

## Essay Two – Revocation of Conflict Minerals Regulation

1. Legality of Executive Order to suspend rule
  - a. EO as rule – APA review, final agency action, *AMC*
  - b. *Heckler* discretion
  - c. Direction to agency on legal interpretation – extraterritoriality
2. Legal requirements to roll back rule
  - a. Legitimacy of agency action itself
    - i. *Overton Park v. Volpe, Nova Scotia*
    - ii. Reversal of rule – *State Farm*
  - b. *Mead*
  - c. *Chevron*, major questions doctrine
  - d. *Skidmore*
  - e. *Auer* inapplicability (5)
3. Legality of firing director
  - a. *Olson v. Morrison* and power to terminate