

118TH CONGRESS
1ST SESSION

H. R. 4668

To amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to publish guidance documents for certain rules, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2023

Mr. MOLINARO (for himself and Ms. SCHOLTEN) introduced the following bill;
which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to publish guidance documents for certain rules, 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 “Providing Opportuni-
5 ties to Show Transparency via Information Technology
6 Act of 2023” or the “POST IT Act of 2023”.

1 **SEC. 2. INCLUSION OF GUIDANCE ON OMBUDSMAN**
2 **WEBSITE.**

3 (a) **WEBSITE REQUIREMENT.**—Section 30 of the
4 Small Business Act (15 U.S.C. 657) is amended—

5 (1) in subsection (e)—

6 (A) in paragraph (1), by striking “and” at
7 the end;

8 (B) in paragraph (2), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (C) by adding at the end the following new
11 paragraph:

12 “(3) to the extent practicable, hyperlinks for
13 such guidance that is designed to set forth policy on
14 a statutory, regulatory, or technical issue, or an in-
15 terpretation of such issue, for any rule for which an
16 agency produces a small entity compliance guide.”;
17 and

18 (2) by adding at the end the following new sub-
19 section:

20 “(g) **PROTECTION OF CONFIDENTIAL INFORMA-**
21 **TION.**—Subsection (e) does not require the public avail-
22 ability of information that is exempt from public disclosure
23 under section 552(b) of title 5, United States Code (com-
24 monly known as the ‘Freedom of Information Act’).”.

25 (b) **APPLICABILITY.**—Paragraph (3) of section 30(e)
26 of the Small Business Act (15 U.S.C. 657), as added by

1 this section, shall apply with respect to guidance on, or
2 interpretation of, a rule for which an agency produces a
3 small entity compliance guide described under section
4 212(a)(1) of the Small Business Regulatory Enforcement
5 Fairness Act of 1996 (5 U.S.C. 601 note) on or after the
6 date of the enactment of this Act.

7 **SEC. 3. COMPLIANCE WITH CUTGO.**

8 No additional amounts are authorized to be appro-
9 priated to carry out this Act or the amendments made
10 by this Act. Such Act and amendments shall be carried
11 out using amounts otherwise appropriated.

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