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*Lessons in Politics: Initial Use of the Congressional Review Act*

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Abstract by Carol Willette

The Occupational Safety and Health Administration's efforts to regulate an ergonomics standard were permanently derailed when a Republican Congress and Republican President used the Congressional Review Act for the first time in 2001. The stated purpose for this disapproval resolution was to "increase accountability for agency rulemaking." This comment argues that the Congressional Review Act (CRA) was used, instead, as a means to advance special interests. Because of the costs associated with implementation, most business interests opposed the ergonomics regulations. Business primarily supports Republicans. The combination of Republican legislative and executive branches created the perfect scenario in which to kill the ergonomics regulations. The comment argues that this single use of the Congressional Review Act to derail a regulation has created a situation in which agencies are beholden to special interests; the threat of CRA use is generally sufficient to prevent any attempt at passing a regulation. The author concludes that the CRA does not promote agency accountability. Rather, its vague language prevents Congress from using it to guide rulemaking and undermines the agency's ability to fulfill its mandate.