



FOR IMMEDIATE RELEASE
May 2, 2018

Contact: [Brian Gumm](#)
Center for Progressive Reform
(202) 747-0698 x4

Congressional Review Act Rollbacks Are Endangering Our Health and Safety

From the very beginning of President Donald Trump's time in office, he and corporate special interest allies in Congress have pushed to repeal more than a dozen regulatory rollbacks using the now-notorious Congressional Review Act (CRA). As [a new report](#) from the Center for Progressive Reform (CPR) shows, this unprecedented assault on Americans' public protections makes us all less safe and provides ample evidence that Congress needs to repeal the CRA.

Over the course of 2017, Congress passed and Trump signed 15 pieces of legislation using the CRA's abbreviated procedures. Because they were adopted under the CRA, all of these laws, referred to as "resolutions of disapproval," served a unique, though limited function: to repeal a recently issued regulatory safeguard. Each resolution targeted a rule issued during the final months of the Obama administration or during the Trump administration by an independent agency still operating with Obama administration appointees. Such aggressive use of the CRA has been without historic precedent. Before last year, the law had only been invoked once since its enactment.

Now these anti-safeguard members are back at it again, targeting a five-year-old guidance document from the Consumer Financial Protection Bureau (CFPB) aimed at preventing discriminatory auto-lending practices. This action signals an extreme and unprecedented expansion of the CRA's reach, as it would mark the first time the law was used to roll back a guidance document – as opposed to a rule – and the first time it was used against an agency action that was not recently finalized. Still more resolutions may be on the way with anti-safeguard members of Congress also pushing a resolution that would erase common-sense consumer protection measures against predatory payday lending practices.

"The rush to roll back a significant number of sensible safeguards isn't just irresponsible, it is downright reckless," said CPR Senior Policy Analyst James Goodwin, one of the co-authors of [The Congressional Review Act: The Case for Repeal](#). "Among the rules the current congressional majority and Trump repealed under the Congressional Review Act was one designed to keep guns out of the hands of those with mental illness, a policy that's been in the spotlight since the February 14 mass murder at Marjory Stoneman Douglas High School in Parkland, Florida, and the April 22 Waffle House shooting outside Nashville."

Included among the 14 other safeguards repealed under the CRA were measures to:

- Ensure safe drinking water for Appalachian communities;
- Secure the privacy of Internet users' browsing data against misuse by unscrupulous marketing companies;
- Allow consumers a realistic avenue to just compensation when they are cheated out of money by a bank, credit card company, or other financial institution; and
- Promote greater access to family planning and other health care services for women in low-income and other underserved communities.

"The CRA resolutions condemn the public – especially the working poor and communities of color – to continue bearing the myriad harms that these and other repealed safeguards would have prevented," said CPR Board Member Thomas McGarity and a co-author of the report. "Over the next several years, we will likely see additional cases of drinking water-related cancers in Appalachia and episodes of fraud and harassment perpetrated through misappropriated Internet browsing data, and we've already seen 20 school shootings in 2018. Many of these harms will be directly traceable to Congress's use of the Congressional Review Act."

"The CRA is a profoundly bad law because it invites the sort of wholesale, mindless sell-out to special interests that we are seeing from Congress now, all at the expense of Americans' safety," said CPR Member Scholar Rena Steinzor and a report co-author. "Congress should repeal the CRA and reinstate the rules it eliminated so the relevant agencies can resume the work of enforcing these vital safeguards."

The Congressional Review Act: The Case for Repeal is available online at <http://bit.ly/CRARpt>. CPR will also host a webinar on the Congressional Review Act on Monday, May 7 at 1 p.m.; visit <https://cc.readytalk.com/r/2f060vqmub0s&eom> to register.

#####

The Center for Progressive Reform is a nonprofit research and educational organization with a network of Member Scholars working to protect health, safety, and the environment through analysis and commentary. Read [CPRBlog](#), follow CPR on [Twitter](#), and like CPR on [Facebook](#).