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Statutes, Laws, and Regulations

I’m often asked about statutes, laws and regulations. A law is passed by a body of elected leaders, such the U.S. Congress and the U.S. Senate. Statutes are a compilation of the laws passed each year. Laws often authorize rulemaking, which are regulations written by unelected officials with the full force and effect of law.

Constitutional attorney Jonathan Emord says Congress writes only 10 percent of the laws we live under. Regulators write 90 percent. Back in FDR’s time, the Supreme Court initially said rulemaking was an unconstitutional delegation of lawmaking authority, but then let it slide. That’s why the federal government is now more powerful than Congress. What would happen if Congress returned to writing all the laws and being accountable for them?