

September 1, 2025

Chairman Chuck Grassley
Ranking Member Dick Durbin
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Durbin:

I write in strong support of the nomination of Professor Jennifer Mascott to serve as a judge for the U.S. Court of Appeals for the Third Circuit. President Trump has made an excellent choice in nominating her to serve as a circuit judge.

I have known Professor Mascott since she joined the Department of Justice during the first Trump Administration to work for me as a Deputy Assistant Attorney General in the Office of Legal Counsel. Professor Mascott came to our office with a sterling resume, having graduated first in her law school class, clerked for Justice Kavanaugh and Justice Thomas, and having written an important article on the original understanding of the Appointments Clause.

As the Assistant Attorney General for the Office of Legal Counsel, I worked closely with her for two years, and I saw every day the dedication, enthusiasm, and intelligence she brought to the Office's work. The work of the Office requires detailed and principled consideration of complicated questions relating to the separation of powers and the appropriate interpretation of federal statutes. It often calls for creative thinking, and sometimes candid conversations, to find the best way to meet policymakers' objectives, within the boundaries of the law. Professor Mascott performed that work admirably, and I expect her to bring that same commitment to the law when she serves as a federal judge.

Over the past four years, I have continued my professional and personal relationship with Professor Mascott by co-teaching a seminar on the separation of powers and by working with her at the C. Boyden Gray Center for the Study of the Administrative State. Our constitutional law seminar involved consideration of a wide range of cases, legal opinions, and academic articles related to the constitutional division of power between the Executive Branch and Congress. Professor Mascott is an engaging and skilled professor, who is admired by her students for mastery of the subject matter, and who takes seriously her responsibility to provide them with perspectives from all sides of areas of constitutional debate. In addition to teaching and writing, Professor Mascott devoted her impressive energies to organizing Gray Center programming, which included educational seminars for congressional staffers and panel discussions analyzing the landmark Supreme Court decisions transforming the structure of the administrative state. Professor Mascott's academic work provides still more evidence of her exceptional qualifications for judicial service.

In all of this work, Professor Mascott has approached difficult legal questions with intellectual rigor and a strong commitment to getting the law right. She has all the makings of an excellent judge, and I believe that the Third Circuit, and the country as whole, stand to benefit from her decades of service.

I recommend her to this Committee without reservation.

Sincerely,

A handwritten signature in black ink, appearing to read "SE", with a stylized flourish extending to the right.

Steven A. Engel