

116TH CONGRESS
2D SESSION

S. 4279

To require the disclosure to Congress of presidential emergency action documents.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2020

Mr. MARKEY (for himself and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require the disclosure to Congress of presidential emergency action documents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restraint of Executive
5 In Governing Nation Act of 2020” or the “REIGN Act
6 of 2020”.

7 **SEC. 2. DISCLOSURE TO CONGRESS OF PRESIDENTIAL**
8 **EMERGENCY ACTION DOCUMENTS.**

9 (a) IN GENERAL.—Not later than 30 days after the
10 conclusion of the process for approval, adoption, or revi-

1 sion of any presidential emergency action document, the
2 President shall submit that document to the appropriate
3 congressional committees.

4 (b) DOCUMENTS IN EXISTENCE BEFORE DATE OF
5 ENACTMENT.—Not later than 15 days after the date of
6 the enactment of this Act, the President shall submit to
7 the appropriate congressional committees all presidential
8 emergency action documents in existence before such date
9 of enactment.

10 (c) DEFINITIONS.—In this section:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees”, with respect to a presidential emergency
14 action document submitted under subsection (a) or
15 (b), means—

16 (A) the Committee on Homeland Security
17 and Governmental Affairs, the Committee on
18 the Judiciary, and the Select Committee on In-
19 telligence of the Senate;

20 (B) the Committee on Oversight and Re-
21 form, the Committee on the Judiciary, and the
22 Permanent Select Committee on Intelligence of
23 the House of Representatives; and

24 (C) any other committee of the Senate or
25 the House of Representatives with jurisdiction

1 over the subject matter addressed in the presi-
2 dential emergency action document.

3 (2) PRESIDENTIAL EMERGENCY ACTION DOCU-
4 MENT.—The term “presidential emergency action
5 document” refers to—

6 (A) each of the approximately 56 docu-
7 ments described as presidential emergency ac-
8 tion documents in the budget justification mate-
9 rials for the Office of Legal Counsel of the De-
10 partment of Justice submitted to Congress in
11 support of the budget of the President for fiscal
12 year 2018; and

13 (B) any other pre-coordinated legal docu-
14 ment in existence before, on, or after the date
15 of the enactment of this Act, that—

16 (i) is designated as a presidential
17 emergency action document; or

18 (ii) is designed to implement a presi-
19 dential decision or transmit a presidential
20 request when an emergency disrupts nor-
21 mal governmental or legislative processes.

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