New York County Lawyers Association

Task Force on the Rule of Law

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Task Force Report

The Administration's Handling of Federal Food Safety Net Again Threatens Key Constitutional Rights

During the recent government shutdown, the federal government stopped funding its food security programs, thus depriving tens of millions of our most vulnerable Americans of their ability to buy food. That prompted lawsuits aimed at compelling the Administration to use available funds to preserve the federal food safety net. The Rule of Law Task Force of the New York County Lawyers Association has closely monitored the Administration's conduct and the progress of that litigation. We saw that as in other crucial policy areas we have issued statements on, such as immigration and the domestic deployment of federal military forces, the Administration disregarded the rule of law, which puts at risk not just government entitlements that are essential for many of us, but also key rights, such as due process, free speech, and a free press, that are treasured by all of us.

The government shutdown ended, and federal food benefits were resumed, but the threat to the rule of law remains and should be a cause for concern to all Americans. We, therefore, have prepared this report, focusing on some of the most troubling ways in which the Administration threatened the rule of law during the food security crisis, and how this conduct is part of a pattern. This pattern apparently continues as described in a recent newspaper article about the Administration's threat to withhold federal food benefit payments from more than 20 Democratic-led states.[1]

The Federal Food Safety Net

Each month, almost 42 million low-income persons[2] – roughly one in eight of all Americans – rely on the federal Supplemental Nutrition Assistance Program (SNAP) to help them buy their food. SNAP recipients include approximately 16 million children and 8 million seniors,[3] and 1.2 million veterans.[4] Nearly 60 percent of SNAP recipients are children under 18 or adults over 60.[5] Half of all SNAP households include recipients who are disabled or elderly.[6]

SNAP is complemented by other vital federal nutrition programs – school breakfast and lunch programs that serve meals to 30 million children each school year,[7] and other nutritional support for women, infants, and children ("WIC") that serves 6.7 million people each month.[8] Almost 80 percent of those who receive this support are babies and children under the age of four.[9]

In the recent government shutdown, this food security safety net nearly collapsed. SNAP was running out of funds, and on October 24 the Administration unilaterally suspended all SNAP payments starting in November.[10] Representatives of the recipients sued in federal court to compel the Administration to keep the program open, and as so often has been the case, the Administration fought those efforts. As disturbing, the Administration's conduct in that fight, both in court and outside of it, was in critical ways contrary to the rule of law, which protects our Constitutional rights, liberties, and freedoms. In fact, in at least four different ways, the Administration and its Department of Justice failed to honor its own Mission Statement that it "uphold the rule of law."

- **The Administration defied court orders.**
- **The Administration wrongly claimed that it, rather than the federal courts, has the final say in interpreting the Constitution and federal laws.**
- **The Administration wrongly claimed that it has unlimited discretion to apply the Constitution and federal laws as it sees fit.**
- **The Administration ignored the directive in the Constitution that even if the President does not fully agree with properly enacted laws, the President must "take Care that the Laws be faithfully executed"**

SNAP Litigation

By October, SNAP was running out of directly appropriated funds. But Congress had provided for that possibility. The US Department of Agriculture (USDA) manages SNAP and makes monthly payments to the states, who refill the electronic benefits transfer cards of their SNAP-eligible residents. Congress has long directed the USDA to maintain a contingency fund "for use when "necessary to carry out program operations."[11] At the start of November, this fund totaled $5.25 billion.[12]

And for "cases of extraordinary emergency,"[13] Congress has authorized the USDA to use appropriated funds "interchangeably" within each of its divisions (such as the USDA division covering the core elements of the food safety net). At the start of November, one set of available USDA funds (the Section 32 Fund) held $23.35 billion.[14] It was expected

that starting in December there would have to be monthly withdrawals from the Section 32 Fund of $3.1 billion for the children nutrition programs, such as school breakfasts,[15] ,and $300 million for the WIC program.[16]

At the time of the shutdown, the USDA calculated that the SNAP contingency fund could cover only 50 percent of the amounts due to the states for distribution to recipients in November,[17] though it later estimated that the contingency fund could cover 65 percent of the amounts due.[18] The additional amount needed for the USDA to make the full November SNAP payment was said to be approximately $4 billion.[19]

The Administration chose not to use any reserve monies to fund SNAP for November. The USDA claimed that making even partial SNAP payments for November would "significantly dela[y] [the] issuance of benefits" and that "each [state] system would then have to be calibrated to generate a regular payment following the lapse."[20] On October 24, the USDA announced that it would suspend the SNAP program entirely as of November 1.[21]

On October 30, a group of cities, unions, and nonprofits brought an action in Rhode Island federal court to compel the Administration to make the November SNAP payments.[22] The issue before the court was whether, despite the shutdown, the USDA had a duty to use funds from its reserves to make SNAP payments for November.

On October 31, the Rhode Island federal court issued from the bench a temporary restraining order (TRO), and on November 1 the court issued a written TRO, directing the Administration either to make full SNAP payments by November 3, or to make partial payments by November 5, if the decision to make a partial payment could be "made in accordance with" the Administrative Procedure Act (APA) and was not "arbitrary or capricious."[23]

The court's ruling rested on three key points: In enacting SNAP, Congress had made clear that the program's benefits are an entitlement--the statute provides that "[a]ssistance under this program shall be furnished to all eligible households who make application for such participation."[24] Through the Congressionally mandated contingency funds, money was available to make the full required payments in November.[25] And applying traditional principles of equity, the court noted that because the money was needed to fund the purchase of food for tens of millions of the most vulnerable Americans, the failure to fund the purchases threatened irreparable harm to the recipients, and created a balance of equities that tipped decidedly in favor of the recipients.[26]

Before November 5, the Administration followed neither of the approaches permitted by the TRO. The Administration made no SNAP payments at all, and thus the Administration did not comply with the TRO. In response, on November 6, the court issued an order to enforce the TRO, as well as a second TRO (Second TRO).[27] Both orders required the Administration to pay full November SNAP benefits to the states by November 7. That day, a constitutional confrontation was avoided when both the enforcement order and the Second TRO were stayed, first by the U.S. Court of Appeals for the First Circuit[28] and then by the Supreme Court,[29] until the shutdown ended on November 13.

1. The Administration has Disregarded the Courts' Authority

Few ideas are as fundamental to the rule of law as is the principle that court orders must be obeyed. Disappointed parties do not have to agree with those orders, but they are expected to take their disagreement to a higher court in the form of an appeal. And until the order is stayed or overturned by the same or a higher court, the order must be obeyed. Indeed, the courts are armed with a number of sanctions and other devices to compel obedience with their orders.

Sadly, the Rhode Island district court's first TRO is just the latest court order that this Administration has disobeyed. The Administration's practice of flouting court orders has been most pronounced in the area of immigration enforcement. In the litigation involving Kilmar Abrego Garcia, the Administration has ignored court order after court order. The abuses began with Garcia's deportation to El Salvador in the face of a prior court order barring him from being deported.[30] The Administration did not bring Garcia back to this country until it had come up with unrelated charges on which to keep him in custody and potentially deport him, even though there was then no deportation order in place.[31]

In the ongoing proceedings over those issues, the Administration has continued to conduct itself defiantly by, for example, repeatedly failing to follow court orders that it substantiate its claim that Costa Rica (to which Garcia supposedly agreed to be deported) has withdrawn its offer to accept Garcia.[32] There is reporting that this claim is false.[33]

In March 2025, in another closely watched immigration case, the Administration transferred hundreds of non-citizens to the custody of El Salvador in defiance of a TRO barring such transfers.[34] Litigation over that action is continuing, and on November 14, 2025, the U.S. Court of Appeals for the District of Columbia Circuit authorized the district court to resume its inquiry into whether the Administration's conduct warranted a referral for contempt.[35] On November 25, 2025, the Administration admitted in a filing that

Homeland Security Kristi "Noem directed that the AEA detainees who had been removed from the United States before the Court's order could be transferred to the custody of El Salvador [while the TRO was in effect]."[36]

These examples are illustrative of an extensive pattern of non-compliance by the Administration. One recently released study found noncompliance in 26 cases, courts mistrusting government information in 60 cases, courts finding arbitrary and capricious government conduct in 68 cases.[37] The Administration's noncompliance includes providing inaccurate information to the U.S. Supreme Court.[38]

2. The Administration has Disregarded the Constitutional Duty of the Federal Courts to Interpret our Constitution and Federal Statutes

In the landmark case of *Marbury v. Madison,* the Supreme Court declared that "[i]t is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule."[39] Soon after that, the Supreme Court stated that permitting officials freely to "annul the judgments of the courts of the United States" would not just "destroy the rights acquired under those judgments"; it would make "a solemn mockery" of "the constitution itself."[40] For more than 200 years since then, these principles have been at the core of the American concept of the rule of law.

The government shutdown did not deprive the courts of their authority to decide what the law is. It only created new legal issues for the courts to address.

Yet, in the SNAP litigation, the Administration repeatedly challenged the rule of *Marbury v. Madison*. It argued that the courts lacked authority to decide the case, because the SNAP crisis arose as a result of "congressional failure, and that can only be solved by congressional action."[41]

Vice-President JD Vance publicly amplified these claims by describing the district court's decision ordering the full payment of November SNAP benefits as being "an absurd ruling because you have a federal judge effectively telling us what we have to do in the middle of a Democrat government shutdown."[42] The Vice-President's claim ignores the fact that at times it is precisely the duty of federal judges to tell the executive branch what it has to do, and such statements can only contribute to an unwarranted disrespect for, and a rise in threats against, judges.[43]

Again, the Administration's conduct in the SNAP case is part of a pattern. Rather than respect the judiciary as the co-equal branch of government it is, this Administration persists in trying to undermine confidence in the courts, by, among other things, impugning and intimidating the judges who rule against it.

Most recently, Deputy Attorney General Todd Blanche stated at a meeting sponsored by the Federalist Society, "It's hard to get the media, it's hard to get the American people to focus on what a travesty it is when you have an individual judge be able to stop an entire operation or an entire administrative policy that's constitutional and allowed just because he or she chooses to do so. So, it's a war."[44]

Blanche was echoing the similar statement by Stephen Miller, the President's Deputy Chief of Staff for Policy and Homeland Security Advisor, who described the October 4, 2025 decision by a judge appointed by President Trump[45] to block temporarily the federal troop deployment in Portland, Oregon, as being a "legal insurrection."[46]

Under our rule of law, "it" most definitely is not a "war" and judges who disagree with the Administration are not engaged in an "insurrection." We require that disagreements with judges over interpretations of the law be resolved by appealing the decisions to a higher court, not by going to war against those courts or their judges. Blanche and Miller's inflammatory words and tone undermine one of the pillars of the rule or law, the public confidence that our judges will not be intimidated as they seek to maintain a fair and impartial judicial system that fulfills the promises of our Constitution.

3. The Administration has Disregarded the Limits on its Discretion in Carrying Out the Law

There are express limits on the discretion a President and his administration may exercise in carrying out the law. For example, Section 701 of the APA states that the action of "each authority of the Government of the United States" is subject to judicial review unless there is a statutory prohibition on review or if "agency action is committed to agency discretion by law." In addition, Section 706(2)(A) of the APA permits courts to "hold unlawful and set aside agency action, findings, and conclusions found to be . . . **arbitrary, capricious, an abuse of discretion**, or otherwise not in accordance with law." (emphasis added).

In the SNAP case, the USDA clearly is an authority of the Government of the United States that is subject to the APA, and the SNAP statute contains no prohibition on the courts' right to conduct judicial review of USDA actions. Yet, the Administration repeatedly argued that

the USDA had unlimited discretion to decide not to use other, interchangeable food and nutrition program funds to make up the SNAP shortfall.[47]

To support that extreme position, the Administration cited one case, *Lincoln v. Vigil*, 508 U.S. 182 (1993), but as the district court observed in the SNAP case, *Lincoln* was very different and had no application to SNAP. Lincoln involved a challenge to an executive branch decision to discontinue a program by declining to allocate to it any funds from a lump-sum appropriation for Indian health programs. The program the executive sought to discontinue was not expressly mentioned in any of the appropriations, and the relevant statutes only "referenced Indian health programs in general terms."[48]. SNAP, in contrast, is a large, well-established entitlement program of long standing, and it regularly receives substantial statutory appropriations in large amounts and in its own name.

This is not the first time the Administration has made questionable claims about its discretion in carrying out the law. In the cases concerning the Administration's federalizing the National Guard and deploying federal troops in US cities, the Administration also tried to minimize the strict limits that the applicable federal statutes impose on executive discretion. This was why on November 3, 2025, our Rule of Law Task Force described the limitations on the President's discretionary power, and we called on the courts to scrutinize carefully the factual and legal basis for any claim that the President has the authority to federalize and deploy the National Guard within the United States.

4. **The President has Disregarded his Duty to Take Care that the Laws be Faithfully Executed**

The Constitution imposes a duty on the President to "take care that the laws be faithfully executed," U.S. CONST. ART. II, § 3. This duty is breached if the President fails to execute the laws in good faith.[49]

The Administration's handling of the November SNAP payments causes us to question whether the Administration is honoring that duty. In other cases, this Administration has cited "emergencies" as a way to justify it taking extreme actions of some kind. With the November SNAP payments, there was a genuine emergency, for which Congress had both granted to the Administration the power to act and given the Administration the contingency funds it needed to mitigate, if not eliminate, the emergency. But the Administration failed to do so. In fact, it bitterly fought all efforts to compel it to act.

The reasons given for the inaction are suspect. At the start of November, the USDA held a total of $28.60 billion of reserve monies in the SNAP contingency fund ($5.25 billion) and

the Section 32 fund ($23.35 billion). At the end of November, after using $4 billion to make the full November SNAP payment, the Section 32 Fund would still have had $19.35 billion, which seemed to be far more than adequate for any reasonable projected needs.

The Administration also mentioned a need to prepare for a series of potential disasters, but the ones the Administration cited[50] required only $6 billion for an entire year, which again would have left more than enough in reserve for all the core food safety net programs until after the end of the year, even in the unlikely event that the shutdown would continue past the end of the year and Congress would not step in and provide additional funding for such relief.

Finally, there was a concern expressed that after the government finally reopened, Congress would restore the SNAP November expenditures of $9 billion, but would not also reimburse the Section 32 fund for the $4 billion withdrawal. USDA Supreme Court Appeal at 16-17. However, in that event, the $9 billion SNAP reimbursement would have been available for the other two food safety net programs in the same way that the Section 32 funds were available for SNAP purposes.

Given the stakes involved – keeping 42 million Americans properly fed in the month that contains Thanksgiving and begins the Holiday season – it is hard to see a good faith explanation for the Administration's position.

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The fight over continued funding for the SNAP program in November was, at one level, a dispute over public policy. But some of the Administration's words and deeds in that fight and other disputes about the Administration's authority threaten the rule of law, including the way the rule of law defends our rights, such as to due process, free speech, and a free press, as well as to government benefit entitlements, such as SNAP payments.

The Rule of Law Task Force of the New York County Lawyers Association, consistent with one of NYCLA's missions to promote the administration of justice and to ensure equal access to justice for all, urges everyone committed to the preservation of our Constitution to call on the President and his Administration to follow the rule of law. This good faith duty requires the Administration to treat the courts with respect, including complying with all court orders and decrees that have not been stayed or overturned, advocating only for positions that are well founded in fact and law, and not publicly demeaning the courts or the judicial system. The duty also requires the Administration to recognize the limits on the

President's discretionary authority, and the duty of the courts to scrutinize carefully the factual and legal basis for all claims of discretionary Presidential authority.

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[1] Linda Qiu, *Agriculture Dept. Threatens to Withhold Food Stamps from Democratic States*, NY Times (Dec. 2, 2025). https://www.nytimes.com/2025/12/02/us/politics/food-stamps-democratic-states.html. The article refers to an outstanding *Order Granting Plaintiff States' Motion for Preliminary Injunction*, State of California v. US Dept of Agriculture, No.25-cv-06310 (D. N.D. Cal. R.I. Nov. 28, 2025) ECF No. 106 (forbidding the threatened payment suspension).

[2] Drew DeSilver, *What the data says about food stamps in the U.S.*, Pew Research Center (Nov., 14. 2025), https://www.pewresearch.org/short-reads/2025/11/14/what-the-data-says-about-food-stamps-in-the-us/#:~:text=The%20numbers%20vary%20from%20month%20to%20month.%20But%20in%20May%202025%2C%20the%20most%20recent%20month%20with%20available%20figures%2C%2041.7%20million%20people%20in%2022.4%20million%20households%20received%20SNAP%20benefits.%20That%20works%20out%20to%20nearly%201%20in%20every%208%20people%20in%20the%20country (citing most recent data).

[3] United States Department of Agriculture , *Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2023* (Report No. SNAP-23-CHAR April 2025) at 29, https://fns-prod.azureedge.us/sites/default/files/resource-files/snap-FY23-Characteristics-Report.pdf (the cited report presents the most recent UISDA estimates, the percentage of recipients in fiscal year 2023 with these population characteristics, which were applied to the most recent estimate of SNAP recipients).

[4] Darius Radzius, *'SNAP Is Everything': Military Families, Vets Prepare for Empty Fridges,* Military.com (Oct. 29, 2025), https://www.military.com/daily-news/headlines/2025/10/29/military-families-prepare-empty-fridges.html#:~:text=About%201.2%20million%20veterans%20are%20enrolled%20now%2C%20according%20to%20the%20National%20Council%20on%20Aging.

[5] Note 3 at 30.

[6] *Id.*, at xiv.

[7] *School Meals and Other Child Nutrition Programs: Background and Funding* (CFS Rept No. R46234 updated July 16,2025), at second page of document, https://www.congress.gov/crs_external_products/R/PDF/R46234/R46234.15.pdf (describing the federal child nutrition programs).

[8] Jordan W. Jones, Jessica E. Todd, and Saied Toossi, *The Food and Nutrition Assistance Landscape: Fiscal Year 2024 Annual Report* (Economic Information Bulletin No. 291, July 2025) at fifth page of document, https://perma.cc/BV5D-ZM98

[9] *Id.*, at the eighteenth page of document.

[10] USDA Food and Nutrition System Memorandum re Supplemental Nutrition Assistance Program (SNAP) Benefit and Administrative Expense Update for November 2025 (Oct. 24, 2025), https://perma.cc/4VPF-4ANN

[11] Pub. L. No. 118-42, 138 Stat. 25, 93 (2024); Pub. L. No. 119-4, 139 Stat. 9, 13 (2025)

[12] *Application of USDA to Stay the Orders Issued by the United States District Court For The District Of Rhode Island And Request For An Immediate Administrative Stay By 9:30pm,* No. 25A539, U.S. Sup. Ct (Nov. 7, 2025) at 5.

[13] 7 U.S.C. § 2257.

[14] *Memorandum In Support Of Plaintiffs' Motion To Enforce Temporary Restraining Order, or, In The Alternative, for Temporary Restraining Order and Preliminary Stay*, Rhode Island State Council of Churches v. Rollins, No.25-cv-00569 (D. R.I. Nov. 4, 2025) ECF No. 22-1 at 21 n.5.

[15] *Declaration of Patrick A. Penn*, Rhode Island State Council of Churches v. Rollins, No.25-cv-00569 (D. R.I. Oct. 31, 2025), ECF No. 14.2 at 8 ¶32.

[16] *Id.*, at 9 ¶33.

[17] *Supp. Dec. of Patrick A. Penn*, R.I. v. Rollins, No.25-cv-00569 (D. R.I. Nov. 3, 2025), ECF No. 21.1 at 2 ¶ 5).
[18] *Second Supp Dec of Patrick A. Penn*, R.I. v. Rollins, No.25-cv-00569 (D. R.I. Nov. 5, 2025), ECF No. 28.1 at 2 ¶ 3.
[19] *Defendants' Opposition to Plaintiffs' Motion for An Emergency Temporary Restraining Order*, R.I. v. Rollins, No.25-cv-00569 (D. R.I. Oct. 31, 2025), ECF 14.1 at 7.
[20] *Id.*, at 7-8.
[21] Note 10.
[22] *Complaint For Declaratory And Injunctive Relief*, R.I. v. Rollins, No.25-cv-00569 (D. R.I. Oct. 30, 2025), ECF No. 1.
[23] *Order*, R.I. v. Rollins, No.25-cv-00569 (D. R.I. Nov. 1, 2025), ECF No. 19 at 5 n. 6.
[24] *Id.*, at 4 ¶ 3.
[25] *Id.*, at 4-5 ¶ 4.
[26] *Id.*, at 3.
[27] *Memorandum And Order*, R.I. v. Rollins, No.25-cv-00569 (D. R.I. Nov. 6, 2025), ECF No. 34.
[28] *Order of Court*, R.I. v. Rollins, No. 25-2089 (1st Cir. Nov. 7, 2025), ECF No. 00118363727.
[29] *Order in Pending Case*, Rollins v. R.I. , No. 25A539 (U.S. Sup . Ct. Nov. 11, 2025), 607 U.S. __
[30] *See e.g.,* Hamed Aleaziz & Alan Feuer, *How Trump Officials Debated Handling of the Abrego Garcia Case: 'Keep Him Where He Is,'* N.Y. TIMES (May 21, 2025), https://www.nytimes.com/2025/05/21/us/politics/trump-abrego-garcia-el-salvadordeportation.html .
[31] *See e.g.*, Josh Gerstein, *An immigration court error 6 years ago could lead to release of Kilmar Abrego Garcia*, POLITICO (Nov. 20, 2025), https://www.politico.com/news/2025/11/20/kilmar-abrego-garcia-case-00664106 .
[32] *See e.g.*, David Kurtz, Trump DOJ Defies Another Court Order in Abrego Garcia Case, TPM (Nov. 20, 2025), https://talkingpointsmemo.com/edblog/trump-doj-defies-another-court-order-in-abrego-garcia-case
[33] *See e.g.*, Maria Sacchetti, *Costa Rica says it would accept Kilmar Abrego García, contradicting U.S.*, WASH. POST (Nov. 21, 2025) https://www.washingtonpost.com/immigration/2025/11/21/kilmar-trump-deport-costarica/ . Mr. Kilmar Abrego Garcia's attorneys brought this report to the court's attention. Notice of Supplemental Evidence in Support of Petition [for habeas corpus], Abrego García v. Noem, No. 25-cv-02780 (D. D.C. Nov. 21, 2025), ECF No. 108.
[34] *Memorandum Opinion*, J.G. G. v. Trump, No. 25-cv-00766 (D. D.C. April 16, 2025), ECF No. 81 (describing the defiance of a TRO barring the Government from transferring certain individuals into foreign custody pursuant to the Alien Enemies Act).
[35] *Orders*, J.G. G. v. Trump, No. 25-5124 (D.C. Cir. Nov. 14, 2025) ECF Nos. 2145500 and 2145503.
[36] *Defendants' Response To Court Order*, J.G. G. v. Trump, No. 25-cv-00766 (D. D.C. Nov. 25, 2025), ECF No. 195
[37] *See* Ryan Goodman, Siven Watt, Audrey Balliette, Margaret Lin, Michael Pusic and Jeremy Venook, *The "Presumption of Regularity" in Trump Administration Litigation*, JUST SECURITY (Nov. 20, 2025), https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation/#_Toc214438847.
[38] See *id.*, at Section 8-a (describing how in a matter dealing the Administration's authority to make a reduction in force, a district court judge submitted a statement to the Ninth Circuit explaining that the U.S. Solicitor General had presented overstated figures to the U.S. Supreme Court in a stay application in the litigation) and Devon Lum, Mattathias Schwartz, Christoph Koettl and Ainara Tiefenthäler, *Times Analysis Finds Errors in Trump's Supreme Court Filing That Calls for National Guard in Chicago*, NY TIMES (Nov. 25. 2025), https://www.nytimes.com/2025/11/25/us/trump-supreme-court-national-guard-chicago-errors.html (arguing that the US Solicitor General in a filing that requested that the Supreme Court stay a district court order barring the deployment of the National Guard to Illinois "made erroneous claims to the Supreme Court, mischaracterizing the responsiveness of local police and the actions of protesters.")
[39] 5 U.S. 137, 177 (1803) (Marshall, C.J.).
[40] *United States v. Peters*, 9 U.S. 115, 136 (1809) (Marshall, C.J.).

[41] *Emergency Motion for Stay Pending Appeal and Immediate Administrative Stay*, Rhode Island State Council of Churches v. Rollins, No. 25-2089 (Nov. 7, 2025, 1st Cir.), ECF No. 00118363689 at 7. *See also* note 12 at 2 (asserting the SNAP funding shortfall was "a crisis occasioned by congressional failure and one that can only be solved through congressional action").
[42]Brett Samuels, *Vance calls court order to fully fund SNAP 'absurd ruling',* THE HILL (Nov. 6, 2025).
[43] *See e.g.*, Steve Vladeck, *193. The "War" on Judges*, ONE FIRST (Nov, 17, 2025). https://www.stevevladeck.com/p/193-the-war-on-judges#:~:text=In%20the%20past%20year,and%20their%20court%20staff .
[44]Suzanne Monyak, DOJ's No. 2 Official Asks Lawyers to Join 'War' Against Judges, US LAW WEEK (Nov. 7, 2025), https://news.bloomberglaw.com/us-law-week/dojs-no-2-official-asks-lawyers-to-join-war-against-judges
[45] *Opinion And Order Granting Motion for Temporary Restraining Order*, Oregon v. Trump, No. 25-cv-1756 (D. Or., Oct. 4, 2025,), ECF No. 56.
[46] Brian Bennett and Solcyré Burga, *Calls Grow on the Right for Trump to Ignore Judges' Orders*, TIME (Oct. 8, 2025). https://time.com/7324353/trump-judges-stephen-miller-musk/
[47] *See, e.g.*, note 12, at 12-15.
[48] *Lincoln*, at 193-194.
[49] Kent, Leib & Shugerman, *Faithful Execution and Article II*, 132 HAR. L. REV. 2111, 2178 (the "oath and command of faithful execution . . . convey[ed] interrelated meanings," including "diligent, careful, good faith, and impartial execution of law or office" and "a duty not to act ultra vires, that is, beyond the scope of one's office.").
[50] See note 15 Decl. at 4 ¶ 11