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Trump appeals to Supreme Court over firing of US agency boss

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BBC News, Washington



Hampton Dellinger was fired in a one-sentence email this month

President Donald Trump has asked the US Supreme Court to allow him to fire the head of an independent ethics agency that protects whistleblower federal employees.

He has filed an emergency appeal to the country's highest court to rule on whether he can fire Hampton Dellinger, head of the US Office of Special Counsel.

It is thought to be the first case related to Trump's blizzard of executive actions to reach the highest court.

Trump has also cut more than a dozen inspectors general at various federal agencies and fired thousands of employees across the US government.

Mr Dellinger, who was nominated by President Joe Biden, sued the Trump administration after he was fired by email this month.

He argued that his removal broke a law that says he can only be dismissed for poor job performance and that was not given as a reason in the email dismissing him.

The agency lists among its primary objectives the protection of federal employees from unlawful actions in reprisal to whistleblowing, **according to its mission statement.**

A federal judge in Washington DC issued a temporary order on Wednesday allowing Mr Dellinger to hold on to his position while the case is being considered.

District Judge Amy Berman Jackson said the firing broke US law which tried to ensure the independence of the agency and protect it from political interference.

On Saturday, a divided US Court of Appeals in the nation's capital rejected the Trump administration's request to overrule the lower court.

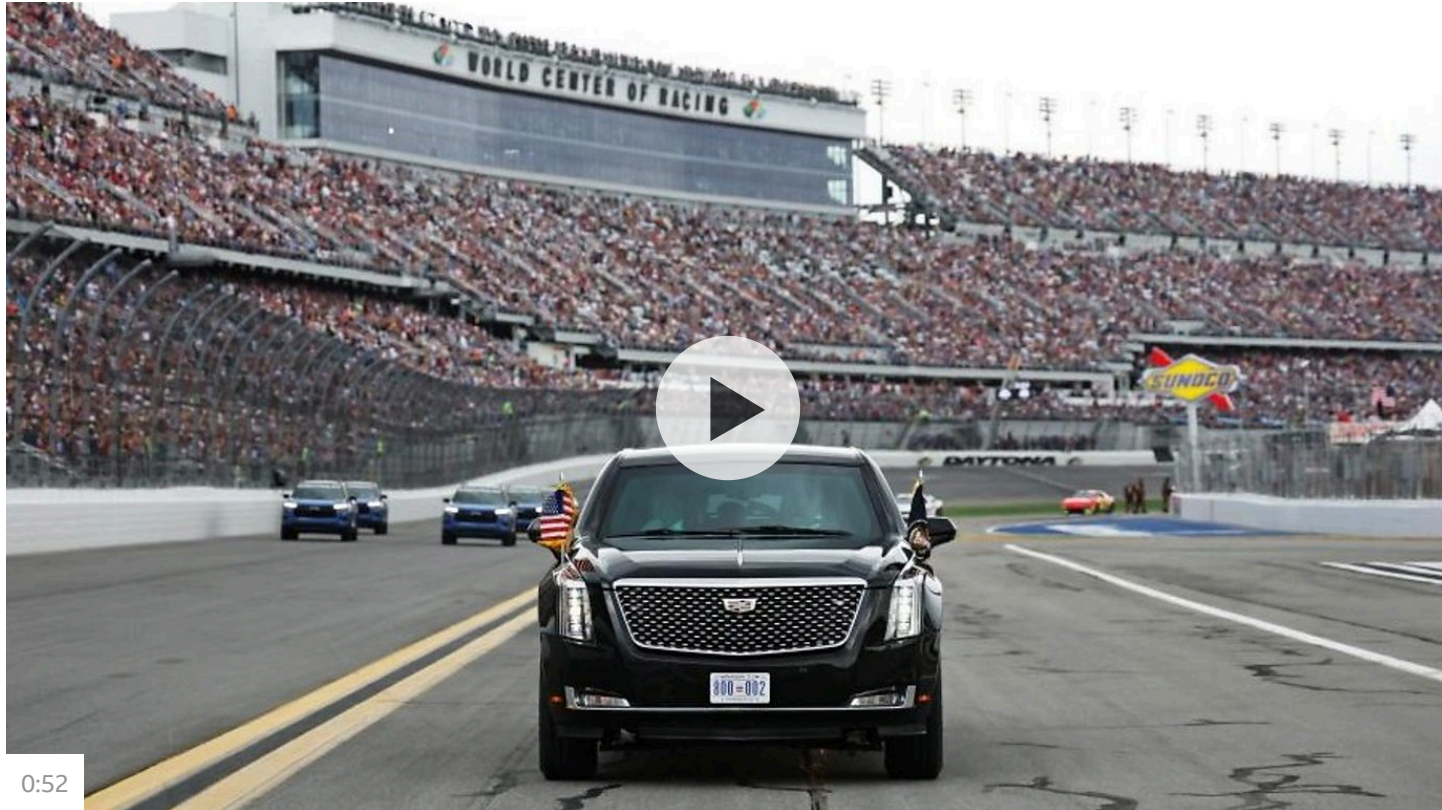
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That has led to the justice department filing an emergency appeal to the conservative-dominated Supreme Court, a filing seen by various US media.

"This court should not allow lower courts to seize executive power by dictating to the president how long he must continue employing an agency head against his will,"

Sarah M Harris, acting solicitor general, wrote in the filing provided by the Department of Justice to the Washington Post.

"Until now, as far as we are aware, no court in American history has wielded an injunction to force the president to retain an agency head," the acting solicitor general wrote, according to the Associated Press news agency.



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The Republican president's orders on immigration, transgender issues and government spending have also become bogged down in dozens of lawsuits in the lower courts. Those cases may ultimately wind up at the Supreme Court, too.

Trump's efforts to reduce and reshape the 2.3 million-strong civilian federal workforce continued over the weekend.

Workers in various health agencies who are still within their probation periods received letters on Saturday evening informing them they would be terminated, sources told CBS News, the BBC's US partner.

"Unfortunately, the agency finds that you are not fit for continued employment because your ability, knowledge and skills do not fit the agency's current needs, and your performance has not been adequate to justify further employment at the agency," read the letters.

At least 9,500 workers at the departments of Health and Human Services, Energy, Veterans Affairs, Interior and Agriculture have been fired by Trump, according to a tally from Reuters news agency.

Another 75,000 workers have taken a buyout offered to get them to leave voluntarily, according to the White House.

The cost-cutting initiative has been led by department of government efficiency, or Doge, a task force led by Elon Musk.

Democrats have decried Musk, the world's richest man, as unelected and his actions as too sweeping - a "hostile takeover" in the words of the party's Senate leader Chuck Schumer.

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