**Can the President Withhold Funds that Congress Has Allotted?**

Can the President withhold funds that Congress has allotted?  Not legally. The Constitution explicitly gives Congress and in particular, the House of Representatives, the power of the purse, or, the ability to tax and spend public money for the national government, not the President. The President can propose a budget, but only Congress can pass a budget. The President can then veto that budget, but if Congress passes it over his veto, the President has to follow it.

The Congressional Budget and Empowerment Control Act of 1974 established procedures to prevent the President and other government officials from unilaterally substituting their own funding decisions for those of Congress and created a process the President must follow if he or she seeks to delay or cancel funding that Congress has passed and has been signed into law.

So what happens if the President refuses to follow the law? Our founders gave the House of Representatives the right to impeach a President for treason, bribery or other high crimes and misdemeanors and made the Senate the sole court for impeachment trials. However, impeachment votes could land along party lines, and with a requirement of a two-thirds majority to convict, the Constitution could lose out in the fray.

**Can the President Refuse to Obey a Court?**

Can the President refuse to obey a court? No. The Constitution establishes a separation of powers. While the president can veto a law Congress has passed, Congress can override the veto.  Similarly, the Supreme Court has the power to declare a law or proceeding unconstitutional, effectively cancelling it. The Constitution gives the president no authority to disregard court decisions.

Of course, if the president disagrees with a lower Federal court's ruling, he can appeal that decision to a higher court.  And if his appeal reaches the Supreme Court, its decision is final.  Although the Constitution’s framers didn’t explicitly address a president refusing to obey the Supreme Court, such an action would likely be grounds for impeachment and removal if the Senate can find the 67 votes required.

**Can the President Overrule State Laws**

Can the President overrule the states? Generally, no. States have their own powers, like setting school curricula and managing state parks, where the president can’t interfere. However, the Constitution allows Congress to pass laws that override state laws. For example, in the civil rights era, Congress passed laws ending racial segregation, even though some states resisted. While the Federal government can’t actually force states to implement its laws--the President can’t order a state’s police to enforce a federal law-- they can use federal resources like the National Guard in certain situations.

Can a state actively block a federal agency, for instance, by protecting refugees facing deportation? That’s complex, but states can, through their attorneys general, sue the federal government if an executive action violates the rights of their citizens or is otherwise illegal.

The line between resisting and simply not cooperating can be hard to define, and these issues often end up being decided by the courts.

**What is a Constitutional Crisis?**

A Constitutional crisis is when the Constitutional power of one branch of government becomes immobilized or is ignored or overruled by one of the other branches. The power of Congress is to make the laws. The power of the President is to put the laws into action. The power of the Supreme Court and lower Federal courts is to decide if a law is allowed by the Constitution. And with three co-equal branches, no one branch is more powerful than another.

An example of a Constitutional crisis would be if the legislative branch voted to impeach the president and remove them from office, but the executive branch refused to comply. It also creates a Constitutional crisis if the president ignores a Supreme Court decision like defying the Court's order to bring Kilmar Abrego Garcia back home.

So what can we do? Contact your Congressional representatives and tell them this isn't okay. Check the hashtags in our post for helpful resources.