

May 18, 2025

The Honorable Charles E. Grassley
Chairman, Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Richard J. Durbin
Ranking Member, Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of T. Elliot Gaiser to Assistant Attorney General for the Office of Legal Counsel

Dear Chairman Grassley and Ranking Member Durbin,

We, the undersigned law professors, write in support of Elliot Gaiser's nomination to serve as Assistant Attorney General for the Office of Legal Counsel. We have engaged with Mr. Gaiser in various forums; some of us first engaged with him as a student, while others have known him primarily as a colleague or peer. Each of us signs this letter in a personal capacity, and not on behalf of any current or former employer.

As scholars, we hold diverse views on administrative law, constitutional law, and regulatory policy. But despite that diversity of perspective, we agree that Mr. Gaiser is well equipped in temperament and legal acumen to lead the Office of Legal Counsel, as a body that seeks to resolve difficult legal questions on behalf of the Executive Branch.

Through his career as a lawyer—in private practice, clerking at the United States Supreme Court, and representing his home state of Ohio as Solicitor General—Mr. Gaiser has consistently engaged thoughtfully with the reasoned development of the law. For example, it is uncommon for a state official to publish scholarship explaining the legal perspective his state is advancing in the courts. That Mr. Gaiser made it a priority to do so underscores the commitment to fairminded debate that we have known him to exhibit.

In a sharp-elbowed profession, Mr. Gaiser is also unfailingly courteous, professional, and even quietly kind to his colleagues and peers, as well as the many young people he has worked to mentor. Some of our own students have benefited from Elliot's mentorship and assistance in advancing their own careers. We have no doubt he would treat all those working alongside him in the Office of Legal Counsel with the utmost dignity and respect.

We strongly support Mr. Gaiser's nomination, and would be proud to see him confirmed to this role.

Sincerely,

Professor J. Joel Alicea
St. Robert Bellarmine Professor of Law
Director, Center for the Constitution and the Catholic Intellectual Tradition
Columbus School of Law, The Catholic University of America

Professor Stephanie Barclay
Professor of Law
Faculty Co-Director, Georgetown Center for the Constitution
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Professor Ilan Wurman
Julius E. Davis Professor of Law
University of Minnesota Law School

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