

Federalism: Comments on S.1214-The Federalism Accountability Act of 1999: T-Ggd-99-143



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**U.S. Government
Accountability Office (GAO)**

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(Reggie Streich)

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BiblioGov. Paperback. Book Condition: New. This item is printed on demand. Paperback. 24 pages. Dimensions: 9.7in. x 7.4in. x 0.1in. Pursuant to a congressional request, GAO discussed S. 1214, the Federalism Act of 1999, focusing on: (1) how often the preambles to covered agencies final rules issued between April 1, 1996, and December 31, 1998, mentioned the executive order and how often they indicated the agencies had conducted Federalism assessments under the order; (2) what selected agencies have done to implement the requirements of the order; and (3) what Office of Management and Budget has done to oversee Federal agencies implementation of the order in the rulemaking process. GAO noted that: (1) during the past 20 years, state, local, and tribal governments as well as businesses have expressed concerns about congressional and regulatory preemption of traditionally nonfederal functions and the costs of complying with federal regulations; (2) the executive and the legislative branch have each attempted to respond to these concerns by issuing executive orders and enacting statutes requiring rulemaking agencies to take certain actions when they issue regulations with federalism or intergovernmental relations effects; (3) two prime examples of these responses are Executive Order 12612 and the Unfunded Mandates Reform Act of 1995 (UMRA); (4) GAOs work showed that Executive Order 12612 had relatively little visible effect on federal agencies rulemaking actions during this timeframe; (5) agencies covered by the order mentioned it in the preambles to about 26 percent of the 11,414 final rules they issued between April 1996 and December 1998; (6) however, mentioning the order in the preamble to a rule does not mean the agency took any substantive action; (7) the agencies usually just stated that no federalism assessment was conducted because the rules did not have federalism implications; (8) the preambles to only 5...



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