

115TH CONGRESS  
2D SESSION

# H. R. 4809

To increase access to agency guidance documents.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2018

Mr. WALKER introduced the following bill; which was referred to the  
Committee on Oversight and Government Reform

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## A BILL

To increase access to agency guidance documents.

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 Out Of  
5 Darkness Act” or the “GOOD Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AGENCY.—The term “agency” has the  
9 meaning given that term in section 551 of title 5,  
10 United States Code.

11 (2) GUIDANCE DOCUMENT.—The term “guid-  
12 ance document”—

1 (A) means the whole or a part of an agen-  
2 cy statement of general or particular applica-  
3 bility and future effect that—

4 (i) is designed to implement, inter-  
5 pret, or prescribe law or policy or describ-  
6 ing the organization, procedure, or practice  
7 requirements of an agency and includes the  
8 approval or prescription for the future of  
9 rates, wages, corporate or financial struc-  
10 tures or reorganizations thereof, prices, fa-  
11 cilities, appliances, services or allowances  
12 therefor or of valuations, costs, or account-  
13 ing, or practices bearing on any of the  
14 foregoing; and

15 (ii) has not been issued through the  
16 notice and comment process under section  
17 553 of title 5, United States Code;

18 (B) includes—

19 (i) a memorandum;

20 (ii) a notice;

21 (iii) a bulletin;

22 (iv) a directive;

23 (v) a news release;

24 (vi) a letter; and

25 (vii) a blog post; and

1 (C) does not include a rule, as that term  
2 is defined in section 551 of title 5, United  
3 States Code.

4 **SEC. 3. PUBLICATION OF GUIDANCE DOCUMENTS ON THE**  
5 **INTERNET.**

6 (a) IN GENERAL.—On the date on which an agency  
7 issues a guidance document, the agency shall publish the  
8 guidance document on the Internet website of the agency.

9 (b) PREVIOUSLY ISSUED GUIDANCE DOCUMENTS.—  
10 Not later than 60 days after the date of enactment of this  
11 Act, each agency shall publish on the Internet website of  
12 that agency any guidance document issued by that agency  
13 during the 10-year period ending on the date of enactment  
14 of this Act.

15 (c) SINGLE LOCATION.—All guidance documents  
16 published under subsections (a) and (b) by an agency shall  
17 be published in a single location on the Internet website  
18 of the agency.

19 (d) RESCINDED GUIDANCE DOCUMENTS.—On the  
20 date on which a guidance document issued by an agency  
21 is rescinded, the agency shall—

22 (1) maintain the rescinded guidance document  
23 at the location described in subsection (c); and

24 (2) at the location described in subsection (c),  
25 indicate—

1           (A) that the guidance document is re-  
2           scinded; and

3           (B) the date on which the guidance docu-  
4           ment was rescinded.

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