

ONE HUNDRED NINETEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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March 31, 2025

The Honorable Tom Cole  
Chairman  
Committee on Appropriations  
H-307 The Capitol  
Washington, DC 20515

The Honorable Dave Joyce  
Chairman  
Subcommittee on Financial Services and General Government  
Committee on Appropriations  
2000 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Cole and Chairman Joyce:

Since President Trump's inauguration, we have seen a dangerous trend of district court judges issuing nationwide injunctions that disrupt the implementation of federal policies.<sup>1</sup> These sweeping rulings, often handed down by a single judge, threaten the constitutional balance of power by overriding the popular will of the American people as embodied in Congress and the President.<sup>2</sup> The Committee on the Judiciary has developed legislative reforms within our jurisdiction to address this misuse of judicial authority and to restore balance between the branches of the federal government. The Committee on Appropriations is likewise charged with an important Constitutional check: Congress's power of the purse. As you develop appropriations for the federal judiciary, we respectfully urge you to consider appropriate language that would enhance judicial restraint and reaffirm democratic principles.

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<sup>1</sup> See *Justice Delayed: The Crisis of Undermanned Federal Courts: Hearing Before the Subcomm. on Courts, Intellectual Property, and the Internet of the H. Comm. on the Judiciary*, 119th Cong. 8-9, 39-40 (2025) (statement by Rep. Issa, Member, H. Comm. on the Judiciary); see *Markup of: H.R. 1789, The Promptly Ending Political Prosecutions and Executive Retaliation Act; H.R. 1526, the No Rogue Rulings Act; H.R. 1702, The JUDGES Act of 2025; and H.R. 1605, The Separation of Powers Restoration Act of 2025: Hearing Before the H. Comm. on the Judiciary*, 119th Cong. 172-75, 185-89 (2025) (state by Rep. Issa, Member, H. Comm. on the Judiciary) [hereinafter "NORRA Markup"].

<sup>2</sup> See Ronald A. Cass, *Nationwide Injunctions' Governance Problems: Forum Shopping, Politicizing Courts, and Eroding Constitutional Structure*, 27 *GEO. MASON L. REV.* 29, 31, 57-58 (2019).

The rise of nationwide injunctions is a relatively new and troubling departure from the traditionally restrained scope of judicial authority.<sup>3</sup> When a single district court judge halts a law or policy across the entire country—especially when done as a temporary restraining order without any fact-finding—it can undermine the federal policymaking process and erode the ability of popularly elected officials to serve their constituents.<sup>4</sup> This practice concentrates immense power in the hands of individual judges, often far exceeding the geographic and legal bounds of their jurisdiction.<sup>5</sup> For example, a lone activist judge in San Francisco, California, enjoined the termination of probationary federal employees, obstructing the President’s policy of reducing the size of the federal bureaucracy to make it more efficient and responsive to Americans.<sup>6</sup>

The abuse of nationwide injunctive authority in the first 60 days of President Trump’s term call for a comprehensive response from Congress. We respectfully urge the Appropriations Committee to consider including language in the upcoming funding bills to address the abusive use of nationwide injunctions while also ensuring the federal judiciary can continue to operate effectively and responsibly with respect to its growing civil and criminal dockets. In particular, we urge you to consider language prohibiting the use of taxpayer dollars and federal resources to issue or enforce these overbroad injunctions beyond the specific parties in front of an issuing court in a particular case.<sup>7</sup> Additionally, we ask that you consider including language to limit appropriated funds related to the issuance and enforcement of nationwide injunctions, including using court resources to compel compliance, impose fines, or conduct contempt proceedings related to such injunctions. These steps would reinforce the proper limits of judicial power and ensure that taxpayer resources support a judiciary that respects its constitutional role.<sup>8</sup>

These departures from judicial restraint come after years of Democrat attacks on federal courts intended to intimidate judges into submitting to their policy goals, including threats made against Supreme Court justices by the Senate’s Democrat Leader.<sup>9</sup> We have seen radical leftist groups place “bounties” on certain justices,<sup>10</sup> and in June 2022, U.S. Marshals even arrested a man who sought to do harm to a particular justice and his family.<sup>11</sup> Other federal judges have faced similar threats and even violence.<sup>12</sup> Congress has passed legislation to improve judicial

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<sup>3</sup> Nadin R. Linthorst, *Entering the Political Thicket with Nationwide Injunctions*, 125 PENN. ST. L. REV. 67, 81-83 (2020).

<sup>4</sup> See Cass, *supra* note 2, at 31-33.

<sup>5</sup> Howard M. Wasserman, “Nationwide” Injunctions Are Really “Universal” Injunctions And They Are Never Appropriate, 22 LEWIS & CLARK L. REV. 335, 349-53 (2018).

<sup>6</sup> Order Granting Preliminary Injunction, *Am. Fed. of Gov’t Employees, et al., v. Office of Personnel Mgmt., et al.*, (No. 3:25-cv-01780) (N.D. Cal. 2025).

<sup>7</sup> See The No Rogue Rulings Act, H.R. 1526, 119th Cong. (1st Sess. 2025).

<sup>8</sup> NORRA Markup, *supra* note 1, at 185-86 (statement by Rep. Issa, Member, H. Comm. on the Judiciary).

<sup>9</sup> J. Edward Moreno, *Schumer warns Kavanaugh and Gorsuch they will ‘pay the price,’* THE HILL (Mar. 4, 2020).

<sup>10</sup> Rich Calder, *Lefty Group ShutDownDC offering 200 Bounty for Intel on SCOTUS Justices*, N.Y. POST (Jul. 9, 2022).

<sup>11</sup> Criminal Complaint at 2-3, *United States v. Roske*, No. 22-mj-1848-TJS (D.M.D. June 8, 2022).

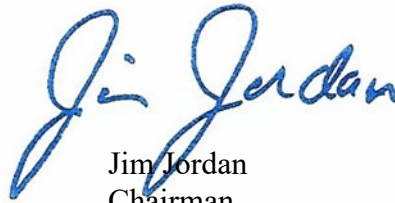
<sup>12</sup> Josh Margolin, et al., *‘Anti-feminist’ lawyer identified as shooter who killed Judge Esther Salas’ son then self*, ABC NEWS (Jul. 20, 2020).

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security,<sup>13</sup> but we urge the Appropriations Committee to appropriately fund judicial security measures to protect justices, judges, court employees, and the American public, as well as safeguard an independent judiciary that respects constitutional limits on judicial authority.

As the 119th Congress moves forward, we look forward to continuing to work with you to address the abusive practice of nationwide injunctions to protect the constitutional framework that is the foundation to our democracy. Thank you for considering this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is written in a cursive, flowing style.

Jim Jordan  
Chairman

cc: The Honorable Jamie Raskin, Ranking Member

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<sup>13</sup> H.R. 4436, 117th Cong. (2021), Pub. L. 117-81 (2021); S.4160, 117th Cong. (2022), Pub. L. 117-148 (2022).