

Calendar No. 250

119TH CONGRESS
1ST SESSION

S. 81

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

IN THE SENATE OF THE UNITED STATES

JANUARY 13, 2025

Mr. LANKFORD (for himself, Mr. JOHNSON, and Mrs. MOODY) introduced the
following bill; which was read twice and referred to the Committee on
Homeland Security and Governmental Affairs

NOVEMBER 3, 2025

Reported by Mr. PAUL, with an amendment

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

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 2025”.

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

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

10 ~~(b) GUIDANCE CLARITY STATEMENT.—~~A guidance
 11 clarity statement required under subsection (a) shall—

12 ~~(1)~~ be displayed prominently on the first page
 13 of the document; and

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

20 ~~(c) OMB GUIDANCE.—~~Not later than 90 days after
 21 the date of enactment of this Act, the Director of the Of-
 22 fice of Management and Budget shall issue guidance to
 23 implement this Act.

24 **SECTION 1. SHORT TITLE.**

25 *This Act may be cited as the “Guidance Clarity Act*
 26 *of 2025”.*

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

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

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

12 (1) be displayed prominently on the first page of
 13 the document; and

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

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