

118TH CONGRESS
2^D SESSION

H. R. 7219

IN THE SENATE OF THE UNITED STATES

MAY 7, 2024

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To ensure that Federal agencies rely on the best reasonably available scientific, technical, demographic, economic, and statistical information and evidence to develop, issue or inform the public of the nature and bases of Federal agency rules and guidance, 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 “Information Quality
5 Assurance Act”.

6 **SEC. 2. INFORMATION QUALITY ASSURANCE.**

7 (a) IN GENERAL.—Subchapter 1 of chapter 35 of
8 title 44, United States Code, is amended by adding at the
9 end the following:

10 **“§ 3522. Information Quality Assurance.**

11 “(a) IN GENERAL.—Not later than 1 year after the
12 date of the enactment of the Information Quality Assur-
13 ance Act, the Director shall—

14 “(1) with public and Federal agency involve-
15 ment, update the guidelines issued under subsection
16 (a) of the Information Quality Act—

17 “(A) to provide policy and procedural guid-
18 ance to the heads of Federal agencies for better
19 ensuring and maximizing the quality, objec-
20 tivity, utility, and integrity of influential infor-
21 mation or evidence—

22 “(i) used by the heads of Federal
23 agencies to develop or issue rules and guid-
24 ance; or

1 “(ii) disseminated to the public to in-
2 form the public about the nature and bases
3 of such rules and guidance; and

4 “(B) in a manner consistent with—

5 “(i) this chapter; and

6 “(ii) the amendments made by the
7 Foundations for Evidence-Based Policy-
8 making Act of 2018 (Public Law 115–
9 435); and

10 “(2) make the guidelines updated under para-
11 graph (1) available on the website of the Office of
12 Management and Budget.

13 “(b) CONTENT OF GUIDELINES.—In updating the
14 guidelines under subsection (a), the Director shall require
15 that the head of each Federal agency to which the guide-
16 lines apply, not later than 1 year after the Director up-
17 dates such guidelines—

18 “(1) update any guidelines issued by the head
19 of the Federal agency under the Information Quality
20 Act to ensure that, in the case of influential infor-
21 mation or evidence, the best reasonably available in-
22 formation and evidence is relied on in developing,
23 issuing, or informing the public about the rules and
24 guidance of the Federal agency;

1 “(2) publish the guidelines updated by the head
2 of the Federal agency under paragraph (1) on the
3 website of the Federal agency;

4 “(3) ensure the administrative mechanisms es-
5 tablished under subparagraph (B) of section (b)(2)
6 of the Information Quality Act are available with re-
7 spect to seeking and obtaining the correction of any
8 influential information or evidence that the Federal
9 agency uses to develop or issue a rule or guideline,
10 or disseminates to the public to inform the public of
11 the nature and basis of any rule or guidance of the
12 Federal agency, that does not comply with the
13 guidelines issued under paragraph (1); and

14 “(4) include in the report required under sub-
15 paragraph (C) of subsection (b)(2) of the Informa-
16 tion Quality Act the information described under
17 that subparagraph with respect to any complaints
18 received by the Federal agency related to the accu-
19 racy of influential information or evidence the Fed-
20 eral agency uses to develop, issue, or inform the
21 public of the nature and bases of rules or guidance.

22 “(c) PUBLIC DISCLOSURE.—

23 “(1) AVAILABILITY.—Except as provided under
24 paragraph (2), the head of the Federal agency shall
25 make available in the docket for the rulemaking of

1 any rule of the Federal agency, or in the administra-
2 tive record for any guidance, in a timely manner be-
3 fore the promulgation of the rule or issuance of the
4 guidance document—

5 “(A) any model, methodology, or source of
6 scientific, technical, demographic, economic, or
7 statistical information or evidence upon which
8 the head of the Federal agency—

9 “(i) relied on in developing or issuing
10 such rule or guidance; or

11 “(ii) proposes to rely on in developing
12 or issuing such rule or guidance; and

13 “(B) an identification of whether each
14 such model, methodology, or source constitutes,
15 or may constitute, influential information or
16 evidence.

17 “(2) EXCEPTION.—

18 “(A) IN GENERAL.—The head of the Fed-
19 eral agency—

20 “(i) shall implement paragraph (1) in
21 a manner consistent with this chapter and
22 section 552a of title 5; and

23 “(ii) may not make available in the
24 docket for the rulemaking of any rule of
25 the Federal agency, or in the administra-

1 tive record for any guidance, information
2 that is prohibited from being disclosed to
3 the public under any statute.

4 “(B) EXPLANATION TO BE INCLUDED IN
5 DOCKET OR ADMINISTRATIVE RECORD.—If the
6 head of the Federal agency does not make a
7 model, methodology, or source available under
8 paragraph (1)(A) pursuant to paragraph
9 (2)(A), the head of the Federal agency shall in-
10 clude in the docket for the rulemaking or the
11 administrative record for the guidance docu-
12 ment—

13 “(i) an explanation as to why such in-
14 formation cannot be made publicly avail-
15 able, including a citation to the applicable
16 law and policy; and

17 “(ii) a description of any steps being
18 taken to increase access to such informa-
19 tion, even if the information cannot be
20 made public.

21 “(3) FORMAT OF SOURCE.—The head of each
22 Federal agency shall make any model, methodology,
23 or source required to be made available under para-
24 graph (1)(A) available as an open Government data
25 asset.

1 “(d) DEFINITIONS.—In this section:

2 “(1) EVIDENCE.—The term ‘evidence’ has the
3 meaning given that term in section 3561.

4 “(2) INFLUENTIAL INFORMATION OR EVI-
5 DENCE.—The term ‘influential information or evi-
6 dence’ means information or evidence (including sci-
7 entific, technical, demographic, economic, financial,
8 and statistical information or evidence) that the
9 head of the Federal agency can reasonably deter-
10 mine will have or does have a clear or substantial
11 impact on—

12 “(A) developing or issuing a proposed or
13 final rule of the Federal agency; or

14 “(B) informing the public of the nature
15 and basis of any rule or guidance of the Fed-
16 eral agency.

17 “(3) INFORMATION QUALITY ACT.—The term
18 ‘Information Quality Act’ means section 515 of the
19 Treasury and General Government Appropriations
20 Act, 2001 (Public Law 106–554).”.

21 (b) TABLE OF CONTENTS.—The table of contents for
22 subchapter I of chapter 35 of title 44, United States Code,

1 is amended by adding after the item relating to section
2 3521 the following:

“3522. Information Quality Assurance.”.

Passed the House of Representatives May 6, 2024.

Attest: KEVIN F. MCCUMBER,
Clerk.