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. The following are examples of civil rights issues affected by regulations that could be in jeopardy should the U.S. Supreme Court take a sledgehammer to administrative jurisprudence:

- **Protecting historically marginalized groups from housing discrimination:** The U.S. Department of Housing and Urban Development (HUD) is tasked with implementing the Fair Housing Act, which protects people from housing discrimination on the basis of race, color, national origin, religion, sex, familial status, and disability. Historically, this statute has been used to combat housing discrimination on the basis of race and gender, preventing landlords and realtors from intentionally denying housing to racial minorities and single women. *Chevron* deference has allowed HUD to curtail widespread segregation and discrimination in housing, ameliorating the devastating effects of redlining policies that included refusing to insure mortgages in Black neighborhoods.

- **Ensuring equal access to building credit:** The Consumer Financial Protection Bureau (CFPB) implements the Equal Credit Opportunity Act (ECOA), which bans discrimination in all types of credit transactions, including home mortgages and credit cards. First enacted in the mid-1970s, the ECOA allowed women access to credit cards in their own names for the first time. *Chevron* deference has allowed the CFPB to continue protecting historically marginalized communities from pernicious discrimination in credit lending practices.

- **Reducing violence against survivors of domestic abuse:** HUD also enforces portions of the Violence Against Women Act to ensure that survivors of domestic violence within the HUD system have access to safe housing. HUD sets the standards to implement the specific protections for survivors covered under the law. Should *Chevron* be overturned, it could be more difficult for the agency to enforce these rights.
■ Ensuring protections for LGBTQI+ foster care children: The Administration for Children and Families within the U.S. Department of Health and Human Services recently proposed a rule that outlines the necessary steps in the case plan and review process to provide “safe and proper” care for LGBTQI+ youth in foster care. These protections are especially vital given the disproportionately high rates of LGBTQ+ children in the foster care system.

■ Providing equal access in accordance with an individual’s gender identity in community planning and development programs: HUD has a rule in place that requires program providers that receive funds through HUD’s Office of Community Planning and Development to ensure services to LGBTQI+ individuals, such as allowing individuals to stay in temporary emergency shelters in accordance with their gender identity.

Endnotes


