Press Release

Chevron's Wake

PAULINA ENCK | JUNE 28, 2024

In a 6-3 opinion delivered by Chief Justice John Roberts in the case of *Loper Bright v. Raimondo*, the Supreme Court struck down the doctrine of Chevron deference. In a new insight, Director of Regulatory Policy Dan Goldbeck walks through what this decision means for the current regulatory state and the future of executive power.

Goldbeck concludes:

> *The end of the Chevron era represents a consequential shift in the nation's balance of governing power, and this decision can be viewed as a victory for those concerned about ever-expanding executive authority. Harried concerns about some complete elimination of basic regulatory standards are likely overstated. While many rulemakings may now be placed under the microscope, such challenges will take some time and, indeed, some current actions are likely able to withstand such scrutiny. For those concerned about the state-of-play after this decision, the answer is clear: Focus on getting Congress to make its aims clearer and more specific and make sure agencies do not expend their resources in pursuing doomed rules that exceed their granted authority. Time will tell if the parties involved will be able to course-correct.*

Read the analysis