

117TH CONGRESS
2D SESSION

S. 533

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Guidance Clarity Act
3 of 2021”.

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

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

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

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

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

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

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

Passed the Senate September 14, 2022.

Attest:

Secretary.

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