

Historians' Amicus Brief in *Trump v. Slaughter*

Professor Noah Rosenblum and Legal History Fellow Nathaniel Donahue, represented by Patterson Belknap Webb & Tyler LLP, filed a brief challenging the removal of a commissioner of the Federal Trade Commission.



Noah Rosenblum

Published **November 14, 2025**

[The Courts](#)

This case arises from the Trump administration's attempt to remove Commissioners Rebecca Kelly Slaughter and Alvaro Bedoya from the Federal Trade Commission.

Slaughter and Bedoya both challenged their removals, but Bedoya ultimately resigned from his position. On July 17, 2025, the federal district court in Washington,

D.C., ruled in Slaughter's favor and ordered her reinstatement. The Trump administration appealed the decision to the federal court of appeals for the D.C. Circuit and requested an order that would allow Slaughter to be removed from her position while the case proceeds. The D.C. Circuit denied that request on September 2, 2025, after which

the administration filed an emergency application with the U.S. Supreme Court. The Supreme Court issued a temporary order granting the administration's request to remove Slaughter while the case proceeds, followed by an order "staying," or pausing, the district court's reinstatement order until the Court issues its final judgment in the case. At that time, the Court also granted certiorari in the case and requested briefing from the parties.

Historian and member of the Brennan Center's Historians Council on the Constitution Noah Rosenblum filed an amicus brief in

support of Slaughter with Nathaniel Donahue, the Samuel I. Golieb Fellow in Legal History at New York University School of Law. The brief centers on the terms that long-standing Supreme Court precedent has used to describe which agencies may be protected from presidential removal: "quasi-legislative" and "quasi-judicial." The brief explores the history behind the terms to demonstrate that they were well understood and developed over a century ago, as well as to argue that they reach far more broadly than narrow readings of existing Supreme Court precedent suggest.