

Rep. Fitzgerald: Separation of Powers Restoration Act passes house

Posted on Thursday, Jun 15, 2023

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

WASHINGTON, DC – Today, the House of Representatives passed H.R. 288, the *Separation of Powers Restoration Act*, legislation introduced by Congressman Scott Fitzgerald:

“Government works best when it can be held accountable, **said Congressman Scott Fitzgerald**. Unfortunately, unelected bureaucrats in our agencies wield far more power than intended because of mandated deference, like Chevron, during judicial review. This legislation restores Congress’s authority as the branch that makes the laws and the judiciary as the branch to interpret and enforce them.”

Background

In 1984, the Supreme Court ruled in *Chevron v. Natural Resources Defense Council* that courts must defer to agency interpretations of ambiguous statutes rather than how Congress wrote them. This has led to executive branch agencies circumventing Congress to issue rules with the force of law. The Separation of Powers Restoration Act repeals that precedent, restores congressional intent, and stops executive branch overreach.

View the bill [here](#)