

2. The Appropriations Clause provides that “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.” U.S. Const. art. I, § 9, cl. 7. The Clause requires no “more than a law that authorizes the disbursement of specified funds for identified purposes.” *Consumer Fin. Protection Bureau v. Cmty. Fin. Services Ass’n of America, Ltd.*, 601 U.S. 416, 438 (2024). In 1987, Congress enacted a “permanent indefinite appropriation” to “pay all necessary expenses of investigations and prosecutions by independent counsel appointed pursuant to the provisions of 28 U.S.C. 591 et seq. or other law.” Pub. L. No. 100-202, tit. II, § 101(a), 101 Stat. 1329, 1329-9 (1987) (28 U.S.C. § 591 note).

B. Appointment and Funding of the Special Counsel

On November 18, 2022, the Attorney General appointed John L. Smith as Special Counsel “to conduct the ongoing investigation referenced and described in the United States’ Response to Motion for Judicial Oversight and Additional Relief, *Donald J. Trump v. United States*, No. 9:22-CV-81294-AMC (S.D. Fla. Aug. 30, 2022).” Office of the Att’y Gen., Order No. 5559-2022, *Appointment of John L. Smith as Special Counsel*, ¶ (c) (Nov. 18, 2022). The Attorney General also authorized the Special Counsel “to conduct the ongoing investigation into whether any person or entity violated the law in connection with efforts to interfere with the lawful transfer of power following the 2020