

118TH CONGRESS
1ST SESSION

H. R. 4668

IN THE SENATE OF THE UNITED STATES

NOVEMBER 29, 2023

Received; read twice and referred to the Committee on Small Business and
Entrepreneurship

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Providing Opportuni-
3 ties to Show Transparency via Information Technology
4 Act of 2023” or the “POST IT Act of 2023”.

5 **SEC. 2. INCLUSION OF GUIDANCE ON OMBUDSMAN**
6 **WEBSITE.**

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

9 (1) in subsection (e)—

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

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

14 (C) by adding at the end the following new
15 paragraph:

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

22 (2) by adding at the end the following new sub-
23 section:

24 “(g) **PROTECTION OF CONFIDENTIAL INFORMA-**
25 **TION.**—Subsection (e) does not require the public avail-
26 ability of information that is exempt from public disclosure

1 under section 552(b) of title 5, United States Code (com-
2 monly known as the ‘Freedom of Information Act’).”.

3 (b) APPLICABILITY.—Paragraph (3) of section 30(e)
4 of the Small Business Act (15 U.S.C. 657), as added by
5 this section, shall apply with respect to guidance on, or
6 interpretation of, a rule for which an agency produces a
7 small entity compliance guide described under section
8 212(a)(1) of the Small Business Regulatory Enforcement
9 Fairness Act of 1996 (5 U.S.C. 601 note) on or after the
10 date of the enactment of this Act.

11 **SEC. 3. COMPLIANCE WITH CUTGO.**

12 No additional amounts are authorized to be appro-
13 priated to carry out this Act or the amendments made
14 by this Act.

Passed the House of Representatives November 28,
2023.

Attest:

KEVIN F. MCCUMBER,

Clerk.