



January 30, 2018

Support the Guidance Out of Darkness (GOOD) Act, S. 2296 and H.R. 4809

On behalf of our activist community, I urge you to contact your senators and representative and ask them to support the Guidance Out Of Darkness (GOOD) Act, S. 2296 and H.R. 4809, introduced by Sen. Ron Johnson (R-Wis.) and Rep. Mark Walker (R-N.C.). The bill would require federal agencies to post regulatory guidance documents online, making them more accessible to those businesses affected by the guidance and to the American public generally.

Regulatory guidance documents are often issued by federal agencies in addition to their rules, but the former are not subject to the same public process as rules, which are required to be shared with the public for comments and input prior to finalization. As regulatory guidance documents include vital information for businesses to know for compliance reasons, and Americans to know for transparency purposes, they should at the very least be posted in a central and accessible location.

Agencies often use regulatory guidance documents to circumvent, outside of the watchful eye of the public, the restrictions put on the bureaucracy by Congress. Not only this is not a transparent practice, it is an intentionally deceptive practice by agencies to exceed their afforded power and impose additional regulations without facing backlash or being held accountable. It is unfair to businesses and to the American public to be kept in the dark on what bureaucrats are doing behind closed doors.

The GOOD Act would require that all new agency guidance documents be published on the agency website the day of their issuance, that all existing guidance documents from the past ten years be published on the agency website within sixty days of enactment, and that all rescinded guidance documents remain on the agency website with an indication of and date of rescission.

As Sen. Johnson said, “In addition to facing onerous federal regulations, American businesses are also expected to follow regulatory guidance issues by agencies... This bill will lift the veil of secrecy by requiring federal agencies to post regulatory guidance documents in a centralized location on their websites...[and] provide much needed transparency to American businesses and consumers.” For these

reasons, I urge you to contact your senators and representative and ask them to support the Guidance Out of Darkness (GOOD) Act, S. 2296 and H.R. 4809.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Brandon', with a stylized flourish at the end.

Adam Brandon
President, FreedomWorks