

July 2, 2024

Ecological Society of America statement on the undoing of the Chevron doctrine

On June 28, 2024, the U.S. Supreme Court issued its ruling in *Loper Bright Enterprises v. Raimondo*, No. 22-451, and *Relentless v. Department of Commerce*, No. 22-1219, overturning the longstanding "Chevron doctrine" established in *Chevron v. Natural Resources Defense Council* (1984). For over 40 years, the application of the Chevron doctrine principle served the public interest well by deferring the interpretation of unclear laws passed by Congress to experts in federal agencies to create policies and regulations. The Supreme Court's ruling effectively shifts guidance on the application of laws from federal agencies to the courts.

Sound environmental governance has historically depended on agency decision-making rooted in rigorous scientific principles when interpreting ambiguous law. Many laws affecting ecosystems, endangered species, fisheries, human health, air quality and more are now open for new litigation with the potential to reverse federal regulations made using the best available science. Developments in all scientific disciplines are advancing at breakneck speed and the Nation is stronger when scientific evidence is applied to understand relevant laws. It is increasingly clear that the scientific community needs to interact with the U.S. judiciary and legal community by offering their expert knowledge to interpret the application of the law. The Ecological Society of America and the scientific community are ready to engage in these complex areas on upcoming legal issues when the intent of the law is unclear.

On September 23, 2023, ESA submitted an [amicus brief](#) with the American Association of the Advancement of Science and the American Society for Pharmacology and Experimental Therapeutics in defense of the Chevron doctrine.

For more information:

U. S. Supreme Court <https://www.supremecourt.gov/>

Ballotpedia [https://ballotpedia.org/Chevron_deference_\(doctrine\)](https://ballotpedia.org/Chevron_deference_(doctrine))