

## CEP Magazine – November 2020 US DOJ issues new rules on lawfulness and transparency

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Pursuant to Executive Order 13891, Promoting the Rule of Law Through Improved Agency Guidance Documents,<sup>[1]</sup> the U.S. Department of Justice (DOJ) issued two new rules<sup>[2]</sup> governing the release of guidance documents. The updated rules ensure that guidance documents cannot carry enforcement implications and also provide for a guidance portal,<sup>[3]</sup> where all guidance documents must be stored going forward.

**1** Promoting the Rule of Law Through Improved Agency Guidance Documents, 84 Fed. Reg. 55,235 (October 15, 2019) .

**2** U.S. Department of Justice, “Department of Justice Announces Rules Furthering Lawfulness and Transparency in the Regulatory Process,” news release, August 26, 2020, <https://bit.ly/3jzbF61>.

**3** “Guidance Documents,” U.S. Department of Justice, accessed September 2, 2020, <https://bit.ly/3jCelzV>.

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