

Union Calendar No.

117TH CONGRESS
1ST SESSION

H. R. 1508

[Report No. 117-]

To require a guidance clarity statement on certain agency guidance, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2021

Mr. LUETKEMEYER (for himself and Mr. GOLDEN) introduced the following
bill; which was referred to the Committee on Oversight and Reform

JULY --, 2021

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 2, 2021]

A BILL

To require a guidance clarity statement on certain agency guidance, and for other purposes.

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 “Guidance Clarity Act*
5 *of 2021”.*

6 **SEC. 2. GUIDANCE CLARITY STATEMENT REQUIRED.**

7 *(a) REQUIREMENT.—Each agency, as defined in sec-*
8 *tion 551 of title 5, United States Code, shall include a guid-*
9 *ance clarity statement as described in subsection (b) on any*
10 *guidance issued by that agency under section 553(b)(3)(A)*
11 *of title 5, United States Code, on and after the date that*
12 *is 30 days after the date on which the Director of the Office*
13 *of Management and Budget issues the guidance required*
14 *under subsection (c).*

15 *(b) GUIDANCE CLARITY STATEMENT.—A guidance*
16 *clarity statement required under subsection (b) shall—*

17 *(1) be displayed prominently on the first page of*
18 *the document; and*

19 *(2) include the following: “The contents of this*
20 *document do not have the force and effect of law and*
21 *do not, of themselves, bind the public or the agency.*
22 *This document is intended only to provide clarity to*
23 *the public regarding existing requirements under the*
24 *law or agency policies.”.*

1 (c) *OMB GUIDANCE*.—Not later than 90 days after the
2 date of enactment of this Act, the Director of the Office of
3 Management and Budget shall issue guidance to implement
4 this Act.