

# JENNIFER MASCOTT

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## EDUCATION

**George Washington University School of Law, J.D.**, with highest honors

- GPA: 4.227; John Bell Lerner Award for the highest cumulative GPA in the class
- Other Awards:
  - Imogen Williford Constitutional Law Award for excellence in the field of constitutional law
  - Jennie Hassler Walburn Award for excellence in the field of civil procedure
  - John Ordronaux Awards (2003-04, 2004-05) for the highest cumulative average in the first year and the second year, respectively
  - Charles Glover Award for the highest cumulative average in the third year
- Senior Projects Editor, *The George Washington Law Review*
- Research assistant, Professor John F. Duffy
- Dean's Fellow, Legal Research & Writing Program, 2005-06
- Writing Fellow, Legal Research & Writing Program, 2004-05
- Member, Mock Trial Board; Federalist Society
- Recipient, merit-based scholarship from the George Washington University Law School

**University of Maryland at College Park, B.S.**, *cum laude*, in Mathematics and Government & Politics

- *Phi Beta Kappa*
- Four-year full scholarship to the university (based on merit and financial need)
- FBI Honors Internship, Summer 1996

## PROFESSIONAL POSITIONS

**Assistant Professor of Law** (tenure-track appointment), Antonin Scalia Law School at George Mason University, August 2018-present

**Assistant Professor of Law & Faculty Director of the Supreme Court and Administrative Law Clinics** (term position), Antonin Scalia Law School at George Mason University, August 2017-August 2018

**Of Counsel**, Consovoy McCarthy Park PLLC, June 2017-present

**Olin/Searle Fellow in Law**, Georgetown University Law Center, 2015–2017  
(in residence at The George Washington University Law School, 2016-2017)

**Adjunct Faculty**, The George Washington University Law School, 2011–2013, 2015

- Administrative Law (spring 2015; summer 2012; spring 2011)
- Advanced Field Placement Program (discussion group leader) (2012-2013)
- Independent Legal Writing Advisor (fall 2012)

**Law Clerk**, Hon. Clarence Thomas, U.S. Supreme Court, 2008–2009

**Law Clerk**, Hon. Brett M. Kavanaugh, U.S. Court of Appeals for the D.C. Circuit, 2006–2007

**Summer Associate**, Covington & Burling, 2005

**Summer Intern**, Hon. Richard J. Leon, U.S. District Court for the District of Columbia, 2004

### **United States Congress**

*Press Secretary*, U.S. Rep. Anne Northup (2002-2003); *Press Secretary*, U.S. Rep. Eric Cantor (2001-2002); *Deputy Press Secretary*; *Communications Technology Manager*, U.S. Senate Republican Conf. (1999-2001); *Legislative Assistant*; *Staff Assistant*, U.S. Rep. John Hostettler (1997-1999)

## **PROFESSIONAL MEMBERSHIPS & AFFILIATIONS**

**Public Member**, Administrative Conference of the United States, August 2017-present

**Vice Chair**, Committee on the Judicial Review and Supreme Court Series, ABA’s Section of Administrative Law & Regulatory Practice (appointed Vice Chair in Summer 2018; served as committee member starting in February 2018)

**Permanent Commentator**, *Notice & Comment* blog, Yale Journal on Regulation, May 2017-present

- Coordinator of two-week online symposium on *Lucia v. SEC*, the Supreme Court’s Appointments Clause case in OT17, <http://yalejreg.com/nc/upcoming-symposium-42-413-the-supreme-courts-consideration-of-whether-sec-ajls-are-officers-subject-to-appointments-clause-requirements-lucia-v-sec/>
- Representative selection of authored blog posts:
  - “Judge Kavanaugh: Interpretive Principles as a Way of Life,” <http://yalejreg.com/nc/judge-kavanaugh-interpretive-principles-as-a-way-of-life/>
  - Contributor, online symposium reviewing JON D. MICHAELS, CONSTITUTIONAL COUP: PRIVATIZATION’S THREAT TO THE AMERICAN REPUBLIC (2017), <http://yalejreg.com/nc/the-alternative-separation-of-powers-in-constitutional-coup/>
  - “Revisiting the Record on Removal,” <http://yalejreg.com/nc/revisiting-the-record-on-removal/>
  - “D.C. Circuit’s Double-Header on Article II,” <http://yalejreg.com/nc/d-c-circuits-double-header-on-article-ii-by-jennifer-mascott/>

**Affiliated Faculty**, The C. Boyden Gray Center for the Study of the Administrative State, Antonin Scalia Law School, 2017-present

## **PUBLICATIONS & WORKS IN PROGRESS**

*Who are “Officers of the United States”?*, 70 STANFORD LAW REVIEW 443 (2018)

- Cited by Supreme Court concurring opinions in *Lucia v. SEC* (2018), *Ortiz v. United States* (2018), & *NLRB v. SW General, Inc.* (2017)
- Cited in the foreword to the HARVARD LAW REVIEW by Gillian E. Metzger, 131 HARV. L. REV. 1 (2017), as well as in legal scholarship published or forthcoming in journals such as the YALE LAW JOURNAL, the COLUMBIA LAW REVIEW, the MICHIGAN LAW REVIEW, the NOTRE DAME LAW REVIEW, and the STANFORD LAW REVIEW, among other publications

- Reviewed as “path breaking” by the *Legal Theory Blog*, <http://lsolum.typepad.com/legaltheory/2017/02/download-of-the-week-who-are-officers-of-the-united-states-by-mascott.html>
- Named to the Top Ten “Downloads of the Year” by the *Legal Theory Blog*, <http://lsolum.typepad.com/legaltheory/2018/01/downloads-of-the-year.html>

**Gundy v. United States: Reflections on the Court and the State of the Nondelegation Doctrine** (invited essay), 25 GEO. MASON L. REV. \_\_ (forthcoming 2018)

**“Officers” in the Supreme Court: Lucia v. SEC** (invited essay), CATO SUPREME COURT REVIEW: 2017-18 (forthcoming September 2018)

**The Dictionary as a Specialized Corpus** (invited symposium essay), 2017 B.Y.U. LAW REVIEW 1557 (2018)

**Constitutionally Conforming Agency Adjudication** (invited article), 2 LOYOLA JOURNAL OF REGULATORY COMPLIANCE (2017) (published online)

- Highlighted by the *Notice & Comment* blog as a most-downloaded July 2017 administrative law paper in “The Administrative Law SSRN Reading List, July 2017 Edition,” <http://yalejreg.com/nc/administrative-law-ssrn-reading-list-july-2017-edition/>

**Limitations on the First Amendment Right of Access to Information Controlled by the Government**, 73 GEO. WASH. L. REV. 814 (2005) (case note)

## PRESENTATIONS & CONFERENCES

*Panelist*—*Upcoming*, “The Kavanaugh Nomination: A Panel Discussion,” American University Washington College of Law (September 5, 2018)

*Panelist*, “What Kind of Judge is Brett Kavanaugh? A Closer Look at His Cases,” Heritage Foundation (August 2018)

*Presenter*, “The Ratifiers’ Theory of Officer Accountability,” competitively selected for presentation at the Administrative Law New Scholarship Roundtable, University of Michigan Law School (June 2018)

*Moderator*, Teleforum on Reforming Administrative Adjudication, The Federalist Society (May 2018)

*Panelist*, Presidential Appointment Power, Republican National Lawyers Association’s 18th Annual National Policy Conference (April 2018)

*Guest Commentator*, SCOTUS 101 Podcast, Episode #228: “Gorsuch’s Anniversary” (April 2018)

*Panelist*, Are Administrative Law Judges Unconstitutional?, The Heritage Foundation (April 2018)

*Panelist*, Civil Service Reform, plenary lunchtime panel at the Sixth Annual Executive Branch Review Conference, The Federalist Society (April 2018)

*Panelist*, Are Administrative Law Judges Unconstitutional?, Congressional Civil Justice Academy, hosted on Capitol Hill by George Mason’s Law and Economics Center (April 2018)

*Lunchtime Speaker*, Monthly Federal Administrative Law Judges Conference Luncheon (April 2018)

*Interviewer*, Conversation with Justice Clarence Thomas, 2018 National Student Symposium, The Federalist Society (March 2018)

*Presenter*, “Who are ‘Officers of the United States?’” Constitutional Law Colloquium, University of Illinois College of Law (March 2018)

*Discussion Leader*, Corpus Linguistics and Constitutional Law Panel, Third Annual Law and Corpus Linguistics Conference, Brigham Young University Law School (March 2018)

*Panelist*, Teleforum: Who Are You to Judge? The Supreme Court Revisits the Constitutionality of Agency Adjudication, Constitutional Law Committee, ABA’s Section of Administrative Law & Regulatory Practice (February 2018)

*Presenter*, “‘Office’ as Property?” (early-stage draft), New Voices in Administrative Law, AALS Annual Meeting (January 2018)

*Discussant*, The Life and Career of Justice James Wilson, Fourth Annual Faculty Colloquium, Georgetown Center for the Constitution (December 2017)

*Presenter*, “Who are ‘Officers of the United States?’” Public Law Colloquium, Northwestern University School of Law (November 2017)

*Panelist*, 2017 Federalist Society National Lawyers Convention: Plenary Panel, Administrative Agencies and the Federal Judiciary (November 2017)

*Panelist*, Are ALJs Unconstitutionally Appointed, or Are They Mere Employees?, ABA’s Section of Administrative Law & Regulatory Practice, Administrative Law Conference (October 2017)

*Panelist*, Now What? Academic Thoughts on Judicial Remedies in Administrative Law, ABA’s Section of Administrative Law & Regulatory Practice, Administrative Law Conference (October 2017)

*Panelist*, 2017 Annual FALJC Seminar, Providence, RI (September 2017)

*Panelist*, The Year Ahead: Regulation in the Supreme Court and the Circuits, Hoover Institution and & The Center for the Study of the Administrative State (September 2017)

*Presenter*, “Equalizing Process,” Manne Faculty Forum, Antonin Scalia Law School, George Mason University (September 2017)

*Presenter*, “Who are ‘Officers of the United States?’” competitively selected for presentation at the Second Annual Administrative Law New Scholarship Roundtable, The Ohio State University’s Moritz College of Law (June 2017)

*Presenter*, “Who are ‘Officers of the United States?’” competitively selected for presentation at the Federalist Society’s 2017 Junior Scholars Colloquium (June 2017)

*Presenter*, “Who are ‘Officers of the United States?’” Center for the Study of Constitutional Originalism, University of San Diego School of Law (May 2017)

*Presenter*, “Who are ‘Officers of the United States?’” Faculty Lunch Series, The George Washington University Law Center (April 2017)

*Panelist*, Public Policy Conference: Rethinking Due Process, Center for the Study of the Administrative State, Antonin Scalia Law School, George Mason University (April 2017)

*Presenter*, “The Dictionary as a Specialized Corpus,” Law & Corpus Linguistics Symposium, Brigham Young University Law Review (February 2017)

*Presenter*, “Who are ‘Officers of the United States’?” Works in Progress Panel, 19th Annual Faculty Conference, Federalist Society (January 2017)

*Discussant*, Session to provide feedback on draft chapters of (RE)ORGANIZING GOVERNMENT: THE FUNCTIONS AND DIMENSIONS OF REGULATORY AUTHORITY by Alejandro Camacho & Robert Glicksman (November 2016)

*Guest Commentator*, Supreme Court Decision in *Sheriff v. Gillie*, SCOTUScast (June 2016)

*Discussant*, Research Roundtable on Environmental Law in the Administrative State, Center for the Study of the Administrative State, Antonin Scalia Law School, George Mason University (May 2016)

**BAR ADMISSIONS:** Maryland and Virginia