

118TH CONGRESS
1ST SESSION

H. R. 4428

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2023

Mr. LUETKEMEYER (for himself, Mr. GOLDEN of Maine, Mr. COMER, Mr. CLEAVER, Ms. STEFANIK, Mr. FALLON, and Mr. PALMER) introduced the following bill; which was referred to the Committee on Oversight and Accountability

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 2023”.

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)

1 on any guidance issued by that agency under section
2 553(b)(3)(A) of title 5, United States Code, on and after
3 the date that is 30 days after the date on which the Direc-
4 tor of the Office of Management and Budget issues the
5 guidance required under subsection (c).

6 (b) GUIDANCE CLARITY STATEMENT.—A guidance
7 clarity statement required under subsection (a) shall—

8 (1) be displayed prominently on the first page
9 of the document; and

10 (2) include the following: “The contents of this
11 document do not have the force and effect of law
12 and do not, of themselves, bind the public or the
13 agency. This document is intended only to provide
14 clarity to the public regarding existing requirements
15 under the law or agency policies.”.

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

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