



**U.S. Department of Justice**

Office of the Solicitor General

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*Washington, D.C. 20530*

July 23, 2025

Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
Washington, D.C. 20543

Re: Trump v. Boyle, No. 25A11

Dear Mr. Harris:

On July 2, 2025, the government filed an application to vacate the district court's injunction reinstating respondents as members of the Consumer Product Safety Commission. We explained (Appl. 23) that the lower courts are currently considering multiple suits in which members of multimember agencies are challenging their removal and seeking reinstatement.

Yesterday, in one of those suits, the U.S. District Court for the District of Columbia held that the President's removal of two members of the National Credit Union Administration (NCUA) was unlawful and reinstated the removed members to office. See D. Ct. Doc. 28, at 2, *Harper v. Bessent*, No. 25-cv-1294 (July 22, 2025). No statute expressly insulates NCUA members from removal at will, but the court reasoned that "agency heads may enjoy for-cause removal protection even in the absence of an express statutory provision." *Id.* at 6. The court acknowledged that, in *Trump v. Wilcox*, 145 S. Ct. 1415 (2025), this Court had stayed orders reinstating removed members of the National Labor Relations Board and Merit Systems Protection Board. See D. Ct. Doc. 28, at 24 n.11, *Harper, supra*. But it stated that, by distinguishing the Federal Reserve Board of Governors, *Wilcox* indicated that removal protections "may be permissible" for "financial regulators" such as the NCUA, the Federal Deposit Insurance Corporation, and the Federal Trade Commission. *Id.* at 18.

I would appreciate it if you would circulate this letter to the Members of the Court.

Sincerely,

D. John Sauer  
Solicitor General

cc: See Attached Service List

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