



THE BENCHLINE

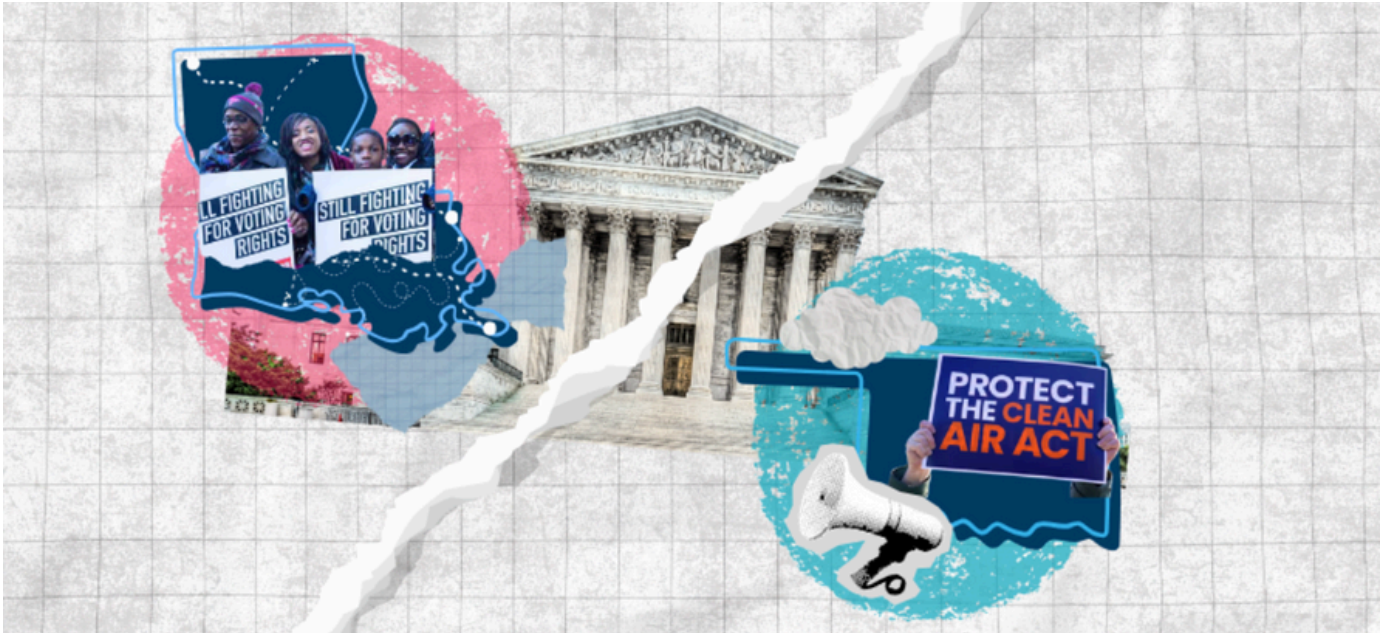
The Federal Courts

The Supreme Court

Yesterday, the Supreme Court issued a major ruling on a case we have been watching about gun violence prevention. In 2022, following an increase in crimes involving untraceable guns produced by self-assembly kits, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) issued a rule to regulate these weapons, known as "ghost guns." Firearm manufacturers and advocacy groups challenged the rule's constitutionality under the Gun Control Act. The Supreme Court, over the dissent of Justices Alito and Thomas, **upheld the rule**, holding that the ATF's regulation of ghost guns is consistent with the Gun Control Act. This decision reverses the extreme result reached by the Fifth Circuit Court of Appeals, which originally struck down the rule, and should help keep these dangerous weapons off our streets.

This week, the Supreme Court also heard oral arguments in two important cases: **[Louisiana v. Callais](#)**, which challenges Louisiana's congressional map, and **[Oklahoma v. EPA](#)**, which concerns the Environmental Protection Agency's (EPA) authority to defend its clean air regulations, specifically those related to state implementation plans, in the D.C. Circuit Court. To understand the high stakes of these cases for our rights to fair representation and a clean environment, read our **[Supreme Court Case Preview](#)**.

Decisions in these cases will likely be handed down toward the end of the term. Keep watch for AFJ's Supreme Court Review, which will be updated to provide a detailed analysis of the Court's most consequential opinions.



Trump v. The Courts

The federal courts have stood as a critical check against the overreach of an executive who regularly disregards the rule of law. Recently, President Trump invoked the Alien Enemies Act, the same law at issue in the infamous Korematsu decision, to deport hundreds of individuals to El Salvador without due process, and in defiance of a judicial order.

Judge James Boasberg (D.D.C.) blocked Trump's use of the wartime law, ruling that, regardless of the law's validity, those affected are entitled to a fair chance to challenge their deportation. Tragically, despite faithfully upholding the rule of law and his constitutional duties, Judge Boasberg has faced baseless criticism and threats from Trump and his allies, including calls for impeachment. This prompted Chief Justice Roberts to issue a statement underscoring the foundational constitutional principle that "impeachment is not an appropriate response to disagreement concerning a judicial decision."

The administration appealed Boasberg's decision to the U.S. Court of Appeals for the D.C. Circuit, which heard arguments Monday afternoon, during which one judge **criticized the administration**, stating, "Nazis got better treatment under the... act." A decision from the court is expected in the coming days.



Senate Judiciary Committee

Executive Nominees

This week, the Senate Judiciary Committee held hearings for three Department of Justice (DOJ) nominees: Patrick Davis for Assistant Attorney General of the Office of Legislative Affairs, John Eisenberg for Assistant Attorney General of the National Security Division, and Brett Shumate for Assistant Attorney General of the Civil Division. All three nominees previously served in the **first Trump administration**, reflecting his ongoing preference for loyalists to serve in his second term.

AFJ remains firmly opposed to any DOJ nominee who prioritizes loyalty to Trump over upholding the Constitution. Of particular concern is Brett Shumate's belief that "nearly all modern" independent agencies — critical entities responsible for regulating industries and enforcing laws — are "unconstitutional." He has specifically criticized the landmark Supreme Court ruling in ***Humphrey's Executor v. United States***, which limits the president's ability to remove heads of independent agencies without cause. Shumate's contention that this ruling is **"not controlling"** suggests a dangerous belief that the president should have unchecked power over independent agencies.

The confirmation of Shumate, among other Trump loyalist nominees, would have serious and long-term consequences. We hope the Senate Judiciary Committee will make the right decision: one that protects our government and upholds justice, fairness, and the best interests of the American people, by rejecting these nominees.

House Judiciary Committee

The JUDGES Act

Last year, Congress passed the bipartisan JUDGES Act, with both Republicans and Democrats agreeing to expand the number of federal judges to address judicial emergencies in the lower courts. However, House Republicans played politics with the bill and delayed passing it until after the results of the election were known. In response, former President Biden **vetoed the bill**, criticizing Republican's hypocrisy. Republican senators intentionally left more than 30 judicial vacancies open, refusing to work with the previous administration to fill them.

The reintroduction of the JUDGES Act by Representative Darrell Issa (R-CA) would grant Trump more than 20 new judicial appointments. District court judges have played a vital role in blocking Trump's efforts to fire thousands of federal workers, ban transgender people from military service, and freeze critical federal funding. The clear goal of this legislation is to pack the bench with extreme right-wing, partisan judges who align with conservative ideology — and more worryingly, with Trump himself. Allowing Trump to appoint more partisan judges who would support his regressive agenda from the bench would enable him to evade constitutional accountability and continue his attack on the Constitution and America's families.

HOLDING

THE BENCHLINE

Trump has wasted no time unleashing hateful and divisive rhetoric against transgender people, even going so far as to sign an executive order attempting to ban transgender individuals from serving in the military.

This week, **Judge Ana Reyes (D.D.C.)** is Holding the Benchline, decisively **blocking** this blatantly discriminatory and unconstitutional order. In her forceful **opinion**, Judge Reyes not only condemned the Trump administration but also fiercely defended the “thousands of transgender service members” who have given their lives in service to the very equal protection rights this executive order seeks to destroy.

She sharply criticized the “unabashedly demeaning” language used by the administration and pointed out that their conclusions “bear no relation to fact.” Judge Reyes closed her opinion with a powerful expression of “appreciation to every current service member and veteran.”

HOLDING COURT:

From Visibility to Victory — Defending Trans Rights



AFJ was also joined by [Kris Hayashi](#), the National LGBTQ Task Force's
Director of Advocacy and Action.

Holding Court

From Visibility to Victory — Defending Trans Rights

This week, AFJ hosted a [virtual conversation](#) with Meghann Burke (she/her), Executive Director of the National Women's Soccer League Players Association, Shayna Medley (they/she), Senior Litigation Staff Attorney at Advocates for Trans Equality, and Paul Spivey (he/him), who serves on the Board of Directors of PFLAG National. The conversation was moderated by Kris Hayashi (he/him), Director of Advocacy and Action for the National LGBTQ Task Force. The discussion focused on strategies for advocacy, legal action, and grassroots organizing to combat regressive policies. It emphasized the power of solidarity and explored opportunities for activists to collaborate in securing a future where trans rights are recognized, protected, and celebrated.

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