



Adler

By David Adler

Last week, in *International Resources v. Trump*, the Supreme Court, in a 6-3 majority opinion written by Chief Justice John Roberts, declared that President Trump had exceeded his statutory authority by using an emergency statute, the “International Economic Emergency Powers Act,” to impose sweeping tariffs without congressional approval. In the days since the decision, Trump has responded with an ongoing, vicious stream of personal attacks against the justices who ruled against him, in a manner that defies historical practice, norms

## “Trump’s Intemperate Criticisms Threaten Judicial Independence”

of discourse and expectations of decorum. Trump’s assault on the Court presents grave threats to judicial independence, the separation of powers, the rule of law and safety of the justices.

The Court’s ruling should not have been a surprise. Legal scholars had identified the principal vice of Trump’s tariffs, and Chief Justice Roberts nailed it in his opinion. The statute granted to the president authority to “regulate” imports, but the word regulate does not include the power to tax. A tariff is “simply a tax on imported goods,” and the taxing power is granted solely and exclusively to Congress. In a civic lesson, the Chief Justice reminded the nation that Congress possesses the unique, constitutional power to access “the pockets of the people.”

President Trump’s immediate reaction to the decision was filled with personal invectives. Justices in the majority were “unpatriotic

and disloyal to our Constitution,” a “disgrace to our nation,” and “slimeballs,” “fools and lapdogs” in service of foreign interests. “He reserved special venom for his two nominees, Justices Amy Coney Barrett and Neil Gorsuch, describing them as an “embarrassment to their families.”

Trump’s unrelenting tantrums defy any definition of presidential decorum. By comparison, his stinging defeat could not match the pain that Vice President Al Gore felt when the Court’s decision in *Bush v. Gore* (2000) to stop the vote recount in Florida may well have cost him the election. Gore did not resort to personal attacks on the 5-4 majority but publicly declared that it was necessary to respect the Court’s ruling, even though he disagreed with it.

Across a vista of two hundred years, American presidents have seen fit, and rightly so, to criticize Supreme Court opinions when

~ We the People ~

they differ with the rulings, legal reasoning, constitutional interpretation and statutory construction employed by the Court. The High Bench, after all, has delivered rulings that seem utterly indefensible. As Justice Robert H. Jackson famously wrote in 1953: “We are not final because we are infallible, but we are infallible only because we are final.” The ruling was “ridiculous and dumb.”

Presidential criticisms of the Court’s opinions have come in various shapes and sizes. Some, for example, reflect “lawyerly” arguments, nuanced reasoning and doctrinal differences. Thomas Jefferson invoked jurisdictional grounds for criticizing Chief Justice John Marshall’s opinion in *Marbury v. Madison* (1803). In his first inaugural address, Abraham Lincoln took aim at the Court’s infamous decision in *Dred Scott*, while Chief Justice Roger, sitting before him, “trem-

bled with rage.” Lincoln said, “The candid citizen must confess, that if the policy of the government, upon vital questions, affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made, in ordinary litigation between parties, the people will have ceased to be their own rulers, having practically resigned their government into the hands of that eminent tribunal.” Barack Obama offered a candid and correct criticism of the Court for its ruling in 2010 in *Citizens United*. “It will open the floodgates for special interests, including foreign corporations, to spend without limit in our elections.”

Some criticisms are apocryphal. Andrew Jackson reportedly declared, in reaction to the Court’s ruling in *Worcester v. Georgia*, “Well, John Marshall has made his decision, now let him enforce it!” Others contain a measure of humor and creativity.

Franklin D. Roosevelt, frustrated by the Court’s anti-New Deal rulings, campaigned against it in 1936 for its “horse and buggy jurisprudence.” A deeply disappointed Theodore Roosevelt said of Justice Oliver Wendell Holmes, “I could carve out of a banana a judge with more backbone than Holmes.”

As with most things in life, there are right ways and wrong ways to proceed. Historically, presidents have criticized judicial opinions, usually in tempered terms, cognizant of the importance of judicial independence. Trump’s harsh, bullying, tactics effectively place a target on the backs of the justices and will require increased security for them and their families. Those tactics betray the rule of law.

## 2026 Grandstand Showpass on sale Monday, March 2, at 8:00a.m.

*Six Nights of Grandstand Entertainment. One Incredible Pass.*



- Jessie Murph — Sunday, July 19
- MHA Indian Horse Relay: Battle for the Plains — Semi-Finals — Monday, July 20
- MHA Indian Horse Relay: Battle for the Plains — Championship — Tuesday, July 21
- Niko Moon — Wednesday, July 22
- Zach Top — Thursday, July 23

“The Grandstand Showpass is a great value for our fairgoers,” said Craig Rudland, General Manager of the North Dakota State Fair. “It gives fans the opportunity to experience amazing, relevant artists and six exciting nights of entertainment as we Celebrate the Big 250 — The Fair Way!”

The Showpass remains the most convenient way for fans to secure multiple nights of Grandstand entertainment in one purchase. Priced at \$130, the Grandstand Showpass admits the holder to either reserved seating or standing-room areas.

Grandstand Showpass will be available beginning Monday, March 2, at 8:00 AM:

- Online at [ndstatefair.com](http://ndstatefair.com) (fees will apply)
- At any official North Dakota State Fair ticket kiosk location:

- All four (4) Marketplace Foods locations — Minot
- Dakota Square Mall — Minot
- Kirkwood Mall — Bismarck
- Cash Wise Foods — Williston
- 4 Bears Casino — New Town
- In person at the North Dakota State Fair Office (Monday–Friday, 8:00 AM–5:00 PM)
- By phone at 701-852-FAIR (fees will apply)

In addition to the Showpass lineup, Alex Warren has already been announced as one of three single-ticket Grandstand acts. Two additional single-ticket shows will be announced soon, and all three single-ticket acts will go on sale in late March/early April.

We still have so much to share as we all get ready for the fair season. Stay tuned for more exciting announcements!

About the North Dakota State Fair  
The North Dakota State Fair, held annually in Minot, North Dakota, has been a cherished tradition for decades and remains the state’s premier summer event. With a diverse range of activities, exhibits, competitions, and entertainment, the Fair draws over 350,000 visitors each year, making it North Dakota’s largest annual gathering. For more information, visit [ndstatefair.com](http://ndstatefair.com).

MINOT, N.D. —The North Dakota State Fair announces that the 2026 Grandstand Showpass will go on sale Monday, March 2, at 8:00 AM, offering fairgoers six nights of premier Grandstand entertainment during this year’s celebration of Celebrate the Big 250 — The Fair Way!

The Grandstand Showpass includes:  
• Jon Pardi — Saturday, July 18



**Advertisement for Construction Bids**  
**Turtle Mountain Band of Chippewa Indians**  
**TMBCI Maintenance Building Expansion Project**  
**4180 Highway 281 — P.O. Box 281**  
**Belcourt, ND 58316**



The Turtle Mountain Band of Chippewa Indians (TMBCI) is requesting Stipulated/Fixed Price Bids for Construction Services for the following Project: **Turtle Mountain Band of Chippewa Indians Maintenance Building Expansion**

Construction of a new 40’x80’X14’ cold-climate garage-style pole barn. The building must meet climate frost depths, heavy snow loads and thermal efficiency requirements. The Bid shall include all materials, equipment, and labor necessary to successfully complete the project. The work includes, but not limited to, the following:

- Foundation and Structural Specifications.
  - o Column Depth at a minimum of 48 inches to 96 inches.
  - o Footings 16-inch to 24-inch diameter concrete pad with rating @ 5000psi.
  - o Treated 6x6 or 4X6 post columns, spaced 8 feet on-center.
  - o Concrete collars poured around post base or 2X6 uplift anchors.
  - o For metal siding 2X6 wall girts, spaced 24 inches on-center.
  - o 24-inch-tall minimum R-12 insulation board installed vertically on the inside of the skirt board, with horizontal insulation (R-12 to R-15) extending outward from the slab edge.
  - o 4-inch concrete slab on grade, placed over a 6mil (or thicker) vapor barrier.
  - o Heating: If using radiant in-floor heating, R-10 insulation is recommended beneath the slab.
- Roof & Framing
  - o Trusses must be engineered for local snow loads, typically spaced 4 feet to 8 feet on-center.
  - o 2x4, 24 inches on-center roof purlins.
  - o 4/12 or 8/12 roof pitch.
  - o 12-inch eave and gable overhangs are recommended to protect walls from snow drift and water.
  - o Condensation Control: A double-bubble vapor barrier or proper vapor barrier on the roof is essential for preventing frost/dampness issues.
- Garage Specifications
  - o Insulated garage doors.
  - o 36-inch insulated entry door.

The expansion shall be constructed per requirements herein, applicable building codes as required for occupancy, and its intended use. The project is located in T162N, R70W Section 29 on the Turtle Mountain Band of Chippewa Indians Reservation.

Bid documents, Sealed Bids, Bid Bond, Subcontractor list, Supplier list & Qualifications for the project must be delivered to the **TMBCI Engineering and Construction Office, located in the Tribal Office Building Room 154, by 1:00 P.M. local time on March 18, 2026.** The bid documents may be hand delivered or mailed to:

Turtle Mountain Band of Chippewa Indians  
Attention: Engineering & Construction Department – Kris Delorme-Blue  
4180 Highway 281 West  
P.O. Box 900  
Belcourt, ND 58316

A public bid opening will be held on March 18, 2026 at 1:15 PM. The content of the proposals submitted will remain confidential in nature until an award has been made to the selected company. TMBCI will not consider bids received after the closing date and time.

Bids shall contain complete and detailed unit prices for labor, equipment, construction materials, 3% TERO Fee, 1% EPA Fee, and all other appropriate prices. Bidders shall comply with TERO ordinances and Tribal Procurement. Project is approved for state tax exemption.

Contractor must possess any and all licenses and permits as may be required by applicable federal, state and/or local laws/ordinances. A copy of the Contractor’s business and state license shall be submitted with the Bid.

Contractor must provide the ability to secure/hold comprehensive general liability of \$1.0 million, auto liability of \$1.0 million and worker’s compensation of \$1.0 million, if selected.

If claiming Indian Preference, provide copy of MBE/WBE certification from the state office or proof of Indian Ownership.

Owner assumes NO responsibility for misinterpretations of Bid Advertisement. TMBCI reserves the right to reject any and/or all bids and to re-advertise when it is in the best interest of the Tribe.

## Dakota Gardener

### Don’t Let Mother Nature Fool You

*There are ways to combat the spring itch you may experience during the warmer days of winter.*



Deckert

By Kelsey Deckert,  
Horticulture agent  
NDSU Extension –  
Burleigh County



The days are getting longer. In the month of February, we gain about an hour and half of daylight from the beginning of the month to the end of the month. February always feels like the turning point of winter to me. I learned a new term, “solar spring,” from a news clip, and it occurs from Feb. 5 to May 5. This sun-based season is when we gain the fastest increase in daylight hours.

In the central part of the state, we were blessed with some really warm days above 40 degrees Fahrenheit and even tipping into the 50s a couple of weeks ago, which has been giving me the spring itch. Even though we are gaining more sunlight and have had some warmer days, don’t let Mother Nature fool you yet. I have to remind myself to look at the calendar to get my shot of reality: we are still very much in winter.

What are some things gardeners could do right now if they experience the spring itch?

Focus on indoor gardening. If

Longer days give us the sense of spring, but we are very much still in winter. (Pixabay photo)

you have houseplants, maybe that one plant is ready to be repotted to the next size up. Maybe you have a flourishing plant you can take some cuttings from and propagate. Consider growing some indoor herbs, lettuce or microgreens. If you have kids in your life, whether it’s grandkids or nieces or nephews, themed gardening is always a fun activity with them. You can find many little trinkets around town to decorate the gardens.

Plan this year’s garden. Seed catalogs are available and a great inspiration for trying something new or adding a perennial to the yard. Look online for new techniques, methods or designs to incorporate into the garden or yard.

Further your knowledge. There are great online webinars offered from North Dakota State University Extension and other gardeners across the nation, free to attend. This is another way to find

inspiration for your garden!

Think about our pollinator friends that do that hard work for us in the summer. Build a pollinator hotel or research ways to create a more inviting habitat for them to ensure bountiful harvests this year.

Get outside on the warm days. With not much snow in the central part of the state, take a nature walk and enjoy the sunshine. You can even do some pruning if you want to stay busy.

Don’t get fooled by Mother Nature this time of year. There are many more ways to combat the spring itch you may experience during the warmer days of winter!

For more information about gardening, contact your local NDSU Extension agent. Find the Extension office for your county at <https://www.ndsu.edu/agriculture/extension/extension-county-offices>.