

July 22, 2025

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Trump,

On behalf of the undersigned organizations and advocates, we write to implore you to rescind the unlawful attempted removal of the Democratic Commissioners at the Consumer Product Safety Commission (CPSC). On May 8, 2025, Commissioners Richard Trumka and Mary T. Boyle received an email from the White House purporting to terminate their positions at the CPSC.¹ While Commissioner Alexander Hoehn-Saric did not receive such an email, he is being prevented from executing his duties.² This unprecedented action against our nation's longstanding watchdog of household product safety is in direct contravention of the letter and spirit of the law, runs afoul of decades of Supreme Court precedent, and threatens to cripple the CPSC's ability to protect the American public from unreasonable risks of injury or death associated with consumer products.

During the Nixon administration, Congress established the CPSC as an independent federal agency led by five bipartisan Commissioners exclusively charged with overseeing the safety of household consumer products. Since then, members of Congress from both parties have supported the role of an independent, bipartisan CPSC. By law, CPSC Commissioners must be mission-driven and subject matter experts with a "background and expertise in areas related to consumer products and protection of the public from risks to safety."³ No more than three of the Commissioners can be affiliated with the same political party and Commissioners may only be removed by the President "for neglect of duty or malfeasance in office but for no other cause."⁴

The statutory threshold for removal has not been satisfied. All three fired Commissioners have faithfully fulfilled their lawful duties to save lives and prevent injuries. During the Biden administration, the CPSC finalized over fifty vital product safety rules and standards, including banning crib bumpers and establishing standards for adult portable bed rails, mattress

¹ Trumka, Richard @TrumkaCPSC. "See you in court, Mr. President." *Twitter*, 9 May 2025, <https://x.com/TrumkaCPSC/status/1920829190208655645>; Hoehn-Saric, Alexander @HoehnSaricCPSC. "President Trump is attempting to illegally remove me from the CPSC. See my statement." *Twitter*, 9 May 2025, <https://x.com/hoehnsariccpsc/status/1920838496039666092?s=46&t=fFGtPEY2EjySsBua6HhwPg>.

² Hoehn-Saric, Alexander @HoehnSaricCPSC. "President Trump is attempting to illegally remove me from the CPSC. See my statement." *Twitter*, 9 May 2025, <https://x.com/hoehnsariccpsc/status/1920838496039666092?s=46&t=fFGtPEY2EjySsBua6HhwPg>.

³ 15 U.S. Code § 2053(a).

⁴ *Id.*

flammability, and infant sleep products.⁵ In Fiscal Year 2024, the Commission actively facilitated the establishment of 26 voluntary safety standards and negotiated and implemented 333 recalls involving 41 million products.⁶ Further, the CPSC screened millions of e-commerce listings, facilitated the removal of over 53,000 recalled or banned products, and conducted approximately 1,000 inspections, surveillance efforts, and recall effectiveness checks to ensure compliance with product safety laws.⁷

The attempted firings are not for cause. The emails received by Commissioners Trumka and Boyle merely state that “[o]n the behalf of President Donald J. Trump, I am writing to inform you that your position on the Consumer Product Safety Commission is terminated effective immediately.” No neglect of duty was cited. No malfeasance was alleged.

Ninety years ago, the Supreme Court affirmed that the Constitution does not grant the President the power to ignore congressionally established guardrails and fire expert commissioners of independent agencies. In *Humphrey's Executor v. United States*, the Court ruled that it is “plain under the Constitution that illimitable power of removal is not possessed by the President in respect of officers” of independent agencies.⁸ Congress does indeed have the power to establish fixed terms by which CPSC Commissioners will serve and “forbid their removal except for cause.”⁹

This unlawful effort to dismantle the leadership and bipartisanship of the CPSC will significantly undermine the Agency’s ability to protect the health and safety of the American people through the creation of strong safety standards, recalls of hazardous products, and educational campaigns. Diverse perspectives improve safety. Silencing the voices of subject matter experts with whom you politically disagree would have a chilling effect on the CPSC’s functions. The Agency’s safety standards, enforcement actions, consumer education campaigns, data collection initiatives, and recall processes could all suffer. Further, the remaining CPSC Commissioners may only be able to perform the “transaction of business” for six months.¹⁰ Under current law, if only two members are serving on the CPSC because of vacancies, those two Commissioners constitute a quorum for six months.¹¹

⁵ National Archives. “Federal Register” www.federalregister.gov/documents/search?conditions%5B%5D=consumer-product-safety-commission&conditions%5Bpublication_date%5D%5Bgte%5D=01%2F1%2F2021&conditions%5Bpublication_date%5D%5Blte%5D=01%2F20%2F2025&conditions%5Btype%5D%5B%5D=RULE&order=relevant. Accessed 14 March 2025.

⁶ Consumer Product Safety Commission. “Annual Performance Report.” 17 January 2025, www.cpsc.gov/s3fs-public/FY-2024-APR-508-compliant.pdf?VersionId=7tC4.3apuIg7z.nc2fS7fzEJHSsYOPcz. Consumer Product Safety Commission. “Operating Plan.” 25 February 2025, www.cpsc.gov/s3fs-public/FY-2025-Op-Plan-revised-02-25-25.pdf?VersionId=eoC76aLTUB8Bq.If8WV6gezkm9klj.1.

⁷ *Id.*

⁸ U.S. Reports: *Humphrey's Executor v. U.S.*, 295 U.S. 602 (1935).

⁹ *Id.*

¹⁰ 15 U.S.C. § 2053(d).

¹¹ *Id.*

We urge you to reverse course and ensure that Commissioners Hoehn-Saric, Trumka, and Boyle are reinstated to serve the remainder of their statutorily granted terms. Your administration's prioritization of consumer and product safety can protect American families against preventable deaths and injuries.

Respectfully,

National Consumers League	Bike LA
Consumer Federation of America	Bike Pittsburgh
Consumer Reports	BioInjury, LLC
Access Ready Inc.	California Bicycle Coalition
Aden Lamps Foundation	Center for Auto Safety
Aging Life Care Association	Center for Digital Democracy
America Walks	Center for Economic Integrity
American Academy of Pediatrics, Arizona Chapter	Center for Economic Justice
American Academy of Pediatrics, Florida Chapter	Center for Justice & Democracy
American Academy of Pediatrics, Georgia Chapter	Center for Pet Safety
American Academy of Pediatrics, Idaho Chapter	Child Care Aware of Virginia
American Academy of Pediatrics, Virginia Chapter	Claire Bear Foundation
American Academy of Pediatrics, Washington D.C. Chapter	Consumer Action
American Academy of Pediatrics, West Virginia Chapter	Consumers for Auto Reliability and Safety
Bicycle Alliance of Minnesota	Cribs for Kids
Bicycle Coalition of Greater Philadelphia	Derrick Stone Safe Sleep
Bicycle Colorado	Disability Rights Education and Defense Fund
Bicycle Helmet Safety Institute	Earth Ethics, Inc.
Bike Cleveland	Families for Safe Streets
	First Candle
	Food Empowerment Project
	Government Information Watch
	Green America

Hawai'i Bicycling League
Healthy Babies Bright Futures
Homestretch Nonprofit Housing Corp.
Housing and Economic Rights Advocates
Just Strategy
Keeping Babies Safe
Kids and Car Safety
League of American Bicyclists
Living Streets Alliance
Local Motion
Main Street Academies
Maine People's Alliance
Massachusetts Bicycle Coalition
Missourians for Responsible Transportation
Napa County Bicycle Coalition
National Bicycle Dealers Association
National Coalition for Safer Roads
National Drowning Prevention Alliance
Oregon Consumer Justice
Oregon Consumer League
PediMom LLC
People Power United
Responsible Sourcing Network
Ride Illinois
Safe Infant Sleep
Safety Research & Strategies
Sciencecorps

Shepard's Watch
Stop Drowning Now
StopDistractions.org
The National Carbon Monoxide Awareness Association
The Center for Science in the Public Interest (CSPI)
The Wisconsin Bike Federation
Together We Thrive, Inc.
Trailnet
Truck Safety Coalition
United States Swim School Association
Unleaded Kids
US Swim School Association
Virginia Citizens Consumer Council
Washington Area Bicyclist Association
West Virginia Citizen Action Group
Women in Fire
Justin Raphael, Product Safety Advocate
Kelli Schweigart, Product Safety Advocate
Kristina Knapp, Product Safety Advocate
Mary Jagim, Product Safety Advocate
Mayra Romero-Ferman, Product Safety Advocate
Melissa Wandall, Product Safety Advocate
Michael Haggard, Product Safety Advocate
Nina Batista, Product Safety Advocate

Pamela Gilbert, Product Safety
Advocate

Paul Susca, Product Safety Advocate

Sandeep Khatua, Product Safety
Advocate

Sara Thompson, Parent Advocate

Sofia Diaz, Product Safety Advocate

Stephen Hargarten MD MPH, Product
Safety Advocate

Taylor Bethard, Parent Advocate