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Johnson stresses Congress's power over courts: 'Desperate times call for desperate measures'

BY EMILY BROOKS - 03/25/25 12:24 PM ET



Speaker [Mike Johnson](#) (R-La.) on Tuesday drew attention to Congress's power over the federal judiciary as Republicans plot how to legislatively channel their outrage over district judges who have blocked Trump administration actions.

"We do have authority over the federal courts," Johnson said in a press conference Tuesday. "We can eliminate an entire district court. We do have power over funding over the courts and all these other things. But desperate times call for desperate measures, and Congress is going to act."

Johnson clarified that he was not calling to eliminate courts, but rather meant to illustrate Congress's broad scope of authority, [Punchbowl News](#) reported.

Article III of the Constitution specifically vests judicial power in the Supreme Court and in "inferior Courts as the Congress may from time to time ordain and establish." The structure of the district court system, and how they are funded, are determined by Congress.

The Speaker's comments come as [President Trump](#) has called to impeach at least one district judge, [James Boasberg](#), who issued a nationwide injunction to block his administration from using the Alien Enemies Act to deport Venezuelan migrants. Several House Republicans have introduced articles of impeachment against Boasberg and other district judges who have blocked Trump administration actions through nationwide injunctions.

But impeachment is seen as a largely futile effort, given the near-zero chance that at least 14 Senate Democrats would join Republicans in convicting and removing any of the judges. Johnson has not ruled out impeachment, but he said he would leave questions about impeachment to the House Judiciary Committee.

Meanwhile, Republicans are plotting other ways to respond to the judges amid the calls for impeachment. The House is [set to vote next week](#) on the No Rogue Rulings Act, a bill led by Rep. [Darrell Issa](#) (R-Calif.) that would limit the power of the nation's nearly 700 district judges to impose nationwide injunctions.

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Johnson said that change would be “a dramatic improvement” of the federal court system, calling the historical increase in district judges issuing nationwide injunctions “out of the norm.”

“It is a dangerous trend and it violates justice under law, that critical principle. It violates our system itself. It violates separation of powers when a judge thinks that they can enjoin something that a president is doing, that the American people voted for. That is not what the founders intended,” Johnson said. “So, there’s a natural tension between the branches of the government, and we’re working through that.”

Johnson said there could be more legislation coming to address Republican concerns with the judiciary.

The House Judiciary Committee is also set to have a hearing next week — likely Tuesday, the panel’s Chair Rep. [Jim Jordan](#) (R-Ohio) told The Hill — to examine the issue of nationwide injunctions and other issues that Republicans call “abuses” of judicial authority.

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