

EXECUTIVE SUMMARY

Since taking office, President Trump and his administration have seized key congressional powers, defied federal court orders, and violated Americans' constitutional rights. In numerous lawsuits, judges appointed by presidents of both political parties have issued orders halting, and in some cases ordering the Trump administration to reverse, actions that violate federal laws and our Constitution. However, as detailed in this report, President Trump has increasingly undermined our system of government: disobeying adverse court rulings, ignoring limits to his power, and threatening those who question his actions. Republican majorities in Congress have failed to use their power to check these abuses, further enabling consolidation of power in a single person and weakening our democracy.

The Trump administration has halted federal funding and support for children, families, scientists, and others. It has also fired tens of thousands of federal employees. These actions have and continue to hurt Americans. Some federal employees responsible for critical government services, such as ensuring food safety, monitoring the bird flu outbreak, securing nuclear weapons, and supporting foreign drug inspections, were fired only to be subsequently rehired. Other federal employees responsible for responding to the risks of Ebola outbreaks around the world, however, were simply fired. Critical federal funding has been frozen both intentionally (domestic and foreign aid funding) and inadvertently (Ebola funding).

These actions have also increased U.S. national security risks. The Naval Criminal Investigative Service reportedly assessed with "high confidence" that foreign adversaries are now targeting recently fired federal employees through LinkedIn and other online sources. Mass firings of federal employees have hollowed out key national security and cybersecurity components, such as the Cybersecurity and Infrastructure Security Agency, responsible for identifying security vulnerabilities and investigating the recent China-backed Salt Typhoon hack. After the Trump administration's sweeping funding and personnel cuts to scientific research – stalling critical medical studies and putting our future scientific workforce at risk – China is now bolstering its recruitment efforts, encouraging U.S. scientists to work in its government run or controlled labs as China continues to make targeted investments to fuel innovations in medicine, engineering, and technology.

President Trump's illegal firing of inspectors general has effectively eliminated the conventional means for independent and non-partisan oversight of these actions. President Trump's firing of top federal civilian and military lawyers responsible for providing independent legal advice on military law within the Department of Defense and investigating public corruption within the Department of Justice removed yet another check on adherence to the rule of law and code of ethics. And President Trump's retaliatory actions against former federal officials and law firms further threaten foundational principles in our Constitution. It also creates a culture of fear – seemingly intended – warning lawyers not to engage in cases that conflict with the administration's views or interests.

Reaching far beyond his Presidential powers, President Trump has targeted and retaliated against those who disagree with him. He has directed his administration to investigate former federal officials who questioned him. He has targeted educational institutions and banned press credentials for media outlets he deems critical of his administration. The Trump administration has arrested or detained elected public officials of the opposing political party exercising their constitutionally protected rights to conduct oversight of his administration. It has also arrested students who exercised their First Amendment rights – some arrests occurring by masked law enforcement officers without insignias – who moved people in unmarked vans to detention facilities across the country. These actions are more in line with autocracies than democracies.

President Trump has unlawfully directed the Election Assistance Commission, an independent bipartisan commission established by Congress, to change its voter registration requirements – simultaneously overtaking Congress’s legislative authority, intruding on states’ rights to oversee and ensure free and fair elections, and threatening Americans’ voter protections. As a federal judge made clear, “Our Constitution entrusts Congress and the States—not the President—with the authority to regulate federal elections.” Our Constitution also unequivocally holds, “All persons born or naturalized in the United States, and subject to the jurisdiction thereof,” are citizens of the United States. Yet President Trump has directed his administration to violate that clear constitutional right and not grant citizenship to certain individuals.

In what is now a tipping point, the Trump administration has defied federal court orders in numerous lawsuits. It has continued to freeze and block disbursement of federal funds appropriated by Congress despite court orders to resume the flow of those funds. It has attempted to close or hollow out federal agencies established by Congress, despite court rulings ordering the administration to halt such conduct. It has sent hundreds of noncitizens in the U.S. to foreign prisons without due process and in direct violation of federal court orders. In one instance, President Trump refused for months to comply with court orders, including from the Supreme Court, directing his administration to facilitate the return of one individual it wrongfully deported to El Salvador, claiming it did not have the power to do so, only to bring him back to the U.S. and charge him with a crime. With this backdrop, President Trump has said “the homegrown are next,” suggesting that he is exploring how to send U.S. citizens to foreign prisons, in clear violation of our Constitution.

The Trump administration’s unprecedented actions are reflected in the over 350 lawsuits that have been filed against the administration, alleging separation of powers and constitutional violations, among many other claims. One analysis found that the Trump administration has been accused of defying court orders in approximately one-third of cases filed against the administration, with courts ruling against the administration in nearly half of the lawsuits examined. The administration continues to push the constitutional limitations on its power while attacking judges who issue rulings it does not like, further threatening the rule of law.

What is also unprecedented is the Trump administration's use of the Supreme Court's emergency docket, which has further enabled the administration to press the bounds of its Executive authority. In its first six months, the Trump administration has filed 20 emergency applications with the Supreme Court and the Supreme Court has granted 17 of those applications, often pausing interim federal district court decisions that blocked harmful actions from going into effect with minimal or no written explanation. Since January 2025, nearly two-thirds of the Justice Department staff responsible for defending legal challenges to the administration's policies have reportedly quit.

Diffusion of powers and respect for our democratic institutions are vital to protecting Americans' freedoms. President Trump's unprecedented actions to usurp Congress's Article I powers, disregard the limitations of the Executive's Article II powers, and defy the Judiciary's Article III lawful court orders have brought our country closer to a nondemocratic form of government unaccountable to courts and other institutions. In 2011, Justice Antonin Scalia testified before Congress that what sets the United States apart from other countries is not a Bill of Rights, noting "every banana republic in the world has a Bill of Rights," which is just "words on paper" – no matter how good those words may sound. Justice Scalia concluded, "the real key to the distinctiveness of America is the structure of our government," explaining that what sets the United States apart is a Constitution that prevents the "centralization of power in one person or in one party." Justice Scalia warned, "when that happens, the game is over; the Bill of Rights is just what our framers would call a parchment guarantee."

The Constitution provides Congress with the means necessary to check an administration that is eroding the very principles and institutions that make America great – but only if the majority party in Congress – currently the Republican party – is willing to act.