

United States Senate

WASHINGTON, DC 20510

May 9, 2025

The Honorable Donald J. Trump
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump:

We write to express serious concern regarding your intention to fire the three Democratic Commissioners from the Consumer Product Safety Commission (CPSC). This move compromises the ability of the federal government to apply data-driven product safety rules to protect Americans nationwide, away from political influence. We urge you to immediately reverse this order and allow the three Democratic CPSC Commissioners to continue their work to protect consumers, especially children and families, from hazardous products.

Congress established the CPSC in the *Consumer Product Safety Act* as an independent regulatory commission composed of five bipartisan Commissioners, appointed by the President and confirmed by the Senate. Since 1972, the CPSC has regulated the manufacture and sale of products ranging from children's toys to fireworks, working to protect the public from unreasonable risks of injury or death. In fiscal year 2024 alone, the CPSC negotiated and implemented the recall of 153 million consumer product units and conducted more than 4,100 in-depth investigations to remove defective and potentially harmful products from shelves. For over 50 years, the CPSC's bipartisan commissioners have carried out this critical work to ensure that Americans can feel confident about the safety and reliability of the products they use every day.

As at other independent agencies, CPSC Commissioners are appointed by the President and confirmed by the Senate to staggered, seven-year terms. The *Consumer Product Safety Act* establishes that the President may remove Commissioners only "for neglect of duty or malfeasance in office but for no other cause." Further, the Act is explicit about the legal requirement for bipartisanship on the CPSC, mandating that "not more than three of the Commissioners shall be affiliated with the same political party." These provisions exist to limit the Commissioners' exposure to political influence, allowing them to focus entirely on their job of protecting American consumers.

Despite these clear, congressionally-mandated protections, late on Thursday May 8, you announced your intention to fire the CPSC's three Democratic Commissioners, Commissioner Hoehn-Saric, Commissioner Trumka, and Commissioner Boyle, without cause. This action degrades the ability of CPSC to establish robust product safety protections and casts doubt on its capacity to pursue recalls and investigations without being influenced by the politics of the day.

More than ninety years ago, the Supreme Court ruled that Congress has the authority to create bipartisan, multi-member commissions to serve the public without undue political influence. More recently, in 2020, the Court refused to rule that the President has the power to remove members of bipartisan commissions at-will. As you know, the President can lawfully exercise influence over the Commission by nominating new members and appointing the Chair. This illegal order to terminate three CPSC Commissioners without cause stands in opposition to clear legislative guidelines and nearly a century of Supreme Court precedent. It must be reversed.

Commissioners Hoehn-Saric, Trumka, and Boyle must be allowed to continue their work at the CPSC and carry out its vital mission to protect American consumers.

Sincerely,



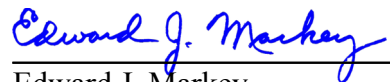
Amy Klobuchar
United States Senator



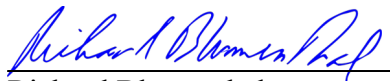
Maria Cantwell
United States Senator



John Hickenlooper
United States Senator



Edward J. Markey
United States Senator



Richard Blumenthal
United States Senator