

Contents

Preface	ix
---------	----

1

Control Over the Administration

Executive Authority	3
Faithful Execution and the Removal Power Nick Bednar and Todd Phillips, <i>Lawfare</i> , Friday, July 10, 2026	10
The Next Big Test of Trump’s Power: Firing Top Prosecutors Erica Orden and Josh Gerstein, <i>Politico</i> , August 7, 2026	16
Summary: <i>Loper Bright Enterprises v. Raimondo</i> Christopher Allman and Tim Gutwald, <i>Michigan Bar Journal</i> , February 2025	20
Thousands of Federal Workers Would Be Easier to Fire Under Trump Rule Change Shannon Bond, <i>NPR</i> , April 18, 2025	24
Fed Independence after <i>Trump v. Cook</i> Daniel K. Tarullo, <i>Brookings</i> , July 21, 2026	26
Trump v. Cook Steven D. Schwinn, <i>ABA Supreme Court Preview</i> , January 8, 2026	35
The Decades-Old Legal Question at the Heart of the Fed Chair Showdown Nick Timiraos, <i>The Wall Street Journal</i> , April 16, 2026	42

2

Interpretation of Constitutional Amendments

The President and the Constitution	47
Birthright Citizenship Shouldn’t Be Up for Debate Michael Waldman, <i>Brennan Center for Justice</i> , March 31, 2026	56
Supreme Court’s Decision on Birthright Citizenship Will Depend on Its Interpretation of One Key Phrase Morgan Marietta, <i>The Conversation</i> , March 30, 2026	59
Fact Sheet: President Donald J. Trump Delivers Gold Standard Childhood Vaccine Recommendations for Americans <i>The White House</i> , August 10, 2026	63

Trump Order Directs Justice Department to Sue States Over Vaccine Exemptions	66
Ingrid Burke Friedman, <i>JURIST News</i> , August 10, 2026	
Doctors Can Refuse to Treat LGBTQ+ Patients in Several States—These Religious Exemption Laws Lead to Drops in HIV Testing	69
Nathaniel M. Tran and Periwinkle Seljord-Solberg, <i>The Conversation</i> , April 10, 2026	
“No One Is Watching”: How Trump Reversed Biden’s Crackdown on Gun Trafficking	72
Alec MacGillis, <i>ProPublica</i> , June 1, 2026	

3

Federal Oversight of Elections

The Presidency and Elections	85
States Already Enacting Harmful SAVE Act Policies, Requiring Proof of Citizenship to Vote	93
Andrew Garber and Connie Wu, <i>Brennan Center for Justice</i> , June 3, 2026	
States, Not the President, Run Elections in America	98
Jess Brouard and Derek Tisler, <i>State Court Report</i> , October 21, 2025	
A Federal Law Bans Late Voter Roll Purges: Republicans Are Pushing to Reinterpret It	102
Hansi Lo Wang, <i>NPR</i> , July 1, 2026	
What Americans Mean When They Say They’re Worried About a Stolen Election	106
Jessie Blaeser and Erin Doherty, <i>Politico</i> , May 10, 2026	

4

Trade and Economic Policy

The Presidency and the Economy	113
What The Supreme Court’s Tariff Ruling Changes, and What It Doesn’t	120
Kimberly Clausing and Maurice Obstfeld <i>Peterson Institute for International Economics (PIIE)</i> , February 23, 2026	
Trump Tariff Ruling Shows Top Courts Serve as Last Line of Defence Against Strongman Rule	123
Andrea Loux Jarman, <i>The Conversation</i> , February 26, 2026	
What’s at Stake in the Supreme Court Tariffs Case	126
Elizabeth Goitein, <i>Brennan Center for Justice</i> , November 1, 2025	

Thousands of Carve-Outs and Caveats Are Weakening Trump's Emergency Tariffs	130
Paroma Soni, <i>Politico</i> , December 14, 2025	
A Guide to Trump's Section 232 Tariffs, in Maps	134
Shannon K. O'Neil, Julia Huesa, and Gabriela Paz-Soldan, <i>Council on Foreign Relations</i> , November 14, 2025	

5

War Powers and Military Action

Presidents at War	149
Are We Officially at War with Iran?	158
Fredrik Logevall, <i>Harvard Kennedy School</i> , April 7, 2026	
Pete Hegseth Becomes the First American Secretary of War to Lose a War: The Iran Deal	162
Dean Baker, <i>Center for Economic and Policy Research</i> , June 16, 2026	
Does Trump Have the Authority to Strike Iran?	164
John D. Bellinger III, <i>Council on Foreign Relations</i> , June 22, 2025	
Trump's Iran Strikes Are Unconstitutional	167
Katherine Yon Ebright, <i>Brennan Center for Justice</i> , March 2, 2026	
Trump's Idea to Use Military to Deport Over 10 Million Migrants Faces Legal, Constitutional, and Practical Hurdles	170
Cassandra Burke Robertson and Irina D. Manta, <i>The Conversation</i> , January 20, 2025	
How Turning the Border into a Military Zone Evades Congress and Threatens Rights	174
Elizabeth Goitein and Joseph Nunn, <i>Brennan Center for Justice</i> , April 28, 2025	
Trump Beats Back GOP Rebellion on Venezuela War Powers	178
Anvee Bhutani, Lindsay Wise and Siobhan Hughes, <i>The Wall Street Journal</i> , January 14, 2026	
Bibliography	181
Websites	185
Index	187