

Plan No. 6 of 1950, Pub. L. No. 81-921, 64 Stat. 1263 (1950) (Department of Labor). And the heads of these departments have relied on such statutes to appoint hundreds of inferior officers. *See, e.g.*, Treasury Order 101-06.

The district court thus erred in its determination that “when Congress ‘by Law vest[s] the Appointment of such inferior Officers . . . in the Heads of Departments,’ it does so in a particular way”—namely, by “track[ing] the language of the Appointments Clause.” Dkt. 672 at 47. In fact, Congress uses a wide variety of language to vest appointment power in heads of departments. Sometimes Congress precisely “tracks the language of the Appointments Clause.” *See id.* at 47-48. But sometimes Congress uses vesting-and-delegation provisions like those found in Sections 509 and 510. *See Willy v. Administrative Review Bd.*, 423 F.3d 483, 491-92 (5th Cir. 2005) (holding that the Secretary of Labor was vested “with ample authority to create the [Administrative Review Board], appoint its members, and delegate final decision-making authority to them,” based on “[t]he broad language employed by Congress in the Reorganization Plan No. 6 of 1950 and in 5 U.S.C. § 301”); *Al Bahlul v. United States*, 967 F.3d 858, 874 (D.C. Cir. 2020) (“While the explicit use of the term ‘appoint’ may ‘suggest[]’ whether a statute vests the appointment power, . . . Congress need not use explicit language to vest an appointment in someone