

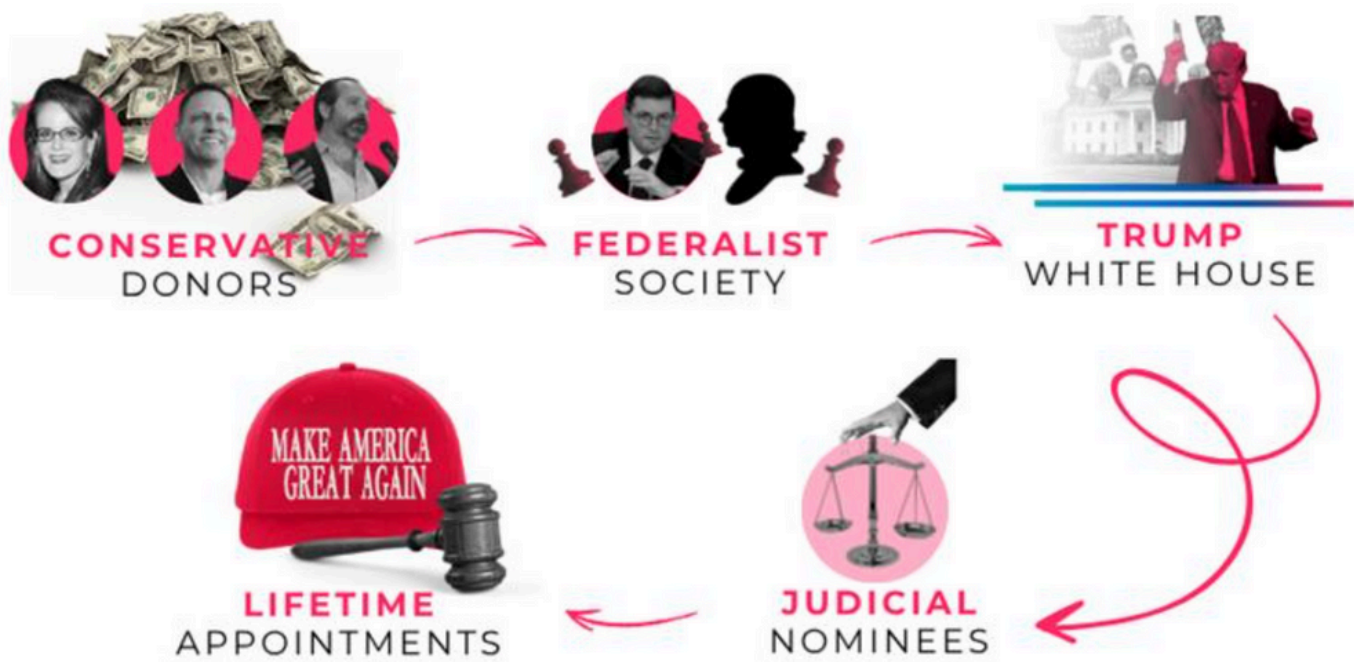


THE BENCHMARK

THE SENATE JUDICIARY COMMITTEE

The Senate confirmed several nominees recently, and with the exception of Bill Lewis (Middle District of Alabama), nearly all were confirmed on party lines. Three circuit court nominees, [Eric Tung](#) (9th Circuit), [Joshua Dunlap](#) (1st Circuit), and Rebecca Taibleson (7th Circuit), were confirmed, along with five district court nominees: Jordan Pratt (Middle District of Florida), [Edmund LaCour](#) (Northern District of Alabama), William Mercer (District Court of Montana), Chad Meredith (Eastern District of Kentucky), and [Bill Lewis](#) (Middle District of Alabama), who was confirmed by a vote of 58-40.

In another instance of breaking judicial nomination norms, Trump did not formally announce three new nominees for the federal bench. Instead, the Senate Judiciary Committee received completed questionnaires for these candidates, with no public or formal announcement from the White House. This lack of transparency and public engagement seems to be the administration's new standard operating procedure. The previous slate of nominees for Louisiana was also not formally announced until mere days before the nominees' Senate hearing, a concern flagged by local Louisiana press. Reuters [broke](#) the story on the latest slate of nominees, reporting, "Their names were first reported publicly on the website of the liberal legal advocacy group Alliance for Justice." Two nominees, [David Fowlkes](#) for the Western District of Arkansas, and [Nicholas Ganjei](#) for the Southern District of Texas, are federal prosecutors. The final nominee, [Aaron Peterson](#) for the District Court of Alaska, is an attorney in the Alaska Department of Law's natural resources litigation section.



Ganjei's nomination to the Southern District of Texas seat poses particular concern. As a law student, Ganjei worked for John Yoo, who authored the "torture memos" used to justify the Bush administration's use of abusive interrogation techniques. While hundreds of fellow students and professors at UC Berkeley called for Yoo's removal, Ganjei advocated for Yoo to stay. In addition to nearly two decades of ties to the Federalist Society, Ganjei has also held fellowships at several far-right institutions, including the Manhattan Institute, the Claremont Institute, and Hillsdale College. All of these organizations are funded by conservative donors and foundations that have for decades strategically advanced far-right agendas through the courts and Congress. As someone nominated to serve in a courtroom geographically close to the border, it's particularly concerning that Ganjei, who may end up presiding over border and immigration related cases, has repeatedly **retweeted** Trump's racist and inflammatory ICE propaganda. Ganjei's deep ties to extreme right-wing organizations, coupled with his support for the administration's most extreme positions, indicate that he will not be sufficiently independent and fair minded enough to hold a lifetime position in the federal judiciary.

HOLDING

THE BENCHMARKLINE

This week, the United States continues with the **longest shutdown** in its history, outlasting the previous record set during the 2018-2019 shutdown that occurred during Trump's first administration. Government shutdowns have a negative impact across sectors and on everyday people — thousands of America's government workers, including air traffic controllers and military personnel, all miss paychecks, putting them at risk for eviction, utility shut offs, and other dire consequences. Additionally, the over 40 million Americans who use Supplemental Nutrition Assistance Program (SNAP) to feed themselves and their families are negatively impacted. On November 1, the program faced a lapse in its programming for the first time ever. One in 8 Americans use the program, and this lapse in nutrition benefits and basic groceries will cause huge food insecurity issues for these households.

THE **LONGEST GOVERNMENT SHUTDOWN** IN U.S. HISTORY

42 MILLION

Americans rely on SNAP

1 IN 8

Americans affected



Two federal judges appointed by President Barack Obama are pushing back after democratic governors or state attorneys general in 25 states and the District of Columbia sued to challenge the lapse in the program. [Judge John J. McConnell Jr.](#) in Rhode Island and [Judge Indira Talwani](#) in Boston agreed, arguing that USDA's move to freeze SNAP funding is likely unlawful. Both noted that the Trump administration is legally obligated to use the more than \$5 billion in emergency funding that is earmarked by Congress for situations like these. In one of the cases, the Justice Department said the Agriculture Department would comply with the Court's order and "fulfill its obligation to expend the full amount of SNAP contingency funds" by providing state agencies with information about reduced SNAP payments.

However, Trump has taken a different tone. Despite these two court orders instructing the administration to use emergency funding to provide at least partial SNAP benefit payments, Donald Trump [posted](#) on Truth Social that SNAP benefits "will be given only when the Radical Left Democrats open up government, which they can easily do, and not before." This hugely concerning turn of events not only impacts the over 42 million who rely on SNAP to feed their families but demonstrates the administration's open defiance of legal court orders. The Trump administration's many illegal power grabs, misconduct, and flouting of the law has now veered into authoritarian overreach that poses real consequences for everyday people and undermines the constitutional fabric of our nation and our democracy.

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