

Senator Charles Grassley
Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

Senator Richard Durbin
Ranking Member
Committee on the Judiciary
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

August 29, 2025

Dear Chairman Grassley and Ranking Member Durbin:

We write in support of the nomination of Professor Jennifer Mascott to be a judge on the United States Court of Appeals for the Third Circuit. We are scholars of a wide range of legal fields, including administrative law, constitutional law, and regulation. We also have a wide range of legal and political perspectives. We are united in our view that Professor Mascott would be an outstanding addition to the federal judiciary. Based on our years of experience interacting and working with Professor Mascott—and in some instances, coauthoring with her—we know that she is brilliant, hard-working, conscientious, and collegial.

Professor Mascott's impressive legal career includes service in all three branches of the federal government, in private practice, and in the legal academy. She is a *phi beta kappa* graduate of the University of Maryland, which she attended on a full scholarship, and the George Washington University Law School, from which she graduated first in her class and with the highest cumulative GPA then on record in the Law School's history. While in law school, Professor Mascott served as a Senior Projects Editor of the *George Washington Law Review*, as well as a Fellow in the Legal, Research, and Writing Program.

Following her graduation from law school, Professor Mascott served as a law clerk to Judge Brett M. Kavanaugh of the United States Court of Appeals for the D.C. Circuit and Justice Clarence Thomas of the Supreme Court of the United States.

In the legal academy, Professor Mascott has served on the faculty of the Columbus School of Law at Catholic University and the Antonin Scalia Law School at George Mason University. She has also served as a fellow at Georgetown University Law Center. In those capacities, she has taught classes dealing with many of the most technical issues confronting federal courts today, including Administrative Law, Civil Procedure, Constitutional Law, and Federal Courts, as well as seminars on Separation of Powers in the Political Branches and the History and Foundations of the Administrative State.

Professor Mascott also founded and directed the Separation of Powers Institute at the Columbus School of Law and, before that, served as co-director of the C. Boyden Gray Center for the Study of the Administrative State at the Antonin Scalia School of Law, where she hosted symposia and directed a clinic for several years. She has served as a Public Member of the Administrative Conference of the United States and in various leadership positions with the American Bar Association's Section of Administrative Law and Regulatory Practice. While on leave from her positions in the legal academy, she served in a high-level capacity within the federal government, where she argued cases in federal appellate and trial courts on behalf of the United States.

Professor Mascott's contributions to legal scholarship are equally impressive. She is a coauthor of a leading casebook on administrative law, and she has authored or coauthored influential articles. Her work has been cited not just by many scholars, but also by judges at every level of the federal judiciary, including the Supreme Court of the United States. Of special note, Professor Mascott has explored both the history and the present implications of constitutional issues relating to the separation of powers, especially the Appointments Clause. Some of us agree with her analysis of these topics; others do not. We agree that, on the whole, Professor Mascott's academic work demonstrates the sort of intellectual rigor and depth that will serve her well during a career as a judge.

Based on our experience, Professor Mascott is well qualified to serve as a judge on the United States Court of Appeals for the Third Circuit.

Sincerely,*

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George Washington University Law School

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William & Mary Law School

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* Each of us signs this letter in a personal capacity and not on behalf of any current or former employer.

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