



FACT SHEET JAN 10, 2024

How the Supreme Court Could Limit Government's Ability To Serve Americans in All Areas of Life

Fact Sheets on the Far-Reaching Impacts of the *Loper Bright* and *Relentless* Cases

If the Supreme Court overturns the 40-year-old *Chevron* doctrine, it could throw into chaos government's ability to protect and serve the American people in areas ranging from workplace safety to Medicare administration to consumer protections, and much more.

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Restoring Social Trust in Democracy, Courts, Democracy, +2 More



A woman holds an American flag during a rally outside the U.S. Supreme Court in Washington, D.C., June 2023. (Getty/Kent Nishimura/Los Angeles Times)

Two combined cases before the U.S. Supreme Court, *Loper Bright v. Raimondo* and *Relentless v. Department of Commerce*, are the centerpiece of the extreme right wing's long-term effort to stymie the ability of government to protect and serve the American people by regulating industry. On their face, the two cases deal with the narrow issue of whether industries should bear the cost of regulatory compliance when a statute is ambiguous or silent—in this instance, paying for fisheries compliance monitors on commercial vessels. But rather than just weigh in on this particular issue, the Supreme Court will take up the broader question of whether to overturn the 40-year-old precedent that has been the bedrock of administrative law, known as *Chevron* deference. Overturning or narrowing the *Chevron* doctrine would unleash chaos on businesses, federal agencies, and the ability of Congress to pass legislation capable of solving Americans' problems in an increasingly complex society.



“This case is the product of a decades-long effort by pro-corporate interests to eviscerate the federal government’s regulatory apparatus, to the detriment of the American people.”

Sens. Sheldon Whitehouse (D-RI), Mazie Hirono (D-HI), Dianne Feinstein (D-CA), and Elizabeth Warren (D-MA) in an amicus brief in *Loper Bright v. Raimondo*

For years, conservative activists have falsely painted government agencies and regulations as bloated, inflexible, and bad for the American economy. In reality, regulations are often the unseen and unheralded bulwarks that protect workers, provide stable financial markets, safeguard consumers from financial predators, prevent unchecked pollution, ensure safe food and medications, create functional health care marketplaces for older adults, and so much more. The demise of the *Chevron* doctrine could allow special interests to achieve political influence and outcomes through the judiciary that they cannot achieve through electoral politics.

More importantly, courts' ability to apply *Chevron* deference results in significantly fewer demonstrably political decisions. If the Supreme Court eliminates or drastically narrows *Chevron* as a judicial tool, it will only further inject partisanship into a court system that is intended to be apolitical but that has no direct accountability to Americans because of lifetime appointments.

The following fact sheets provide just a small sample of the benefits and protections, across various sectors and areas of life, that agencies provide the American people through regulations. They also highlight what is at stake if the Supreme Court creates a legal environment that puts judges' policy preferences over the career-long civil servant expertise found in federal agencies.

Civil rights

Overturning the *Chevron* doctrine would have disastrous consequences for agencies tasked with enforcing Americans' civil rights, with historically marginalized communities particularly vulnerable to losing vital protections.

[Click here to read the fact sheet.](#)

Education policies

Federal agencies that administer grants and benefits and that combat unscrupulous, low-quality, often for-profit education programs could have their authorities hamstrung if the Supreme Court overturns *Chevron* deference this term.

[Click here to read the fact sheet.](#)

Environmental protections

Many of the federal regulations that protect our air, water, and land—and benefit the economy—are at risk if the Supreme Court reverses *Chevron* deference this term.

[Click here to read the fact sheet.](#)

Financial markets and consumer protections

Regulations that protect Americans from financial market fraudsters and predators could be on the chopping block if the Supreme Court overturns the *Chevron* doctrine this term.

[Click here to read the fact sheet.](#)

Health care and public health

Agencies tasked with implementing public health insurance programs, regulating the safety of pharmaceuticals and medical devices, and protecting Americans' public health could face significant hurdles to effectively serving the public if the Supreme Court overturns *Chevron* deference this term.

[Click here to read the fact sheet.](#)

Worker protections

Safeguards for American workers that protect them from unsafe work environments and financially abusive employers—and that regulate overtime and tipped wages—may be at risk if the Supreme Court overturns *Chevron* deference this term.

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The Courts and Legal Policy team works to advance reforms to make America's legal system more accessible and just for ordinary people.

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