

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1508
OFFERED BY MRS. CAROLYN B. MALONEY OF
NEW YORK**

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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
9 guidance clarity statement as described in subsection (b)
10 on any guidance issued by that agency under section
11 553(b)(3)(A) of title 5, United States Code, on and after
12 the date that is 30 days after the date on which the Direc-
13 tor of the Office of Management and Budget issues the
14 guidance required 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
18 of the document; and

1 (2) include the following: “The contents of this
2 document do not have the force and effect of law
3 and do not, of themselves, bind the public or the
4 agency. This document is intended only to provide
5 clarity to the public regarding existing requirements
6 under the law or agency policies.”.

7 (c) OMB GUIDANCE.—Not later than 90 days after
8 the date of enactment of this Act, the Director of the Of-
9 fice of Management and Budget shall issue guidance to
10 implement this Act.

