

AMENDMENT TO THE RULES COMMITTEE PRINT

115-4

OFFERED BY MS. MOORE OF WISCONSIN

Page 5, after line 25, insert the following new subparagraph:

1 “(F) EXECUTIVE ORDERS.—Not later than
2 June 1 of each year, the Director of the Office
3 of Management and Budget shall include a
4 statement of budgetary impact, including costs,
5 benefits, and revenues, as a result of and re-
6 lated to any Executive order or presidential
7 memorandum issued relating to border security
8 during the previous fiscal year and anticipated
9 to be issued during the upcoming fiscal year.”.

Page 7, line 11, strike “or”.

Page 7, line 13, strike the period and insert “; or”.

Page 7, after line 13, insert the following new clause:

10 “(iii) impact and necessarily support
11 the government-to-government relationship

1 between the Federal Government and fed-
2 erally recognized Indian tribes.”.

Page 10, after line 10, insert the following new sub-
section:

3 “(f) EXECUTIVE ORDERS.—

4 “(1) INFORMATION REQUIRED TO BE MADE
5 AVAILABLE.—The President, through the Adminis-
6 trator, shall make publicly available for each Execu-
7 tive order issued after January 20, 2017, the fol-
8 lowing:

9 “(A) A statement of the objectives and pri-
10 orities of the Executive order.

11 “(B) Estimates of the annual and total an-
12 ticipated costs (and where available any actual
13 costs incurred by the taxpayer or a State, local,
14 or tribal government) and benefits of each Ex-
15 ecutive order issued in the current fiscal year.

16 “(C) A summary of the legal basis for each
17 such Executive order.

18 “(D) The impact of the proposed Execu-
19 tive order on tribal communities and tribal sov-
20 ereignty, and an analysis of consultation with
21 federally recognized Indian tribes, if any, that
22 occurred prior to the issuance of the Executive
23 order.

1 “(E) A statement of the need for each
2 such Executive order and an analysis of how
3 the policies outlined in the order will impact the
4 economy, State and local government, public
5 health, safety, civil rights, or the environment.

6 “(F) The name, email address, and tele-
7 phone number of an official knowledgeable
8 about the contents of the Executive order that
9 the public may contact for additional informa-
10 tion about each Executive order.

11 “(G) A summary of the agencies affected
12 by the Executive order or that will implement
13 provisions of the Executive order, including any
14 estimates of anticipated additional staffing and
15 other costs broken down by agency.

16 “(H) A statement of whether the Executive
17 order conflicts with any policy or action taken
18 or planned by an agency or with Federal law.

19 “(I) An assessment of whether the imple-
20 mentation, compliance, administration, enforce-
21 ment, imposition of direct and indirect costs as-
22 sociated with the Executive order are ade-
23 quately justified by the assumed benefits to so-
24 ciety.

1 “(J) An assessment of how the effective-
2 ness of the Executive order, including costs, will
3 be assessed and reviewed to ensure the Execu-
4 tive order is not ineffective, excessively burden-
5 some, or imposes significant unfunded man-
6 dates compared to alternatives to achieve the
7 purposes of the Executive order.

8 “(2) AGENCY FUNDING RESTRICTION.—An
9 agency may not expend any funds to implement an
10 Executive order for which the requirements of para-
11 graph (1) have not been met within 30 days after
12 the issuance of the Executive order.

13 “(3) MEETINGS WITH STATE, LOCAL, AND
14 TRIBAL GOVERNMENTS.—Not less frequently than
15 quarterly, the Administrator shall meet with rep-
16 resentatives of State, local, and tribal governments
17 to identify existing and proposed Executive orders
18 that may uniquely or significantly affect such enti-
19 ties.”.

Page 19, line 10, strike “and”.

Page 19, line 11, strike “guidance.” and insert
“guidance; and”.

Page 19, after line 11, insert the following:

1 “(20) considered the impact of the action on
2 the government-to-government relationship between
3 the Federal Government and federally recognized In-
4 dian tribes, on the health, well-being, safety, and
5 economic development of tribal communities, and
6 whether the agency meaningfully engaged and con-
7 sulted with tribal stakeholders in the development of
8 the action.”.

Page 22, after line 4, insert the following new sub-
section:

9 “(j) EXECUTIVE ORDER APPLICABILITY.—For pur-
10 poses of this section, an Executive order shall be deemed
11 a significant regulatory action and review of an Executive
12 order may not be waived under subsection (a)(4).”.

Page 25, line 6, strike “and”.

Page 25, line 7, after “making” insert the following:
“, and any Executive order affecting immigration or bor-
der security”.

