

## President Trump Nominated Administration Attorney Jennifer Mascott To The Third Circuit Court Of Appeals, Stacking The Court With Another Loyal Ally

### SUMMARY:

President Trump [nominated](#) Jennifer Mascott, currently senior counsel in the White House counsel's office, to the Third Circuit Court of Appeals. Mascott served in the Department of Justice during the first Trump administration and has recently worked at conservative law schools, focusing on the administrative state and separation of powers. Although nominated to a Delaware seat on the Third Circuit, Mascott is [not admitted](#) to practice law in Delaware and has few ties to the state or the circuit court. Following Emil Bove's nomination, Mascott's nomination represents the second Trump ally appointed to the Third Circuit.

**Mascott is a scholar focused on the administrative state and separation of powers.** In 2024, she was a [senior fellow](#) at a Catholic University of America law school project, CIT, [funded](#) by Leonard Leo. She has authored scholarship supporting a revival of the long-defunct nondelegation doctrine, which was recently a priority within the conservative legal movement. Much of her legal work has been advancing amicus briefs on behalf of conservative groups. She served as counsel on amicus briefs challenging the Consumer Financial Protection Bureau, representing Republican members of Congress hoping for the overturn of the *Chevron* doctrine, and defending Walmart's attempt to skirt FTC regulation — criticizing the same *Humphrey's Executor* precedent that the Trump administration has [battled](#) in his ongoing power grab.

Mascott has limited experience in the courtroom, but as an attorney, she [represented](#) the government in a case challenging the 2020 changes to Title IX rules on sexual assault investigations. During the case, the Reagan-appointed judge warned that the rule Mascott was defending would eliminate [“a wide swath of proof”](#) including rape kit evidence, unless the hospital staff could be cross-examined. The judge largely [upheld](#) the Title IX rule, finding it did not violate equal protection clause because it treated men and women the same.

**Mascott has supported the anti-abortion movement in her role as an attorney and in a personal capacity.** From 2021-2023, Mascott [served](#) as a volunteer board member of the Maryland-based Rockville Pregnancy Center. The crisis pregnancy center uses deceptive tactics to masquerade as a neutral hub for information, then presents misleading information on abortion to vulnerable patients. In 2018, she [represented](#) members of Congress in an amicus brief challenging a California requirement that religiously oriented centers still supply women with abortion information. After the overturn of *Roe v. Wade*, Mascott [celebrated](#) the court's decision.

**Mascott has close ties with far-right figures across the conservative legal movement.** She has maintained an active social media presence, reposting in support of the Trump administration's legal battles and thanking conservatives, like Mike Davis, following her nomination. She has maintained cozy relationships with some of the conservative Supreme Court justices after clerking for Justice Thomas and then-judge Brett Kavanaugh. She filed [two briefs](#) before the Supreme Court while she was teaching with Justice Thomas, and some justices have echoed her legal reasoning in cases. Mascott has spoken on panels hosted by Leonard Leo-connected groups, like the Federalist Society and the anti-abortion Ethics and Public Policy Center, and alongside Alliance Defending Freedom lawyers.

## President Trump Announced The Nomination Of Jennifer Mascott, Senior Counsel In The White House, To The Third Circuit Court Of Appeals

### President Trump Announced The Nomination Of Jennifer Mascott To The Third Circuit Court Of Appeals

July 2025: Trump Announced The Nomination Of Jennifer Mascott To The Third Circuit Court Of Appeals.



Donald J. Trump  
@realDonaldTrump

I am pleased to nominate Jennifer Mascott to serve as a Judge on the United States Court of Appeals for the Third Circuit. Jennifer clerked for Justice Clarence Thomas and Justice Brett Kavanaugh, where she learned much about upholding the Constitution, and safeguarding our Freedoms. Jennifer is a Highly Respected Constitutional Law Professor, served in the Department of Justice during my First Term, and currently works in the White House Counsel's Office. The incredible people of Delaware, Pennsylvania, and New Jersey have Great Confidence in Jennifer. She will be a STRONG Judge, and protect the Rule of Law. Congratulations, Jenn!

3.34k ReTruths 16k Likes

Jul 16, 2025, 6:49 PM

[TruthSocial, @realDonaldTrump, [7/16/25](#)]

- **The Jurisdiction Of The Third Circuit Includes Pennsylvania, New Jersey, Delaware, And The Virgin Islands.** "The United States Court of Appeals for the Third Circuit serves the areas of Pennsylvania, New Jersey, Delaware, and the Virgin Islands." [U.S. Court of Appeals for the Third Circuit, accessed [8/21/25](#)]

### Mascott Worked As Senior Counsel To The President, And Previously Worked At The Catholic University Of America's Law School And Antonin Scalia Law School

*2025: Mascott Was Nominated, But Not Confirmed, As General Counsel To The Department Of Education And Worked As Senior Counsel To The President*

**Mascott Began Working As Senior Counsel To The President In March 2025.**

#### Experience



Sr. Counsel to the President, White House Counsel's Office  
The White House  
Mar 2025 - Present · 5 mos

[LinkedIn, accessed [7/17/25](#)]

- **February 2025: Trump Nominated Mascott As General Counsel Of The Department Of Education, But Her Nomination Had Not Advanced In The Senate.** "In February, Trump nominated Mascott as general counsel of the Department of Education, which he has since set out to abolish. Her nomination hasn't advanced in the Senate." [Bloomberg Law, [7/17/25](#)]

*2021-2025: Mascott Worked At Conservative Law Schools As A Scholar In Separation Of Powers And “The Administrative State”*

**Mascott Said She Was On Public Service Leave From Her Position As Associate Professor Of Law And Founder Of The Separation Of Powers Institute At The Catholic University Of America’s Law School, Where She Began In June 2024.**



**Assoc. Professor of Law & Founder,  
Separation of Powers Inst, Catholic  
Law (on public service leave)**

The Catholic University of America,  
Columbus School of Law · Full-time  
Jun 2024 - Present · 1 yr 2 mos

[LinkedIn, accessed [7/17/25](#)]

**January 2021-June 2024: Mascott Worked As An Assistant Professor Of Law And Then Co-Executive Director Of The C. Boyden Gray Center For The Study Of The Administrative State At Antonin Scalia Law School.**



George Mason University - Antonin Scalia Law School  
3 yrs 6 mos

- **Co-Executive Director, The C. Boyden Gray Center for the Study of the Administrative State**  
May 2021 - Jun 2024 · 3 yrs 2 mos
- **Assistant Professor Of Law**  
Jan 2021 - Jun 2024 · 3 yrs 6 mos  
  
Courses: Constitutional Law; Administrative Law; Civil Procedure; Federal Courts; History and Foundations of the Administrative State (co-taught w/ Justice Clarence Thomas); Supreme Court seminar on key cases from the Supreme Court Term (co-taught w/ Justice Brett Kavanaugh); Separation of Powers in the Political Branches seminar  
  
Areas of scholarship: administrative law, constitutional interpretation, and the federal separation of powers.  
  
@jennmascott  
  
SSRN: [https://papers.ssrn.com/sol3/cf\\_dev/AbsByAuth.cfm?per\\_id=2653151](https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=2653151)

[LinkedIn, accessed [7/17/25](#)]

**2023: Mascott Won The Federalist Society’s 2023 Joseph Story Award Recognizing A Young Academic.** “The Federalist Society is honored to announce that the winner of the 2023 Joseph Story Award is Professor Jennifer Mascott of George Mason University’s Antonin Scalia Law School. The annual award recognizes a junior academic (ten years or less on the tenure track or 40 and under) who has demonstrated excellence in legal scholarship, a commitment to teaching, a concern for students, and who has made a significant public impact in a manner that advances the rule of law in a free society.” [Federalist Society, [3/7/23](#)]

*During The First Trump Administration, Mascott Served As Associate Deputy Attorney General*

**In 2019, Mascott Served As Deputy Assistant Attorney General In The Office Of Legal Counsel And Was Appointed Associate Deputy Attorney General In 2020.** “In 2019, Professor Mascott took a leave of absence from teaching to serve as Deputy Assistant Attorney General in the Office of Legal Counsel within the U.S. Department of Justice. In May 2020, she was appointed Associate Deputy Attorney General and starting in November 2020, served in a double appointment as both ADAG and a deputy in OLC through January 2021.” [Catholic University of America, accessed [7/22/25](#)]

- **While Serving In The Trump Justice Department, Mascott Assisted With Aspects Of Justice Amy Coney Barrett’s Confirmation Process.** “Separate from her formal responsibilities in those two roles,

Professor Mascott assisted with aspects of Justice Amy Coney Barrett's confirmation process and argued cases in federal appellate and trial courts during her government service." [Catholic University of America, accessed [7/22/25](#)]

## *Mascott Was The Founding Director Of The Defunct Nonprofit Constitutional Renewal Foundation*

**Jennifer Mascott Is The Founding Director Of The Constitutional Renewal Foundation.** "CRF Advisory Board Jenn Mascott Founding Director; Associate Professor of Law, Catholic University" [Constitutional Renewal Foundation, accessed [8/14/25](#)]

**The Constitutional Renewal Foundation Appeared To Be A Defunct Nonprofit Focused On The Separation Of Powers.** "We envision a future where lawmakers, regulators, and policy practitioners are well-informed and equipped to craft legislation and policies that reflect sound constitutional principles. By fostering collaboration among congressional staff, think tanks, policy institutes, and legal experts, we aim to create a robust framework for regulatory and legislative reform. Our commitment is to ensure that constitutional governance is not only preserved but also evolves to meet contemporary challenges, ensuring justice and liberty for all." [Constitutional Renewal Foundation, accessed [8/14/25](#)]

**Summer 2024: The Constitutional Renewal Foundation Hosted An Event In DC Focused On Bank Supervision.** "And the question always is: how do you avoid the unintended consequence of actually exacerbating the problem? Putting more and more of this sub-rosa. The day before we're taping this, I spoke on a panel that Jennifer Mascott's new 501(c)(3), the Constitutional Renewal Foundation. They hosted an event in Washington focused on bank supervision, bank examination. And that's an area where this is becoming even more of a question, the regulation outside of the normal regulatory process." [Law and Liberty Podcast, [7/15/24](#)]

## **Mascott Has Few Ties To Delaware Or The Third Circuit, Drawing Criticism From Delaware's Senators**

**Mascott Did Not Seek Out The Delaware-Specific Seat, Rather Expressing Interest In Any Position The White House Saw Fit.** "Jennifer Mascott's consideration for a federal appeals court judgeship in a state where she has few ties began when she expressed interest in serving on any court the White House saw fit. 'The circumstances that led to my nomination included my expression of interest in serving in the federal judiciary or any other governmental position in which the President or the Administration would be interested in having me serve,' Mascott said in answers to a Senate Judiciary disclosure obtained by Bloomberg Law." [Bloomberg Law, [8/14/25](#)]

### **Mascott Is Not Admitted To Practice Law In Delaware, But Owns A Beach Property In The State.**

"President Donald Trump's pick for a federal appeals court seat in Delaware has a sterling resume but few ties to the state or the circuit court overall. [...] But the White House lawyer and former clerk to Justice Clarence Thomas isn't admitted to practice law in the state of Delaware, according to the Office of the Delaware Supreme Court. Property records show she owns a property near a beach there." [Bloomberg Law, [7/17/25](#)]

**Delaware's Senators Said They Were Disappointed That The White House Nominated Someone Who Was Not A Delawarean And Did Not Take The Delaware Bar.** "Delaware's Democratic senators say they're disappointed that the White House would pass up candidates with more robust ties to the state's legal system. 'I've made it clear to White House counsel that nominating someone who's not a Delawarean and didn't take the Delaware bar—is not part of the Delaware legal community—when we had identified several compelling candidates who they had interviewed, is very disappointing,' said Sen. Chris Coons (D-Del.)." [Bloomberg Law, [7/17/25](#)]

**Mascott Was Not Part Of The White House's List Of Names For Senators To Consider, And Neither Senator Met With Mascott Before Trump's Announcement.** "Coons said there was 'constructive consultation' on candidates: senators suggested a list of Delaware-based lawyers and judges serving in the state to be interviewed, and the White House in turn sent over names for the senators to interview and consider. Mascott wasn't part of that process, Coons said, and neither senator met or spoke with Mascott before Trump's announcement. But they were given advance notice that she'd been chosen for the seat, the senators said." [Bloomberg Law, [7/17/25](#)]

## **Mascott Is A Scholar On The "Administrative State" And Senior Fellow At A Leo-Funded Position, Authoring Work On The Nondelegation Doctrine And Separation Of Powers**

### **Mascott Was A Senior Fellow For A Catholic University Of America Law School Project That Leonard Leo Founded**

**Mascott Founded The Separation Of Powers Institute At The Catholic University Of America's Law School In June 2024.**



**Assoc. Professor of Law & Founder,  
Separation of Powers Inst, Catholic  
Law (on public service leave)**

The Catholic University of America,  
Columbus School of Law · Full-time  
Jun 2024 – Present · 1 yr 2 mos

[LinkedIn, accessed [7/17/25](#)]

**Leonard Leo Funded The Project On Constitutional Originalism And The Catholic Intellectual Tradition (CIT) At Catholic University's Columbus School Of Law.** "In the last few years, he has helped raise more than \$20 million for the school, primarily through anonymous donations. Leo directed a \$4.25 million gift from an anonymous donor last spring to establish the Project on Constitutional Originalism and the Catholic Intellectual Tradition at Catholic University's Columbus School of Law. [...] Leo also helped facilitate another \$4 million in funding from an anonymous donor at the end of August to establish an endowed chair for the project in partnership with the Knights of Columbus, according to an article in the Fall 2022 issue of the school's alumni magazine." [National Catholic Reporter, [12/15/22](#)]

**July 2024: Mascott Was Announced As A Senior Fellow At CIT.** "CIT is thrilled to welcome Jennifer Mascott as a Senior Fellow! Prof. Jenn Mascott's scholarship focuses on administrative and constitutional law, theories of constitutional and statutory interpretation, and the constitutional structural separation of powers. In addition to serving as a senior fellow of CIT, she directs the Separation of Powers Institute at Catholic Law, founded in 2024. Prof. Mascott's scholarship has appeared or is forthcoming in the Stanford Law Review, the Notre Dame Law Review, the Supreme Court Review by the University of Chicago Press, and the George Washington Law Review, among other publications." [Facebook, Project on Constitutional Originalism and CIT, [7/29/24](#)]



**October 2024: Mascott Promoted A CIT-Hosted Discussion With Justice Kavanaugh On X.****Jenn Mascott** ✓  
@jennmascott

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Don't miss this great discussion btw J Kavanaugh & Joel Alicea as the Supreme Court nears the start of the 2024-25 Term. Important convo re the role of precedent, the impact of overruling legal deference to agencies, and the institution of the Court.

[youtu.be/2sKvSwzkmqo?si...](https://youtu.be/2sKvSwzkmqo?si...)

**Constitution and Catholic Intellectual Trad...** @CIT\_... · Sep 30, 2024

On the evening of September 26, CIT Director J. Joel Alicea hosted a conversation with Justice Brett M. Kavanaugh of the United States Supreme Court. Watch here: [youtu.be/2sKvSwzkmqo](https://youtu.be/2sKvSwzkmqo)

[X, @jennmascott, [10/1/24](#)]

**November 2022: Mascott Spoke At A Discussion Titled “Is the Administrative State Morally Legitimate” Hosted By CIT.** “Is the Administrative State Morally Legitimate [...] the evening of November 1, Catholic Law’s Project on Constitutional Originalism and the Catholic Intellectual Tradition (CIT) and The American Enterprise Institute (AEI) co-hosted a discussion of the morality of the administrative state. The discussion featured: Jennifer Mascott, Assistant Professor of Law, Antonin Scalia Law School, George Mason University; Paul J. Ray, Director, Thomas A. Roe Institute for Economic Policy Studies, The Heritage Foundation; Chad Squitieri, Assistant Professor of Law, The Catholic University of America Columbus School of Law; and Adam J. White, Senior Fellow, The American Enterprise Institute.” [Catholic Law Scholarship Repository, [11/1/22](#)]

## **Mascott Authored Scholarship On The Nondelegation Doctrine, Claiming The Government Had Delegated Too Much Authority To Federal Agencies**

**The Nondelegation Doctrine Stipulates That Congress May Not Yield Its Legislative Powers To The Executive Branch, Which Congress Has Not Invoked Since 1935.** “The nondelegation doctrine stipulates that Congress may not yield its Article I legislative powers to the executive branch, although the Supreme Court has not struck down an action on its grounds since 1935. When faced with a nondelegation claim, the court typically applies a rough test: if Congress has set forth an ‘intelligible principle’—or clear, discrete direction—to guide an agency, no impermissible delegation has occurred.” [Bipartisan Policy Center, [6/5/25](#)]

- **The Private Nondelegation Doctrine Supposedly Prevents Delegation Of Legislative Powers To Private Entities, But Has Not Been Invoked By The Supreme Court.** “These precedents established what is known as the private nondelegation doctrine. Since the Supreme Court handed down those cases, lower courts have struggled to implement the doctrine coherently. Boiled down, courts have mostly deferred to Congress, permitting delegations outside the government if a federal agency retains enough ‘supervision’ over the private entity.” [Federalist Society, [12/12/24](#)]

**2022: Mascott Authored A Paper On Private Delegation Outside Of Executive Supervision, Saying Supreme Court Justice Alito’s Concerns Over Too Much Private Delegation Merited Further Exploration.** “Although Congress and implicitly the Court apparently have concluded that the binding fact-finding authority of the early boards did not disrupt presidential executive supervision, the evidence suggests that this superficially significant power really was not viewed as constituting core sovereign authority. The Executive Branch today has signed off on far broader private delegation of a potentially constitutionally distinct character. This Article will uncover some of those distinctions and explore how the early view of permissible private delegation, implicitly endorsed by the Supreme Court in 2021, differs substantially from some of the private arbitration and other binding private power that Congress and the Executive Branch have normalized today. The constitutional concerns over too much private delegation raised by jurists such as

Justice Alito merit further exploration and may call into question several current governmental practices.” [Harvard Journal of Law and Public Policy, [12/27/22](#)]

**2019: Mascott Wrote That The Truth About The Nondelegation Doctrine “Probably Lies Somewhere In Between” It Not Existing And Unconstrained Power.** “Some scholars suggest this is because there is no inherent constitutional nondelegation principle and broadly worded statutes have always been permissible. On the opposite end of the spectrum, advocates for constrained administrative power at times are perceived as suggesting that executive agencies must exercise next to no discretionary power. The truth probably lies somewhere in between.” [George Washington Law Review, [5/8/20](#)]

**2018: Mascott Noted That The Court Has Enforced Other Imprecise Constitutional Standards, Which Would Allow Them To Enforce The Imprecise “Intelligible Principle” Standard As Well.** “The phrase ‘intelligible principle’ has been quoted repeatedly by the Supreme Court when evaluating nondelegation claims over the years. The imprecision of such a standard, and the lack of an express nondelegation clause in the Constitution, has caused some scholars to contend that even if the Constitution embodies a nondelegation doctrine, the standard is not administrable and, thus, is unenforceable by courts. But the challenge of formulating a clear test to administer a textually imprecise constitutional standard has not prevented the Court from enforcing numerous other open-ended constitutional requirements.” [George Mason Law Review, [10/31/18](#)]

**June 2025: The Supreme Court Passed On Reviving The Nondelegation Doctrine, A Principle That Congress Cannot Delegate Its Lawmaking Powers To Other Institutions.** “Last year the Supreme Court took a significant step to limit the power of administrative agencies with its decision overturning the Chevron doctrine, which for 40 years had instructed courts to show certain deference to an agency’s interpretation of the laws that it administered. On Friday, the justices declined to take another step to curtail those agencies’ power. By a vote of 6-3, the court turned back a challenge to a federal program that subsidizes telephone and high-speed internet services in schools, libraries, rural areas, and low-income communities in urban areas. In doing so, the majority declined to revive a theory known as the nondelegation doctrine – the principle that Congress cannot delegate its lawmaking powers to other institutions.” [SCOTUSblog, [6/27/25](#)]

## **Mascott Drafted An Amicus Brief Challenging The Constitutionality Of The Consumer Financial Protection Bureau**

**May 2024: The Supreme Court Rejected A Challenge To The Consumer Financial Protection Bureau (CFPB) Which Could Have Crippled The Bureau.** “The Supreme Court rejected a challenge on Thursday to the way the Consumer Financial Protection Bureau is funded, one that could have hobbled the bureau and advanced a central goal of the conservative legal movement: limiting the power of independent agencies. The vote was 7 to 2, with Justice Clarence Thomas writing the majority opinion.” [New York Times, [5/16/24](#)]

**July 2023: The Gray Center For The Study Of The Administrative State At George Mason University’s Antonin Scalia Law School Filed An Amicus Brief On Behalf Of 132 Members Of Congress In *CFPB v. CFSA* Asking The Supreme Court To Uphold The Fifth Circuit Ruling Against The CFPB.**

### **BRIEF OF 132 MEMBERS OF CONGRESS AS AMICI CURIAE IN SUPPORT OF RESPONDENTS**

JENNIFER L. MASCOTT  
R. TRENT MCCOTTER  
*Counsel of Record*  
SEPARATION OF POWERS CLINIC

[Supreme Court, *CFPB v. CFSA*, Amicus Brief, filed [7/10/23](#)]

Jennifer Mascott Served As Counsel To The Members Of Congress In Their Amicus Brief In *CFPB v. CFSA*.

BRIEF OF 132 MEMBERS OF CONGRESS  
AS AMICI CURIAE  
IN SUPPORT OF RESPONDENTS

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[Supreme Court, CFPB v. CFSA, Amicus Brief, filed [7/10/23](#)]

**Mascott Filed An Amicus Brief Supporting Walmart's Challenge To FTC Oversight**

**Walmart Filed A Motion To Dismiss A Federal Trade Commission Lawsuit Against The Company, Which Claimed The Company Processed Fraudulent Money Transfers.** “Enter Walmart. In a recently filed motion to dismiss a U.S. Federal Trade Commission (FTC) lawsuit against the company, Walmart may have demonstrated how to thread the remedial needle in separation-of-powers litigation. The retail giant’s creative litigation strategy has set up a constitutional showdown with the FTC that might have some practical consequences. The FTC recently sued Walmart under the FTC Act and the Telemarketing Act, seeking permanent injunctive relief, monetary relief, and civil penalties. The FTC alleges that Walmart has, for a while, knowingly processed ‘fraud-induced money transfers at its stores—funding telemarketing and other scams—without adopting policies and practices that effectively detect and prevent these transfers.’” [Regulatory Review, [10/3/22](#)]

**Mascott Filed An Amicus Brief In Support Of Walmart's Motion To Dismiss.**

BRIEF FOR AMICI CURIAE PROFESSOR JENNIFER L. MASCOTT  
IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS

Jennifer L. Mascott ( <i>pro hac vice</i> forthcoming)	Steven F. Molo (ARDC No. 6184051)
R. Trent McCotter ( <i>pro hac vice</i> forthcoming)	MOLOLAMKEN LLP
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[Northern District of Illinois, FTC v. Walmart, Amicus Brief, filed [9/6/22](#)]



**Mascott's Brief Argued That The FTC's Power Had Greatly Expanded Since *Humphrey's Executor*, Yet Was Insulated From Direct Presidential Removal.** "Congress has dramatically expanded the powers of the FTC since the time of *Humphrey's Executor* in 1935. For example, the FTC can now seek extraordinary civil penalties and permanent injunctions in federal court, but the 1935 FTC had no such authority. These significant new powers are ones the Supreme Court has held can typically be exercised only by executive officers directly responsible to the President pursuant to his Article II supervisory authority. But FTC Commissioners are subject to statutory removal protections, insulating them from that direct presidential oversight." [Northern District of Illinois, *FTC v. Walmart*, Amicus Brief, filed [9/6/22](#)]

- ***Humphrey's Executor* Is 90 Year Old Precedent That Upheld Congressional Requirements That A President Can Fire Independent Agency Commissioners Only For A Serious Reason, Such As Malfeasance Or Neglect Of Duties.** "Beginning with *Humphrey's Executor v. United States*, the Supreme Court for 90 years has upheld congressional requirements that a president can fire independent agency commissioners only for a serious reason, such as malfeasance or neglect of duties. Yet *Humphrey's Executor* and cases that reinforced its ruling are now under attack by President Donald Trump's administration, which flouted the law and summarily fired commissioners at multiple independent agencies without any legally required cause." [Center for American Progress, [2/27/25](#)]
- **2025: *Humphrey's Executor* Was The Legal Precedent Preventing Trump From Firing Two Democrats Serving On The FTC.** "President Trump's move to fire two Democrats serving on the Federal Trade Commission sets up a likely fight over an important, but somewhat obscure, Supreme Court ruling. Why it matters: The legal precedent, *Humphrey's Executor v. United States*, protects commissioners at independent agencies from being fired at will — and if overturned, could allow the White House to reshape the government." [Axios, [3/19/25](#)]

## **Mascott Filed An Amicus Brief On Behalf Of Ted Cruz, Mike Johnson, And Other Members Of Congress Supporting The Overturn Of The Chevron Doctrine**

**July 2023: Mascott Filed An Amicus Brief On Behalf Of Ted Cruz, Mike Johnson, And 34 Other Members Of Congress In *Loper Bright v. Raimondo*.**

BRIEF OF U.S. SENATOR TED CRUZ,  
CONGRESSMAN MIKE JOHNSON, AND  
34 OTHER MEMBERS OF CONGRESS  
AS AMICI CURIAE  
IN SUPPORT OF PETITIONERS

JENNIFER L. MASCOTT  
R. TRENT MCCOTTER  
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[Supreme Court, *Loper Bright Enterprises v. Raimondo*, Amicus Brief, filed [7/24/23](#)]

**June 2024: The Supreme Court Ruled That The Courts May Not Defer To Agency Interpretation Of A Law Because The Statute Is Ambiguous, Overruling *Chevron*.** "Held: The Administrative Procedure Act requires courts to exercise their independent judgment in deciding whether an agency has acted within its statutory authority, and courts may not defer to an agency interpretation of the law simply because a statute is

ambiguous; Chevron is overruled.” [Loper Bright Enterprises et al. v. Raimondo, Secretary of Commerce, et al., Opinion, [6/28/24](#)]

### June 2024: Mascott Celebrated The Overturn Of Chevron Deference.



Jenn Mascott  
@jennmascott

Follow

Given the Court’s complete overruling of Chevron today, looks like we’ll be rewriting about 1/5 of our admin law casebook this summer. 🤖

But not gonna lie—will do it gladly. 😊

[supremecourt.gov/opinions/23pdf... /](#)

11:32 AM · Jun 28, 2024 · 11.7K Views

[X, @jennmascott, [6/28/24](#)]

## Mascott Represented The Government In A Case Challenging A Change To Title IX Rules And Opposed Ketanji Brown Jackson’s Nomination To The Supreme Court

### 2020: Mascott Defended The Government In A Case Challenging Title IX Rules Governing How Sexual Misconduct Complaints Were Handled

**2020: The Department Of Education Issued New Title IX Guidance On Sexual Assault Claims, Including Presuming The Accused Are Innocent Prior To Investigations.** “Under the new rules, institutions must presume that those accused of sexual misconduct are innocent prior to the investigative and decision-making process, addressing a repeated criticism of 2011 guidance issued by the Obama administration. Those in favor of a Title IX overhaul say the Obama guidance, referred to as the Dear Colleague letter, caused colleges to overenforce campus sexual misconduct and led to students being unjustly removed from campuses for false accusations. DeVos rescinded the letter in 2017.” [Inside Higher Ed, [5/6/20](#)]

**November 2020: Lawyers Representing Advocacy Groups And Victims Of Sexual Violence Sued To Vacate The Department Of Education’s New Title IX Rules Governing How Sexual Misconduct Complaints Should Be Handled.** “Lawyers representing advocacy groups and victims of sexual violence argued in federal court Thursday that the Department of Education’s new Title IX rules governing how schools handle sexual misconduct complaints should be vacated, saying the rules force schools to adopt a biased and prejudicial system.” [BU News Service, [11/13/20](#)]

**Mascott Argued For The Government That The Plaintiffs Lacked Standing.** “Associate Deputy Attorney General Jennifer Mascott argued the government’s position that the plaintiffs lack standing. She said the plaintiff organizations can’t prove they have been hurt by the Final Rule, and all but one of the individual plaintiffs claim their rights were violated before the new guidelines went into effect, so the new rules won’t apply to them.” [BU News Service, [11/13/20](#)]

**The Judge Warned That The Rule Mascott Was Defending Would Eliminate “A Wide Swath Of Proof” Including Rape Kit Evidence Unless Hospital Staff Could Be Cross-Examined.** “During a bench trial over the new rules, which have been challenged in multiple federal courts, U.S. District Judge William G. Young pointed out that requiring cross-examination in investigating a sexual assault claim would eliminate a wide swath of proof that would be admissible in a court of law. ‘I’m not talking about the statements of the complainant,’ Judge Young said. ‘Normally, evidence of the rape kit comes in. If I read this rule correctly, such evidence would not be admissible unless there was someone from the hospital to testify and be cross-examined as to her observations and the like. That’s rather extraordinary.’” [Law360, [11/12/20](#)]

- **Mascott Defended The Rule By Arguing That Administrative Hearings Are Different From Criminal Courts.** “Arguing for the federal government, Jennifer Mascott of the U.S. Department of Justice replied that these hearings are administrative, not criminal. ‘There could be significant differences that still come within the range of reasonable policy alternatives,’ Mascott said, arguing the Education Department has broad discretion to create its own rules.” [Law360, [11/12/20](#)]

**2021: The Judge Largely Upheld Trump's Title IX Rule That Mascott Defended, Finding It Did Not Violate The Equal Protection Clause Because It Treats Men And Women The Same On Its Face.** “U.S. District Judge William G. Young, who presided over a bench trial challenging the rules, found that the final version of the rule issued under former Education Secretary Betsy DeVos did not violate the equal protection clause of the Fifth Amendment because it treats men and women the same and does not discriminate on its face.” [Law360, [7/29/21](#)]

- **April 2024: The Biden Administration Eventually Announced It Would Roll Back The Trump Administration's Title IX Changes.** “The U.S. Department of Education on Friday announced a final rule that will update Title IX regulations governing how schools respond to sexual misconduct, undoing changes made under the Trump administration and former Education Secretary Betsy DeVos.” [Missouri Independent, [4/19/24](#)]

## **Mascott Testified Opposing Kentanji Brown Jackson's Nomination To The Supreme Court**

**Mascott Was Called By Republicans As A Witness During Kentanji Brown Jackson's Confirmation Hearings.** “Witnesses to be called by Republicans Steve Marshall, Attorney General, State of Alabama Jennifer Mascott, Assistant Professor of Law & Co-Executive Director, The C. Boyden Gray Center for the Study of the Administrative State, Antonin Scalia Law School, George Mason University” [CNN, [3/24/22](#)]

**Mascott Warned That Jackson May Have A Different View Than Traditionally Applied Methods Of Originalism.** “Administrative law professor Jennifer Mascott warned that Jackson ‘may have a different view than traditionally applied methods of originalism,’ the philosophy favored by some Republican appointed judges.” [CNN, [3/24/22](#)]

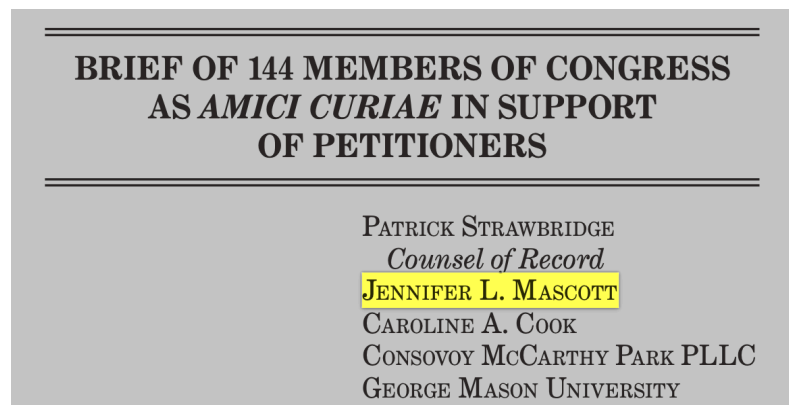
**Mascott Said That Senators Who Support Originalism And Textualism Could Find Reason To Oppose The Nomination.** “Based on the evidence from the body of work presented to the Committee and statements during the hearing, there is a lack of evidence suggesting commitment to exclusive reliance on originalism and textualism as those interpretive methodologies are traditionally applied. Senators who understand originalism and textualism as the constitutionally appropriate methods for discerning legal meaning, and who are committed to voting on nominees on the basis of judicial philosophy, could conclude there is reason to oppose the nomination here.” [U.S. Senate Committee on the Judiciary, Prepared Testimony of Jennifer L. Mascott, [3/24/22](#)]

**Mascott Served As Counsel On An Amicus Brief Supporting Religious “Crisis Pregnancy Centers” And Served On The Volunteer Board Of The Rockville Pregnancy Center, Which Uses Deceptive Practices To Dissuade Women From Seeking Abortion Care**

## **Mascott Served As Counsel On An Amicus Brief Supporting The End To A California Law Requiring Crisis Pregnancy Centers To Share Abortion Information With The Population They Serve**

June 2018: In A 5-4 Vote, The Supreme Court Ruled That California May Not Require Religiously Oriented “Crisis Pregnancy Centers” To Supply Women With Abortion Information. “Ruling for opponents of abortion on free speech grounds, the Supreme Court said on Tuesday that the State of California may not require religiously oriented ‘crisis pregnancy centers’ to supply women with information about how to end their pregnancies. The case was a clash between state efforts to provide women with facts about their medical options and First Amendment rulings that place limits on the government’s ability to compel people to say things at odds with their beliefs.” [New York Time, [6/26/18](#)]

January 2018: Jennifer Mascott Served As Counsel On An Amicus Brief Representing 144 Members Of Congress Supporting The Petitioners In *National Institute of Family and Life Advocates v. Xavier Becerra*.



[Supreme Court, *National Institute of Family and Life Advocates v. Xavier Becerra*, Amicus Brief, [1/16/18](#)]

- **The Brief Wrote That The California Law Had “Burdensome Requirements” That Forced Centers To Provide “Non-Medical Information” That Contradicted Their “Moral Beliefs.”** “These members share an interest in upholding America’s longstanding and bipartisan tradition of protecting freedom of speech and freedom of conscience. This case involves a state legislature’s attempt to infringe on both of these freedoms. The California law at issue compels pregnancy centers opposed to abortion—and only those opposed to abortion—to comply with burdensome requirements that force these centers to provide nonmedical information that contradicts their core message and moral beliefs.” [Supreme Court, *National Institute of Family and Life Advocates v. Xavier Becerra*, Amicus Brief, [1/16/18](#)]

## **From 2021 To 2023, Mascott Was A Board Member At The Rockville Pregnancy Center, A Faith-Based Organization That Uses Deception To Dissuade Women From Seeking Abortion Care**

According To Annual Information Disclosures To The IRS, Jennifer Mascott Was A Board Member Of The Rockville Pregnancy Center From 2021 To 2023

[Rockville Pregnancy Center Inc. 2023 990 Disclosure Form, accessed [8/11/25](#)]

[Form 990, Rockville Pregnancy Center Inc., 2021]

## [Form 990, Rockville Pregnancy Center Inc., 2022]



**Rockville Women's Center Lists Abortion As A Potential Option As It Relates To The Uncertainty Individuals May Have When Facing An Unplanned Pregnancy.**

When facing an unplanned pregnancy, you may be pondering the potential changes and issues ahead of you. Is abortion the right decision for you? What are your options? You may want everything to slow down to allow you to make your best decision. The Rockville Women's Center allows you to take the time you need to make the best-informed decision for you with our evidence-based education through our **pregnancy options consultation**.

[Rockville Women's Center, accessed [8/12/25](#)]

**The Rockville Women's Center Posted On Its FAQ Page That Women Have Reported Experiencing Intense Abdominal Pain And Cramping And Said That An Abortion Could Lead To Fatal Infections.**

"Women have reported experiencing some intense abdominal pain & cramping. As well as bouts of nausea, vomiting, diarrhea, and residual bleeding. Although it isn't as common, we must mention that abortion can result in failure and needing to repeat the process, hemorrhaging, or more serious and sometimes fatal infections." [Rockville Women's Center, accessed [8/11/25](#)]

**Mascott Praised The Supreme Court's Overturning Of Roe v. Wade**

**In An Op-Ed, Mascott Wrote That The Supreme Court's Decision In *Dobbs* "Reclaimed Its Legitimate Constitutional Role."** "The most anxiously awaited Supreme Court decision in decades is also the least surprising. An act of institutional sabotage leaked Justice Samuel Alito's draft opinion in *Dobbs v. Jackson Women's Health Organization* nearly eight weeks in advance. On Friday a five-justice majority definitively overruled *Roe v. Wade* (1973) and *Planned Parenthood v. Casey* (1992), affirming states' authority to regulate abortion. In so doing, the court reclaimed its legitimate constitutional role and signaled a willingness to re-examine precedents that strayed across the line between law and policy or misconstrued important constitutional provisions." [David B. Ribkin Jr. And Jennifer Mascott - Wall Street Journal, [6/24/22](#)]

**Mascott Wrote That The "Most Constitutionally Correct Outcome" In *Dobbs* Would Be For The Court To Conclude The Fourteenth Amendment Contains No Substantive Right And Reverse *Roe* And *Casey*.**

"The most constitutionally correct outcome in *Dobbs* would be for the Court to conclude that the Fourteenth Amendment Due Process Clause—a guarantee of process protections—contains no substantive right. An approach consistent with recent precedent that also would effectively reverse *Roe* and *Casey* would be reliance on *Glucksberg* to resolve that the Court will no longer recognize any asserted abortion right that is not deeply rooted." [Jennifer Mascott - Real Clear Policy, [12/1/21](#)]

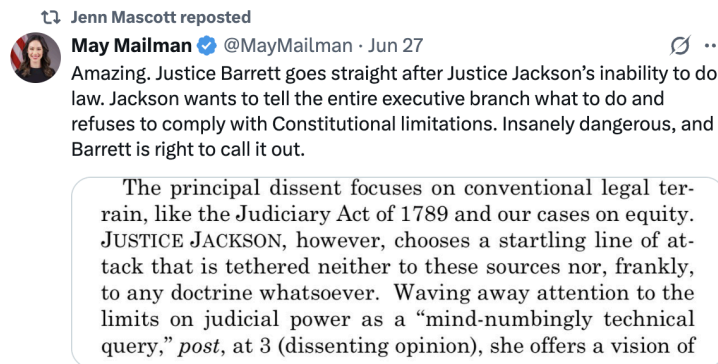
**Mascott Has Maintained Her X Profile After Her Nomination, Often Posting in Support Of Trump's Agenda And Engaging With Conservative Legal Figures****Mascott Has Reposted In Support Of The Trump Administration's Legal Battles**

## Mascott Reposted A Post About Trump’s “Major Victory” After The Supreme Court Allowed The Administration To Pursue Mass Layoffs.



[X, @JonathanTurley, [7/8/25](#)]

## Mascott Reposted A Post Praising Justice Barrett For Going After “Justice Jackson’s Inability To Do Law” In The Birthright Citizenship Case.



[X, @MayMailman, [6/27/25](#)]

## Mascott Reposted A Celebration Of Tennessee’s Supreme Court Victory In Their Anti-Gender Affirming Care Case.

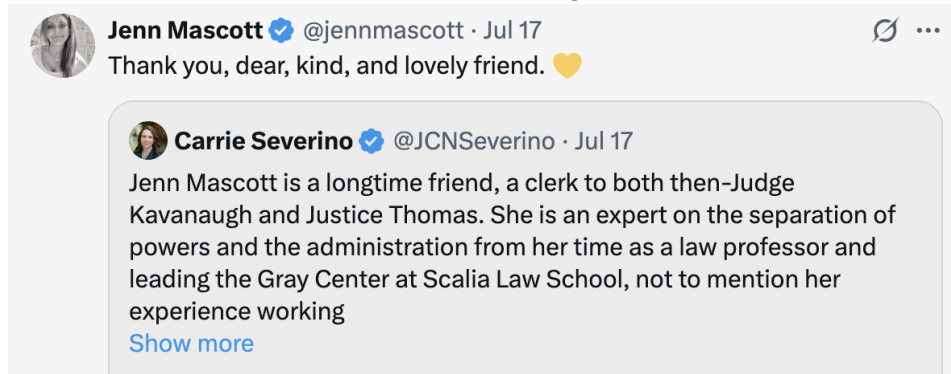


[X, @AFergusonFTC, [6/18/25](#)]

## Mascott Has Thanked Influential Conservatives Following Her Nomination

*Mascott Thanked Carrie Severino, President Of Leonard Leo’s Judicial Crisis Network*

## Mascott Thanked Carrie Severino For Her Praise Following Her Nomination.



[X, @jennmascott, [7/17/25](#)]

- **Severino Is The President Of Leonard Leo’s Judicial Crisis Network.** “Carrie Campbell Severino is the president of the Judicial Crisis Network, and co-author with Mollie Hemingway of the bestselling book Justice on Trial: The Kavanaugh Confirmation and the Future of the Court. As a go-to expert on the confirmation process, Mrs. Severino has been extensively quoted in the media. She regularly appears on television, including FOX, CNN, MSNBC, C-SPAN, and ABC’s This Week.” [Federalist Society, accessed [5/2/25](#)]

## Mascott Thanked Mike Davis, Trump Outside Advisor On Judicial Nominations

### Mascott Thanked Mike Davis For His Support Following Her Nomination.



[X, @jennmascott, [7/17/25](#)]

**May 2019: Mike Davis, A Former Republican Senate Aide Involved In Gorsuch And Kavanaugh’s Nominations, Said He Launched The Article III Project To Bring A “Brass Knuckles” Approach To Judicial Nominations.** “In the latest escalation of partisanship surrounding federal judicial nominations, an advocacy group is being created on the right to maintain momentum behind the Republican judicial juggernaut and prepare for the inevitable next Supreme Court fight. Named the Article III Project for the section of the Constitution that established the judiciary, the organization will be led by Mike Davis, a former Republican Senate and White House aide who was a central figure in the confirmations of Justices Neil M. Gorsuch and Brett M. Kavanaugh. [...] ‘What I want to do with the Article III Project is take off the gloves, put on the brass knuckles and fight back,’ said Mr. Davis, an Iowa native who was the chief nominations counsel for Senator Charles E. Grassley, an Iowa Republican who was the chairman of the Judiciary Committee until this year.” [New York Times, [5/18/19](#)]

**2025: Davis Said He Was Working With The White House On Judicial Nominations And Had Already Shared A List Of His Judicial Picks With The Administration.** “The White House is listening to its most trusted legal allies as it develops a list of candidates who share a ‘bold and fearless loyalty to the Constitution,’ said Mike Davis, founder of the conservative legal group Article III Project and a key Trumpworld confidant.

Davis has made clear for months that he aims to help Trump further entrench a conservative federal bench, and said he's already 'shared a list' of his picks with the administration." [New York Post, [3/22/25](#)]

## **Mascott Has Maintained A Cozy Relationship With The Supreme Court Justices, Co-Teaching Alongside Justice Thomas And Filing Influential Briefs Referenced By The Justices**

### **Mascott Clerked For Justice Thomas And Then-Judge Kavanaugh, And Maintained A Relationship With The Two Justices Since Clerking**

*Mascott Clerked For Justice Thomas And Then-Judge Kavanaugh, Defended Kavanaugh During His Confirmation, And Thanked Thomas For Guiding Scalia Law Students Through The Court*

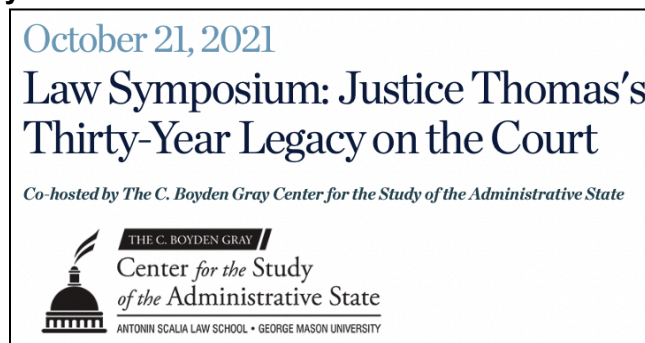
**Mascott Clerked For Justice Thomas And Then-Judge Kavanaugh.** "Professor Mascott is a former law clerk to Supreme Court Justice Clarence Thomas and to then-Judge Brett M. Kavanaugh, formerly of the U.S. Court of Appeals for the D.C. Circuit." [Catholic University of America, accessed [7/22/25](#)]

**Mascott Clerked For Kavanaugh On The Court Of Appeals And Came To His Defense During His Sexual Misconduct Allegations, Claiming He Had Acted With "The Utmost Character And Integrity."** "One of Kavanaugh's former clerks on the U.S. Court of Appeals for the D.C. Circuit, Mascott came to his defense when his nomination was threatened last year by allegations of sexual misconduct, which he vehemently denied. 'He has acted with the utmost character and integrity,' she told 'PBS NewsHour.'" [Washington Post, [4/09/19](#)]

**In Emails Showing Scalia Law School "Beseeching" Supreme Court Justices To Give Tours To Students, Mascott Emailed Justice Thomas, "I Know The Students Were THRILLED To Have The Opportunity To Get A Behind-The-Scenes Look At The Court."** "The emails show Scalia Law beseeching the justices to attend a host of law school activities, as guests or speakers. Students were given tours of the court, escorted by justices. 'I know the students were THRILLED to have the opportunity to get a behind-the-scenes look at the Court,' Jennifer Mascott, a Scalia Law professor who had clerked for Justice Thomas, wrote to her former boss." [New York Times, [4/30/23](#)]

*2021: Thomas Thanked Mascott For Organizing An Event In His Honor, Where She Called Thomas "One Of The Leading Jurists Of The 20th And 21st Centuries" And Introduced A New "First Principles Award" Named After Him*

**October 2021: The Gray Center And The Heritage Foundation Co-Hosted An Event In Honor Of "Justice Thomas's Thirty-Year Legacy On The Court."**



[The Heritage Foundation, [10/21/21](#)]

- **Jennifer Mascott Was Given Credit For Organizing The Event.** “Kudos to John Malcolm and Jenn Mascott, as well as everyone at Heritage and the Gray Center, for organizing such an amazing event.” [Reason, [10/21/21](#)]

**Mascott Called Justice Thomas “One Of The Leading Jurists Of The 20th And 21st Centuries” As She Announced That The Gray Center Had Created Its “Justice Clarence Thomas First Principles Award” To Those Who Show “Exemplary Dedication To Principled Application Of The Rule Of Law, Humility, And Strength Of Character.”** “In honor of Justice Thomas's 30 years and his role as one of the leading jurists of the 20th and 21st centuries, this year the Gray Center is awarding for the first time what will become an annual award named after the justice to honor his ongoing legacy. The Justice Clarence Thomas First Principles Award will be given out each year in October to an individual who has shown exemplary dedication to principled application of the rule of law, humility, and strength of character.” [The Heritage Foundation via YouTube, 10/21/21, accessed [07/31/23 \(01:24\)](#)]

- **Mascott Praised Thomas For Writing “Some Of The Most Landmark Judicial Opinions On Originalism Of Our Time.”** “Justice Thomas's story, rising from childhood in the segregated south in poverty to a seat on the Supreme Court, is a poignant personification of the American story of liberty and optimism. Justice Thomas's life and career is a picture of hope and determination, faith, and principled character. Rising above significant adversity to engagement and great service and leadership, writing some of the most landmark judicial opinions on originalism of our time” [The Heritage Foundation via YouTube, 10/21/21, accessed [07/31/23 \(02:15\)](#)]

**In His Speech At The Event, Justice Thomas Said, “I Thank Jen Mascott, Whose Idea This Was And Who's Simply Delightful, And As Well As The Gray Center.”** “I thank Jen Mascott, whose idea this was and who's simply delightful, and as well as the Gray Center. I'm sure there's a ton of hard work involved in this and details and convincing people to participate.” [The Heritage Foundation via YouTube, 10/21/21, [\(46:31\)](#)]

## **Mascott Filed Briefs Before The Court While Teaching With Justices Thomas And Kavanaugh**

*Mascott Filed Three Briefs While Working Alongside Justices Thomas And Kavanaugh*

**In 2022, Mascott Filed Two Briefs While She Was Teaching Alongside Justice Clarence Thomas And A Third Brief While She “Prepared For An On-Campus Summer Program With Justice Kavanaugh.”** “Ms. Mascott filed briefs in two cases in March 2022, while teaching with Justice Thomas, and a third brief that May as she prepared for an on-campus summer program with Justice Kavanaugh.” [The New York Times, [4/30/23](#)]

**Mascott And Justice Kavanaugh Co-Taught A Scalia Law School Course In Runnymede, England, “In The English Countryside.”** “That comes after the university announced that Kavanaugh will head to Runnymede, England, this summer to teach a course on the origins of the U.S. Constitution to students at George Mason's Antonin Scalia Law School — 3,600 miles from the Arlington campus. He will be joined in the English countryside by Jennifer Mascott, an assistant professor of law at George Mason.” [Washington Post, [4/09/19](#)]

*The Justices Considered And Echoed Mascott's Legal Arguments During Cases*

**Justice Thomas Has “Appeared To Echo” Mascott's Legal Arguments In A Dissent For A Case On State Sovereign Immunity.** “Justice Thomas appeared to echo her legal reasoning in his dissenting opinion in a case involving state sovereign immunity.” [New York Times, [4/30/23](#)]



**Justice Gorsuch Has “Name-Checked” Mascott, Asking The Government’s Lawyer “And What Do We Do With Professor Mascott’s Amicus Brief?” During Oral Arguments.** “Her brief in another case, involving the Department of Veterans Affairs, so caught Justice Gorsuch’s attention that he name-checked her during oral arguments. ‘And what do we do with Professor Mascott’s amicus brief?’ he asked the government’s lawyer.” [New York Times, [4/30/23](#)]

**An Ethics Professor Said That Filing Briefs While Teaching With A Justice Could Create “The Appearance Of Impropriety.”** “Ms. Frost, the legal ethics professor, said that filing briefs in cases before the court while teaching with a justice could create ‘the appearance of impropriety,’ even if the cases were never discussed. ‘It’s the proximity in time that’s concerning,’ she said.” [New York Times, [4/30/23](#)]

### **Mascott Has Commentated On Matters Relating To The Supreme Court, Defending Their 2024 Trump Immunity Decision And Testifying Before The Senate About Judicial Issues**

**2024: Mascott Called The Supreme Court’s Controversial Trump Immunity Decision A “Modest Decision.”** “Jennifer Mascott, a professor at the Catholic University of America, called it a ‘modest decision’ while former George W. Bush Attorney General Michael Mukasey said it would prevent ‘any subsequent president who would have to look over their shoulder to assure that his decisions are not subject to possible criminal prosecution.’” [The Hill, [9/24/24](#)]

**2023: Mascott Testified Before The Senate Judiciary Committee On The Separation Of Powers.** “Professor Mascott. Chairman Whitehouse, Ranking Member Kennedy, Members of the Subcommittee, thank you for having me here to testify today. I’m Jennifer Mascott, a professor at Scalia Law School. But I’m testifying in my individual academic capacity, and so my views obviously don’t reflect the views of my academic institution. [...] So, today I’ve been asked to talk a little bit about any separation of powers questions that might arise in looking at regulation of procedure with the Supreme Court. Congress obviously has a very important constitutional role to play related to the Federal judiciary.” [Committee on the Judiciary hearing, [6/14/23](#)]

**2018: Mascott Argued That There Was Not A Legitimacy Crisis On The Court.** “Rosen: [00:02:00] OK. Let’s jump right in with the central question. Is there a legitimacy crisis at the Supreme Court? in the 1980s majorities routinely reported they had a great deal or quite a lot of confidence in the Court. The latest Gallup polls from earlier this year found that only 37 percent had a great deal or a lot of confidence. Jenn is there a legitimacy crisis at the Supreme Court? Mascott: [00:02:27] I do not think there’s a legitimacy crisis. No. I mean as you know the Supreme Court is not driven by poll numbers. It shouldn’t be driven by poll numbers. It’s a branch that’s designed to be insulated to a degree from politics, from the political branches.” [Constitution Center, [10/18/18](#)]

**Additionally, Jennifer Mascott Spoke On Multiple Panels Hosted By Far-Right Anti-Abortion Organizations And Associates From The Alliance Defending Freedom (ADF)**

### **Mascott Participate In A Panel Co-Hosted By The Ethics And Public Policy Center—An Anti-Abortion Organization Where Leonard Leo Sits On The Board**

*April 2022: Mascott Participated In A Panel Co-Hosted By The Ethics And Public Policy Center (EPCC)*

## **April 8, 2022: The Ethics And Public Policy Center And The C. Boyden Gray Center Co-Hosted A Conference On Religious Liberty With A Panel Featuring Litigators And Former Government Officials.**

“On Friday, April 8, the C. Boyden Gray Center for the Study of the Administrative State and the Ethics and Public Policy Center hosted a conference on religious liberty with panel discussions on government regulation and religion in the public square and religious freedom and the courts. Speakers included leading litigators and former and current senior government officials.” [Antonin Scalia Law School, [4/8/25](#)]

## **Jennifer Mascott Was Listed As One Of The Panelists At The Event Co-Hosted By The Ethics And Public Policy Center.**

### Agenda

*All sessions held in the Mayflower's East Room (1127 Connecticut Ave NW, Washington DC 20036)*

**9:00 – 9:40 am: Registration & Breakfast**

**9:40 – 9:45 am: Welcome**

**Jennifer Mascott**, Assistant Professor of Law & Co-Executive Director, The C. Boyden Gray Center for the Study of the Administrative State, Scalia Law School

**Edward Whelan**, Distinguished Senior Fellow & Antonin Scalia Chair in Constitutional Studies, Ethics and Public Policy Center

[Antonin Scalia Law School, [4/8/25](#)]

## **The Event Also Featured Matt Bowman, Senior Counsel At Alliance Defending Freedom; And Roger Severino, Vice President At The Heritage Foundation.**

**9:45 – 11:00 am: Panel 1 – Religious Liberty, Government Regulation, and the Public Square**

**Matt Bowman**, Senior Counsel, Alliance Defending Freedom

**The Honorable Andrea R. Lucas**, Commissioner, Equal Employment Opportunity Commission

**Roger T. Severino**, Senior Fellow, Ethics and Public Policy Center; Vice President of Domestic Policy, The Heritage Foundation

**Moderator: The Honorable Trevor N. McFadden**, District Judge, United States District Court for the District of Columbia

[Antonin Scalia Law School, [4/8/25](#)]

- **ADF Is A Conservative Christian Legal Organization And Designated An Anti-LGBTQ+ Hate Group By The Southern Poverty Law Center.** “The Alliance Defending Freedom is a so-called ‘legal alliance of Christian attorneys’ with a history of funding and representing cases targeting LGBTQ people, youth and protections. It is listed as an anti-LGBTQ hate group by the Southern Poverty Law Center, which also notes ADF’s efforts against abortion access and that its CEO, Michael Farris, fought equal rights for women. Farris also coordinated efforts to discredit the 2020 presidential election, in which LGBTQ voters were a deciding faction.” [GLAAD, [12/4/24](#)]

*EPPC Is An Anti-Abortion, Conservative Religious Organization That Recently Received Criticism For Their “Study” Purporting To Show Harms Of Mifepristone*

## **Ethics & Public Policy Center Is A Washington D.C.-Based Think Tank “Working To Apply The Riches Of The Jewish And Christian Traditions To Contemporary Questions Of Law, Culture, And Politics.”**

“Founded in 1976, the Ethics and Public Policy Center is Washington, D.C.’s premier institute working to apply the riches of the Jewish and Christian traditions to contemporary questions of law, culture, and politics, in pursuit of America’s continued civic and cultural renewal.” [EPPC, accessed [5/20/25](#)]

6/12/25]

5/19/25

- **Erin Morrow Hawley Was Part Of The Legal Team That Got *Roe v. Wade* Overturned.** “Erin Morrow Hawley, Yale Law grad, former Supreme Court clerk, and for the past three years a senior counsel at the conservative advocacy group Alliance Defending Freedom. There, in 2022, she was part of the team that got *Roe v. Wade* overturned, in the most consequential Supreme Court abortion case in the 50-odd years since *Roe* itself was decided.” [Politico, [2/23/24](#)]

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