice accurately reflects the obligations of a nominee to the federal bench under the Canons of the Code of Conduct for United States Judges. Consistent with past practice before this Committee, prior nominees have noted their agreement with the holdings of a few landmark Supreme Court cases, including *Brown v. Board of Education*, and I am comfortable answering that this case was correctly decided.

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

Response: Yes, *Griswold* remains binding Supreme Court precedent. In *Griswold*, the Supreme Court held that a state law prohibiting the use of contraception violated an unenumerated right to privacy based upon penumbras emanating from enumerated constitutional rights.

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

    Response: Yes, *Lawrence* remains binding Supreme Court precedent. In *Lawrence*, the Supreme Court held that a state law prohibiting consensual homosexual activity violated the due process clause of the 14th Amendment because of the liberty interests constrained by the prohibition.

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

    Response: Yes, *Obergefell* remains binding Supreme Court precedent. In *Obergefell*, the Supreme Court held that laws restricting marriage to two people of opposite sexes violated the due process and equal protection clauses of the 14th Amendment.

31. 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. A response that references only certification will be treated as a refusal to answer.

    Response: Under the 12th Amendment, a joint session of Congress certifies the winner of a presidential election after counting each state's electoral votes and determining who has received a majority of the electoral votes. Under this process, Joseph Biden was certified the winner and served a four-year term as President.

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

       Response: Please see my response to Question 31.

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

       Response: The precise popular vote count from the various states in the 2020 presidential election is a matter of longstanding, but ongoing, political debate, and has further been implicated in recent criminal and civil litigation. As such, under Canons 3(A) and 5(C) of the Code of Conduct for United States Judges, it would be inappropriate for me to offer further comment on this subject beyond my response to Question 31.

32. The 22nd Amendment says that "no person shall be elected to the office of the President more than twice."[4]

    a. Do you acknowledge that this is the law of the land?

       Response: Yes.

[4] U.S. CONST. amend. XXII.

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

Response: Yes, President Trump was certified the winner of a majority of electoral votes under the 12th Amendment.

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

Response: Please see my response to Question 32(b).

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

Response: Yes, President Trump was certified the winner of a majority of electoral votes under the 12th Amendment.

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

Response: Please see my response to Question 32(d).

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

Response: The 22nd Amendment states: "No person shall be elected to the office of the President more than twice[.]"

33. 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: No.

34. 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.

35. 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: At some point in early 2025, all federal employees were asked or instructed to send five bullet points of weekly accomplishments to an email address that I believe was associated with DOGE, with a carbon copy to the respective employee's first-line supervisor. As an employee of the Department of Justice, I sent those emails for a period of time but ceased doing so sometime in 2025.

36. 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.

37. 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.

38. 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.

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

    Response: No.

40. 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.

41. 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.

42. 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.

43. 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 Tarrio
    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 as to all individuals listed in subparts 43(a) through (p).

44. 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: To the best of my knowledge, I have not spoken to any such individual.

45. 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.

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

    a. Do you agree with the above statement?

    Response: No.

    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: I am not aware of a full listing of all individuals associated with A3P. To the best of my knowledge, I have not spoken to any such individual, nor has anyone had such conversations on my behalf.

[5] https://www.article3project.org/about

47. 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: I was not provided guidance as to specific cases to include or exclude. The only general guidance I recall was to consider highlighting my prior trial work, if possible, since the committee values courtroom experience in judicial nominees.

a. If so, who? What advice did they give?

Response: Please see my response to Question 47.

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

Response: Please see my response to Question 47.

48. 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 personally drafted my responses to questions for the record with no assistance. I submitted my draft responses to individuals at the Department of Justice Office of Legal Policy, who suggested edits for clarity and typographical corrections. I reviewed and incorporated those suggestions and corrections as I deemed appropriate, then finalized and submitted my responses. All answers are my own.

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

September 30, 2026

Questions for Peter M. Mansfield (E.D. La.):

1. The following are yes or no questions related to the 2020 election:
    a. According to Wisconsin's certified 2020 General Election results, did Joe Biden receive more than 19,000 votes more than Donald Trump?

    Response: I have no personal knowledge of any individual state's popular vote tallies from elections for federal office beyond whatever was publicly reported. I'm aware that a majority of presidential electors voted in favor of presidential candidate Joseph Biden in the 2020 election in accordance with the procedures outlined in U.S. Const. art. II, § 1, cl. 2, and U.S. Const. amend. XII.

    b. According to Pennsylvania's certified 2020 General Election results, did Joe Biden receive more than 80,000 votes more than Donald Trump?

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

    c. According to Georgia's certified 2020 General Election results, did Joe Biden receive more than 11,000 votes more than Donald Trump?

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

    d. According to Arizona's certified 2020 General Election results, did Joe Biden receive more than 10,000 votes more than Donald Trump?

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

    e. According to Nevada's certified 2020 General Election results, did Joe Biden receive more than 20,000 votes more than Donald Trump?

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

    f. According to Michigan's certified 2020 General Election results, did Joe Biden receive more than 154,000 votes more than Donald Trump?

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

    g. Setting aside the precise vote totals, do you accept that, according to each state's certified results, Joe Biden received more votes than Donald Trump in Wisconsin, Pennsylvania, Georgia, Arizona, Nevada, and Michigan in the 2020 General Election?

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

h. Are you aware of any evidence that Joe Biden did not win more votes than Donald Trump in each of the states listed above? If so, please explain.

Response: The integrity of the popular vote and popular-vote counting in the 2020 presidential election is a matter of longstanding, but ongoing, political debate, and has further been implicated in recent criminal and civil litigation. As such, under Canons 3(A) and 5(C) of the Code of Conduct for United States Judges, it would be inappropriate for me to offer further comment beyond my responses to Questions 1(a) and 2.

2. Some judicial nominees have stated that Joe Biden "legally" won the 2020 election or won the election "as a matter of law." Setting aside any legal characterization: as a matter of fact, did Joe Biden win the 2020 presidential election?

Response: A joint session of Congress convened under the Twelfth Amendment counted, as a matter of fact, a majority of electoral votes in favor of Joseph Biden, thereby certifying him the winner of the election as a matter of law.

3. Do you have any reason to believe that the outcome of any state's presidential vote was impacted by irregularities or fraud? If so, please explain.

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

4. On January 7, 2021, a joint session of Congress certified 306 electoral votes for Joe 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 state's electoral votes?

   Response: Please see my responses to Questions 1(h) and 2.

5. On January 6, 2021, a mob attacked the United States Capitol and more than 140 law enforcement officers were assaulted. President Trump has repeatedly described that day as "a day of love."

   a. Do you believe that January 6, 2021 was a "day of love"?

   Response: As a judicial nominee, it would be inappropriate under Canon 5(C) of the Code of Conduct for U.S. Judges for me to offer commentary on or criticism of political speech from the head of a coordinate branch of government.

6. More than 60 federal and state lawsuits, including those 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: Under Canon 3(A)(6) of the Code of Conduct for United States Judges, it would be inappropriate for me to offer public comment on the merits of a matter pending or impending in any court.

b. Do you have any reason to believe that any one of 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 6(a).

7. Have you ever, publicly or in an official capacity, questioned or disparaged: (i) the legitimacy of the 2020 presidential election results; (ii) Congress's certification of those results; or (iii) any federal or state court ruling rejecting legal challenges to those results? If so, please explain.

Response: No.

8. To the extent you would decline to answer any election-related question on the ground that the 2020 result is a "subject of political debate," please identify what you believe remains genuinely debatable about whether Joe Biden received more votes than Donald Trump in the states at issue, given that those results were certified by the responsible state officials and upheld in more than sixty state and federal proceedings.

Response: To the best of my knowledge, political figures have called into question the outcome and integrity of the 2020 presidential election. There has also been recent litigation, both criminal and civil, wherein the outcome and integrity of the 2020 presidential election, and actions addressing those matters, were disputed before the court.

9. Do you believe in a constitutional right to privacy? If so, please explain the constitutional basis for that right.

Response: If I am fortunate enough to be confirmed, I would faithfully apply all binding United States Supreme Court and Fifth Circuit Court of Appeals precedents on this subject, including *Griswold v. Connecticut*, 381 U.S. 479 (1965), and *Eisenstadt v. Baird*, 405 U.S. 438 (1972).

a. Do you believe that *Griswold v. Connecticut* was correctly decided?

Response: Please see my response to Question 9. In accordance with the precedent of prior nominees before this committee, it would be inappropriate for me to grade

Supreme Court precedents that would be binding on me as a matter of vertical stare decisis as an inferior court judge.

10. What judges or justices would you consider foundational to your judicial philosophy, and why?

Response: I credit the influence of the late Justice Antonin Scalia on my views on textualism, originalism, and judicial restraint. I spent time as a summer extern with Seventh Circuit Court of Appeals Judge Kenneth F. Ripple, who had a profound reverence for the rule of law and the importance of careful deliberation to reach the right result in every case. Finally, over the last 23 years as a practitioner, I've handled cases before nearly every current district judge in the Eastern District of Louisiana, and others who have since retired or died. The bench-bar relationship in this district is marked with collegiality, collaboration, and mutual respect. I'd strive to emulate and continue those traits if I'm fortunate enough to be confirmed.

11. 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 I am fortunate enough to be confirmed, I would set aside any personal opinions on this subject and faithfully apply all binding United States Supreme Court and Fifth Circuit Court of Appeals precedents, including *Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215 (2022), *Griswold v. Connecticut*, 381 U.S. 479 (1965), and *Eisenstadt v. Baird*, 405 U.S. 438 (1972).

12. 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: The best, brightest, and most deserving applicants should receive federal clerkships based on their objective merit, and not be subject to discrimination or exclusion based on any immutable characteristics. No one demographic background enjoys a monopoly on producing legal talent, so seeking out and hiring the best-qualified, most-meritorious applicants as law clerks should ensure a level of diversity reflective of the citizenry we serve as federal judges.

    b. When selecting your law clerks, will you commit to considering qualified applicants from a broad range of backgrounds, including candidates from a variety of law

schools, from varying socioeconomic circumstances, and of differing races, ethnicities, religions, gender identities, sexual orientations, and abilities?

Response: I intend to consider applicants from a variety of law schools and socioeconomic circumstances. Please see also my response to Question 12(a).

c. Please describe how you plan to find and hire law clerks. Will you consider candidates from various law schools and backgrounds, including first-generation lawyers?

Response: I have not yet decided whether to participate in the Administrative Office for U.S. Courts Online System for Clerkship Application and Review (OSCAR). I intend to consider applicants based on references from other state and federal judges, the local legal community in the Eastern District of Louisiana, the four law schools in Louisiana (Tulane, Loyola, LSU, and Southern), and my alma mater. I will consider applicants through other channels as well. I am a first-generation lawyer and will consider first-generation applicants.

d. Will you make your clerkship hiring criteria and application process transparent and accessible to applicants who lack the networks or institutional connections that often drive clerkship hiring?

Response: Yes. If I do not participate in OSCAR, I will formalize my required submissions, hiring processes, and timeline and make them available for public access. Please see also my response to Question 12(c).

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

Response: While I will not have any quotas or set asides for specific demographics, I am confident the processes outlined above in response to Questions 12(a) through (d) will yield, over time, a diverse group of law clerks.

13. I want to give you an opportunity to discuss your views on the 22nd Amendment.

a. What does the 22nd Amendment state?

Response: Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

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 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: No, the political standing of any parties or the political consequences would not factor into any of my rulings if confirmed.

14. 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 all 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 would treat all litigants and their counsel with respect and give all parties full and fair consideration of their claims. There are scenarios, however, where the "correct name and gender identity" is precisely the issue in dispute before the court, s*ee*, *e.g.*, *United States v. Varner*, 948 F.3d 250 (5th Cir. 2020), so I am unable to make categorical guarantees on that matter under Canon 3(A)(6) of the Code of Conduct for United States Judges.

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). The extent of the substantive and procedural protections due in the immigration and removal context, however, are matters presently disputed in active litigation. For that reason, it would be inappropriate to offer any further substantive response to this question under Canon 3(A)(6) of the Code of Conduct for United States Judges.

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. What recourse do you believe is available to a federal judge whose orders are not followed?

    Response: A district court possesses contempt power, both civil and criminal, that arises under its inherent authority and federal statues and rules to enforce its lawful orders and judgments.

18. In the documents you provided the Senate Judiciary Committee, have you identified every publicly accessible -- or previously publicly accessible -- social media, blog, forum, or other online account that you have created, maintained, controlled, contributed to, or posted under, on any platform?

    If not, please identify any publicly accessible social media, blog, forum, or other online account that you have created, maintained, controlled, contributed to, or posted under, on any platform. Please include any non-private (or any previously non-private) accounts on Twitter/X, Facebook, Instagram, LinkedIn, YouTube, TikTok, Truth Social, Substack, Reddit, any personal blogs or websites, or any comparable platforms. For each account, please state:

    a. the platform or service;

    b. the username, handle, screen name, and any display name associated with the account;

    c. the approximate dates the account was active;

    d. whether the account was maintained in your own name, under a pseudonym, or anonymously; and

    e. the account's current status (active, deactivated, deleted, or set to private).

    Response: All responsive material was disclosed in my Senate Judiciary Committee Questionnaire.

19. Since you were first under consideration for this nomination, have you deleted, deactivated, archived, restricted the visibility of, or removed content from any online account, or directed or requested that anyone do so on your behalf? If so, please identify the account and describe what was changed or removed and when.

    Response: No.

20. Article III states that federal courts decide "cases" and "controversies."

    a. What do you look for when deciding whether a matter before you is actually a dispute constituting a "case" or "controversy?"

       Response: The Supreme Court has explained that the Article III case-and-controversy requirement encompasses several features of justiciability in federal courts, including: the restriction on advisory, hypothetical opinions; the elements of a litigant's standing (which requires an actual injury in fact, traceable to defendant's conduct, and redressable by judicial relief); adversity; ripeness; the absence of mootness; and the avoidance of political questions exclusively committed to other coordinate branches of government.

    b. What harms could arise if a court were to decide a dispute that fails to meet the case-or-controversy requirement?

       Response: The case-or-controversy requirement cuts to the heart of a federal court's subject-matter jurisdiction, that is, its power to issue binding orders and judgments. Deciding a dispute that fails to meet the case-or-controversy requirement would result in orders and judgments that are void ab initio for lack of jurisdiction, and would further result in the unnecessary expenditure of judicial resources.

    c. If neither party raises that requirement — even if both parties are satisfied with their positions or purported settlement agreements — does a judge still have an independent obligation to ensure that any case before them meets all constitutional requirements?

       Response: Yes. Federal courts are required to police their own subject-matter jurisdiction, which can't be waived or confected by party agreement.

    d. What recourse is available to a judge who concludes the parties before them are not adverse as constitutionally required?

       Response: If a federal court lacks subject-matter jurisdiction over a particular case or action, it is required to dismiss the matter. *See* Fed. R. Civ. P. 12(h)(3).

21. You have served as an Assistant US Attorney for 21 years and are a former board member of the National Association of Assistant United States Attorneys (NAAUSA). The NAAUSA has warned that firing career prosecutors for working on particular cases, including those

related to January 6th, "will make it far more difficult for DOJ to recruit and retain qualified attorneys" and "inhibit employees from executing their constitutional duties out of fear of reprisal."

a. Do you disagree with the NAAUSA's statement?

Response: I am not familiar with this statement. Because certain former Assistant United States Attorneys have challenged their removals in active litigation or in pre-suit administrative proceedings that may result in litigation, it would be inappropriate for me to offer substantive commentary on the quoted statement under Canon 3(A)(6) of the Code of Conduct for United States Judges.

b. Has any career attorney in your office been removed or reassigned since January 2025 over the cases they handled?

Response: To the best of my knowledge, no.

c. Is it appropriate to fire a career prosecutor for lawfully prosecuting cases the President or a political appointee opposes?

Response: Based on my 21 years as an Assistant United States Attorney, 18 years as a supervisor, and 13 years as a division chief, it has been my experience that career attorneys at the Department of Justice do not have the discretion to pick or decline the cases they are assigned to work. I have not issued or recommended discipline on any career attorney based solely on cases the individual attorney had been assigned to prosecute or defend. However, I understand that there is ongoing litigation over personnel decisions involving AUSAs and other career officials. For that reason, it would be inappropriate to offer any further substantive response to this question under Canon 3(A)(6) of the Code of Conduct for United States Judges.

Questions for the Record

Peter M. Mansfield – Nominee to be U.S. District Judge for the Eastern District of Louisiana

Sen. Adam Schiff (CA)

1. How would you define public corruption as a matter of federal law?

   Response: I would define it by reference to 18 U.S.C. § 201.

   a. If one of your law clerks used their position to give or steer money to their friends, would you consider that public corruption?

      Response: To the extent the question raises a hypothetical that may come before me in an actual case as a federal district court judge if I am fortunate enough to be confirmed, it would be inappropriate for me to give a substantive legal opinion on the matter under Canon 3(A) of the Code of Conduct for United States Judges. If this hypothetical situation occurred with a clerk in my chambers, I would refer the matter to the appropriate law-enforcement agency for further investigation, to include prosecution if appropriate.

2. Do you agree that Article III Courts are courts of limited subject-matter jurisdiction?

   Response: Yes.

   a. Describe the Article III cases and controversies requirement.

      Response: The Supreme Court has explained that the Article III case-and-controversy requirement encompasses several features of justiciability in federal courts, including: the restriction on advisory, hypothetical opinions; the elements of a litigant's standing (which requires an actual injury in fact, traceable to defendant's conduct, and redressable by judicial relief); adversity; ripeness; the absence of mootness; and the avoidance of political questions exclusively committed to the coordinate branches of government.

   b. Are federal courts limited to cases and controversies where the parties have adverse legal interests?

      Response: Yes, the Supreme Court has held that judicial power under Article III "is the right to determine actual controversies arising between adverse litigants, duly instituted in courts of proper jurisdiction." *Muskrat v. United States*, 219 U.S. 346, 361 (1911).

   c. Would a lawsuit where the plaintiff and defendant are the same individual be frivolous?

      Response: Yes.

d. How does the legal profession typically respond to frivolous lawsuits?

Response: Typically, frivolous suits are dismissed for failure to state a plausible claim for relief under Federal Rule of Civil Procedure 12(b)(6). The Court or responding party may seek sanctions under Federal Rule of Civil Procedure 11(c) against the filer of a frivolous lawsuit.

3. How would you describe your judicial philosophy?

Response: My judicial philosophy is grounded in the oath of office for federal judges. If confirmed, I will administer equal justice under the law without regard to a party's immutable characteristics or socio-economic status, and will render fair decisions without fear or favor from the parties, politicians, or public opinion. I will approach each case and issue impartially and with an open mind. I will allow the parties a reasonable opportunity to develop a factual record and make their legal arguments. Then, I will faithfully apply the text of the applicable law to the facts established under the appropriate burden of proof. Finally, I will take the necessary time to thoughtfully deliberate on each matter, but then issue clear and timely rulings to move each matter, civil and criminal, to a just and speedy resolution.

4. How would you describe your philosophy regarding statutory interpretation?

Response: If the United States Supreme Court or Fifth Circuit Court of Appeals has issued a binding precedential decision on the statutory provision under review, I would be bound to faithfully apply those precedents under principles of vertical stare decisis. In the absence of binding case precedent, I would interpret statutory provisions as a textualist, which means that I would apply the plain language of the relevant statutory text as written. If there are ambiguities in the statutory text, I would consider applicable canons of statutory interpretation, the structure of the relevant statutory provision, and persuasive cases interpreting similar statutory provisions or language.

a. What methodology do you use to ensure your rulings are predictable and properly constrained within the bounds of the law?

Response: Please see my response to Question 4.

5. When confronted with an ambiguous statute, how do you consider legislative history in your decision-making process?

Response: The Supreme Court has cautioned that Congress's "authoritative statement is the statutory text, not the legislative history," *Exxon Mobil Corp. v. Allapattah Servs., Inc.*, 545 U.S. 546, 568 (2005), because "legislative history is not the law." *Azar v. Allina Health Servs.*, 587 U.S. 566, 579 (2019). Since legislative history has not undergone the requirement of bicameralism and presentment to become binding law, I would not consider legislative history to be a particularly reliable indication of objective textual

meaning. But if I am fortunate enough to be confirmed and a party cites legislative history to me in its arguments, I would consider it and afford it whatever weight it deserves under the above-stated principles and according to its power to persuade.

6. How do you define judicial activism?

   Response: Judicial activism is sometimes referred to as "legislating from the bench," which means that the deciding court or judge has adopted and enforced a binding rule with no precedential or textual basis in the law, but rather based on the judge's personal view of what constitutes a preferable or pragmatic policy. Judicial activism is, in that regard, the substitution of unchecked political will and power for restrained judgment.

7. Supreme Court Justice Clarence Thomas has argued that a judge has a constitutional duty to overrule past Supreme Court precedent if it is "demonstrably erroneous," regardless of *stare decisis*.

   a. Do you agree with this argument? Why or why not?

      Response: If I am fortunate enough to be confirmed as a United States district court judge, I would be bound to faithfully apply all binding precedents from the United States Supreme Court and Fifth Circuit Court of Appeals. I would not have the authority to disregard or overrule Supreme Court precedent under vertical stare decisis.

   b. If you do agree, what factors would you consider to determine if precedent is "demonstrably erroneous"?

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

   c. What is your approach to considering *stare decisis*?

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

8. You noted that you are a member of the Woman's New Life Center, now known as the Woman's New Life Clinic. This organization describes itself as a "Christian organization promoting the sanctity of human life, the dignity of women, and the sacredness of sexuality."

   a. Do you believe that a woman has a right to choose what happens to her body?

      Response: To clarify, I was a member of volunteer planning committees for 5k fundraiser races benefitting this organization in 2012 through 2014 and 2018, but I do not believe that the organization offers or maintains a general membership roster. If I am fortunate enough to be confirmed, I would set aside any personal opinions on this subject and faithfully apply all United States Supreme Court and Fifth Circuit Court of Appeals precedents, including *Dobbs v. Jackson Women's*

Health Org., 597 U.S. 215 (2022), *Griswold v. Connecticut*, 381 U.S. 479 (1965), and *Eisenstadt v. Baird*, 405 U.S. 438 (1972).

b. Would you be able to set aside your own personal views when adjudicating cases involving reproductive rights?

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

9. At your Senate Judiciary Committee nomination hearing, Senator Blumenthal asked you which candidate won the 2020 election. You responded that Joe Biden was certified by the Electoral College but refused to state who won the popular vote.

a. As a matter of fact, which of the two general election candidates lost the 2020 election?

Response: In accordance with the 12th Amendment, President Biden was certified the winner of the 2020 election by Congress, having received the most Electoral College votes.

b. As a matter of fact, which of the two general election candidates lost the 2024 presidential election?

Response: In accordance with the 12th Amendment, President Trump was certified the winner of the 2024 election by Congress, having received the most Electoral College votes.

c. As a matter of fact, did Donald Trump lose the 2020 election? Yes or no.

Response: Please see my response to Question 9(a).

d. Aside from the Electoral College and the certification of the election, who received the most recorded votes in the 2020 presidential election?

Response: I have no personal knowledge of any individual state's popular vote tallies from elections for federal office beyond whatever was publicly reported. I'm aware that a majority of presidential electors voted in favor of presidential candidate Joseph Biden in the 2020 election in accordance with the procedures outlined in U.S. Const. art. II, § 1, cl. 2, and U.S. Const. amend. XII. Further, the precise popular vote count from the various states in the 2020 presidential election is a matter of longstanding, but ongoing, political debate, and has further been implicated in recent criminal and civil litigation. As such, under Canons 3(A) and 5(C) of the Code of Conduct for United States Judges, it would be inappropriate for me to offer further comment on this subject beyond this response and my prior response to Question 9(a).

e. Who won the majority of the electoral college votes in the 2020 presidential election?

Response: Please see my responses to Questions 9(a) and (d).

f. Do you have any doubts about the outcome or integrity of the 2020 presidential election results?

Response: Please see my response to Question 9(d).

10. At your Senate Judiciary Committee nomination hearing, Senator Blumenthal asked you whether the U.S. Capitol was attacked on January 6, 2021. You refused to describe the events of January 6, 2021, as an attack on the U.S. Capitol.

a. Was there violence at the U.S. Capitol on January 6, 2021?

Response: Yes.

b. If yes, what violence are you aware of that occurred on January 6, 2021, at the U.S. Capitol? Please list any events that you recall reading about, watching, or seeing in subsequent media reports.

Response: On January 6, 2021, and in the few days afterwards, I recall watching a few news stories about the breach of the Capitol that included some video footage. I recall footage showing a mob breaching the secured entrances of the U.S. Capitol through the use of force.

c. What level of violence would constitute an "attack" in your view? Do you consider the actions taken against law enforcement officers on January 6th at the U.S. Capitol to constitute an "attack"?

Response: I am not aware of what quantum of violence is sufficient to constitute an "attack" as that term is understood legally, colloquially, or in the context of this question or the similar question posed by Senator Blumenthal to me on September 30, 2026. Without reservation or qualification, I condemn all acts of violence against law-enforcement officers that occurred on January 6, 2021, at the Capitol regardless of any additional descriptive nouns or verbs that might apply to those actions.

11. At your Senate Judiciary Committee nomination hearing, you answered Senator Blumenthal's questions about the 2020 presidential election and the January 6, 2021, attack on the U.S. Capitol with a response that was substantially similar, if not identical, to the responses of recent nominees.

a. In preparing for your hearing and your written responses, did anyone, formally or informally, direct, advise, coach, suggest, or recommend how you should answer

questions about the 2020 election and the January 6, 2021, attack on the U.S. Capitol? If so, who provided that guidance?

Response: No.

b. In preparing for your hearing and your written responses, were you directed, encouraged, or advised to review the hearing testimony or written responses of previous nominees about the 2020 election and the January 6, 2021, attack on the U.S. Capitol? If so, who provided that guidance?

Response: I was advised that hearing testimony and written responses of prior nominees on all topics of Committee inquiry were publicly available on the Committee's website. In preparation for my hearing and responses to questions for the record, I independently decided to review some prior hearing testimony and written responses to questions for the record as they each pertained to areas of inquiry that may overlap with questions directed to me. My answers at the September 30, 2026, hearing and in these responses to questions for the record, however, are my own.