



## SCOTUS Snapshot

*Your weekly window into the Court that shapes the nation.*

### ***Trump v. Slaughter***

#### **What's At Stake**

- What is the case about?

This week, the Supreme Court heard oral argument in *Trump v. Slaughter*. The case concerns the right of a president to remove members of certain federal agencies. In March 2025, the president removed Rebecca Slaughter, an appointed Commissioner at the Federal Trade Commission serving a fixed statutory term, even though she still had several years left in her term. Under the statute governing the FTC, commissioners can only be removed “for inefficiency, neglect of duty, or malfeasance in office.” The legal question before the Court is whether those statutory “for-cause” removal protections violate the Constitution’s separation of powers, in particular the president’s authority under Article II.

- Who is affected and how?

The decision will broadly affect all regulatory agencies and future presidents, and could alter how rules are enforced and how regulatory power is exercised.

- Why does it matter?

The FTC is an independent federal agency created by Congress and part of the executive branch. Due to this structure, it is not directly controlled day-to-day by the president in the same way as purely executive agencies are, such as the Department of Justice or the Department of State. This fact is central to the case. The administration argues that because the FTC exercises significant executive power, such as rule-making and enforcement, the president must have constitutional authority to remove commissioners. Imposing restrictions on removal undermines democratic accountability and effectively erects a fourth branch of government run by unaccountable bureaucrats rather than an elected president.

#### **Our Take**

We expect the Court will rule in favor of President Trump by restoring presidential ability to fire agency appointees, thereby restoring democratic accountability by making agencies answerable to voters via the president, rather than insulated from political oversight.