

Union Calendar No. 738

118TH CONGRESS
2^D SESSION

H. R. 4428

[Report No. 118–903]

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

DECEMBER 18, 2024

Additional sponsors: Mr. DAVIS of North Carolina, Mr. DONALDS, and Mr. SESSIONS

DECEMBER 18, 2024

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 June 30, 2023]

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

6 *(a) REQUIREMENT.—Each agency, as defined in sec-*
7 *tion 551 of title 5, United States Code, shall include a guid-*
8 *ance clarity statement as described in subsection (b) on any*
9 *guidance issued by that agency under section 553(b)(4)(A)*
10 *of title 5, United States Code, on and after the date that*
11 *is 30 days after the date on which the Director of the Office*
12 *of Management and Budget issues the guidance required*
13 *under subsection (c).*

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

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

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

24 *(c) OMB GUIDANCE.—Not later than 90 days after the*
25 *date of enactment of this Act, the Director of the Office of*

- 1 *Management and Budget shall issue guidance to implement*
- 2 *this Act.*

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