

Michael P. Healy

*Spurious Interpretation Redux:
Mead and the Shrinking Domain of Statutory Ambiguity*

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Abstract by Dipal Shah

In his article, Professor Healy discusses the impact of *United States v. Mead Corp.* on the institutional applicability to the *Chevron* doctrine. Healy argues that the *Mead* doctrine leads to a method of interpretation which implies a clear intent by Congress. In addition, he maintains that *Mead* authorizes courts to discern statutory meaning without strong deference to an agency's political interpretation of the statute.

Healy begins his analysis by highlighting perceived ambiguities in the *Chevron* doctrine. Healy then contends that *Mead* modifies *Chevron*, and under *Mead* courts have principal interpretive lawmaking powers in the absence of evidence of congressional intent to delegate this power to agencies. Looking to the source of the change, Healy argues that though the Court argues this modification was suggested by Congress, the Court itself defined the imputed intent. Healy concludes by charging *Mead* as simply one case in a line of decisions which stray from results not intended by Congress. Healey argues that this in fact is in many ways leads to judicial lawmaking and interpretation. Healey concludes that a better result would be an interpretation formed by an agency or legislative body which is better informed than the Court.