

document that the significant guidance document replaces;

(VI) provide the title of the document and a document identification number; and

(VII) include the citation to the statutory provision or regulation (in Code of Federal Regulations format) which the significant guidance document applies to or interprets; and

(i) shall not include mandatory terms such as “shall”, “must”, “required”, or “requirement” unless—

(I) the agency is using those terms to describe a statutory or regulatory requirement; or

(II) the terminology is addressed to agency staff and will not foreclose agency consideration of positions advanced by affected private parties.

(2) PUBLIC ACCESS AND FEEDBACK FOR SIGNIFICANT GUIDANCE DOCUMENTS.—

(A) INTERNET ACCESS.—

(i) IN GENERAL.—Each agency shall—

(I) maintain on the website for the agency, or as a link on the website of the agency to the electronic list posted on a website of a component of the agency a list of the significant guidance documents in effect of the agency, including a link to the text of each significant guidance document that is in effect; and

(II) not later than 30 days after the date on which a significant guidance document is issued, update the list described in clause (i).

(ii) LIST REQUIREMENTS.—The list described in subparagraph (A)(i) shall—

(I) include the name of each—

(aa) significant guidance document; and
(bb) document identification number; and
(cc) issuance and revision dates; and

(II) identify significant guidance documents that have been added, revised, or withdrawn in the preceding year.

(B) PUBLIC FEEDBACK.—

(i) IN GENERAL.—Each agency shall establish and clearly advertise on the website for the agency a means for the public to electronically submit—

(I) comments on significant guidance documents; and

(II) a request for issuance, reconsideration, modification, or rescission of significant guidance documents.

(ii) AGENCY RESPONSE.—Any comments or requests submitted under subparagraph (A)—

(I) are for the benefit of the agency; and

(II) shall not require a formal response from the agency.

(iii) OFFICE FOR PUBLIC COMMENTS.—

(I) IN GENERAL.—Each agency shall designate an office to receive and address complaints from the public relating to—

(aa) the failure of the agency to follow the procedures described in this section; or

(bb) the improper treatment of a significant guidance document as a binding requirement.

(II) WEBSITE.—The agency shall provide, on the website of the agency, the name and contact information for the office designated under clause (i).

(3) NOTICE AND PUBLIC COMMENT FOR ECONOMICALLY SIGNIFICANT GUIDANCE DOCUMENTS.—

(A) IN GENERAL.—Except as provided in paragraph (2), in preparing a draft of an economically significant guidance document, and before issuance of the final significant guidance document, each agency shall—

(i) publish a notice in the Federal Register announcing that the draft document is available;

(ii) post the draft document on the Internet and make a tangible copy of that document publicly available (or notify the public how the public can review the guidance document if the document is not in a format that

permits such electronic posting with reasonable efforts);

(iii) invite public comment on the draft document; and

(iv) prepare and post on the website of the agency a document with responses of the agency to public comments.

(B) EXCEPTIONS.—In consultation with the Administrator, an agency head may identify a particular economically significant guidance document or category of such documents for which the procedures of this subsection are not feasible or appropriate.

(4) EMERGENCIES.—

(A) IN GENERAL.—In emergency situations or when an agency is obligated by law to act more quickly than normal review procedures allow, the agency shall notify the Administrator as soon as possible and, to the extent practicable, comply with this subsection.

(B) SIGNIFICANT GUIDANCE DOCUMENTS SUBJECT TO STATUTORY OR COURT-IMPOSED DEADLINE.—For a significant guidance document that is governed by a statutory or court-imposed deadline, the agency shall, to the extent practicable, schedule the proceedings of the agency to permit sufficient time to comply with this subsection.

(5) EFFECTIVE DATE.—This section shall take effect 60 days after the date of enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 7, 2011, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review Department of Energy biofuel programs and biofuel infrastructure issues, and to consider S. 187, the Biofuels Market Expansion Act of 2011.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Amanda_Kelly@energy.senate.gov.

For further information, please contact Tara Billingsley (majority) at (202) 224-4756, Amanda Kelly (majority) at (202) 224-6836, or Brian Hughes (minority) at (202) 224-7555.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on March 31, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on March 31, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 31, 2011, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 31, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 31, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “APEC 2011: Breaking Down Barriers, Creating Economic Growth.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 31, 2011, at 2 p.m., to hold a hearing entitled “Assessing the Situation in Libya.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “A Tragic Anniversary: Improving Safety at Dangerous Mines One Year After Upper Big Branch” on March 31, 2011, at 10 a.m., in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 31, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March