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U.S. GOVERNMENT
INFORMATION
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118TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPT. 118–475
Part 1

INFORMATION QUALITY ASSURANCE ACT

APRIL 29, 2024.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COMER, from the Committee on Oversight and Accountability, submitted the following

R E P O R T

[To accompany H.R. 7219]

[Including cost estimate of the Congressional Budget Office]

The Committee on Oversight and Accountability, to whom was referred the bill (H.R. 7219) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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49–006

The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Information Quality Assurance Act".

SEC. 2. INFORMATION QUALITY ASSURANCE.

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

"§ 3522. Information Quality Assurance.

"(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Information Quality Assurance Act, the Director shall—

"(1) with public and Federal agency involvement, update the guidelines issued under subsection (a) of the Information Quality Act—

"(A) to provide policy and procedural guidance to the heads of Federal agencies for better ensuring and maximizing the quality, objectivity, utility, and integrity of influential information or evidence—

"(i) used by the heads of Federal agencies to develop or issue rules and guidance; or

"(ii) disseminated to the public to inform the public about the nature and bases of such rules and guidance; and

"(B) in a manner consistent with—

"(i) this chapter; and

"(ii) the amendments made by the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435); and

"(2) make the guidelines updated under paragraph (1) available on the website of the Office of Management and Budget.

"(b) CONTENT OF GUIDELINES.—In updating the guidelines under subsection (a), the Director shall require that the head of each Federal agency to which the guidelines apply, not later than 1 year after the Director updates such guidelines—

"(1) update any guidelines issued by the head of the Federal agency under the Information Quality Act to ensure that, in the case of influential information or evidence, the best reasonably available information and evidence is relied on in developing, issuing, or informing the public about the rules and guidance of the Federal agency;

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

"(3) ensure the administrative mechanisms established under subparagraph (B) of section (b)(2) of the Information Quality Act are available with respect to seeking and obtaining the correction of any influential information or evidence that the Federal agency uses to develop or issue a rule or guideline, or disseminates to the public to inform the public of the nature and basis of any rule or guidance of the Federal agency, that does not comply with the guidelines issued under paragraph (1); and

"(4) include in the report required under subparagraph (C) of subsection (b)(2) of the Information Quality Act the information described under that subparagraph with respect to any complaints received by the Federal agency related to the accuracy of influential information or evidence the Federal agency uses to develop, issue, or inform the public of the nature and bases of rules or guidance.

"(c) PUBLIC DISCLOSURE.—

"(1) AVAILABILITY.—Except as provided under paragraph (2), the head of the Federal agency shall make available in the docket for the rulemaking of any rule of the Federal agency, or in the administrative record for any guidance, in a timely manner before the promulgation of the rule or issuance of the guidance document—

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

"(i) relied on in developing or issuing such rule or guidance; or

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

"(B) an identification of whether each such model, methodology, or source constitutes, or may constitute, influential information or evidence.

"(2) EXCEPTION.—

"(A) IN GENERAL.—The head of the Federal agency—

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

"(ii) may not make available in the docket for the rulemaking of any rule of the Federal agency, or in the administrative record for any guidance, information that is prohibited from being disclosed to the public under any statute.

"(B) EXPLANATION TO BE INCLUDED IN DOCKET OR ADMINISTRATIVE RECORD.—If the head of the Federal agency does not make a model, methodology, or source available under paragraph (1)(A) pursuant to paragraph (2)(A), the head of the Federal agency shall include in the docket for the rulemaking or the administrative record for the guidance document—

"(i) an explanation as to why such information cannot be made publicly available, including a citation to the applicable law and policy; and

"(ii) a description of any steps being taken to increase access to such information, even if the information cannot be made public.

"(3) FORMAT OF SOURCE.—The head of each Federal agency shall make any model, methodology, or source required to be made available under paragraph (1)(A) available as an open Government data asset.

"(d) DEFINITIONS.—In this section:

"(1) EVIDENCE.—The term 'evidence' has the meaning given that term in section 3561.

"(2) INFLUENTIAL INFORMATION OR EVIDENCE.—The term 'influential information or evidence' means information or evidence (including scientific, technical, demographic, economic, financial, and statistical information or evidence) that the head of the Federal agency can reasonably determine will have or does have a clear or substantial impact on—

"(A) developing or issuing a proposed or final rule of the Federal agency; or

"(B) informing the public of the nature and basis of any rule or guidance of the Federal agency.

"(3) INFORMATION QUALITY ACT.—The term 'Information Quality Act' means section 515 of the Treasury and General Government Appropriations Act, 2001 (Public Law 106–554).".

(b) TABLE OF CONTENTS.—The table of contents for subchapter I of chapter 35 of title 44, United States Code, is amended by adding after the item relating to section 3521 the following:

"3522. Information Quality Assurance.".

SUMMARY AND PURPOSE OF LEGISLATION

H.R. 7219 improves the quality of information on which federal agencies base new rules and guidance and assists the public's ability to comment on that information before agencies take final action. This legislation is an important step forward in information quality reform following the past successes of the Information Quality Act (P.L. 106–554, Sec. 515) and the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act) (P.L. 115–435).

BACKGROUND AND NEED FOR LEGISLATION

H.R. 7219 builds upon the Information Quality Act and the Evidence Act by requiring agencies to rely on the best, reasonably available scientific, technical, demographic, economic, financial, and statistical information to support new rules and guidance. This bill also requires agencies to publish any model, methodology, or source of information on which the agency relies in a timely manner before issuing a final rule or guidance document.

Passed in 2000, the Information Quality Act amended the Paperwork Reduction Act (PRA) (P.L. 96–511) to require the Office of Management and Budget (OMB) to issue guidelines to Federal agencies to help improve the quality and objectivity of information put forth by the agencies while also creating a process through which individuals could "seek and obtain correction of information

maintained and disseminated by the agency."[1] The Evidence Act made further strides to improve information quality and transparency by requiring agencies to make data more publicly accessible and develop evidence and statistical information to support policymaking, including agency rulemaking. As the House Committee on Oversight and Accountability previously noted in its 2017 report on the Evidence Act: "Evidence is an objective description of what is, whereas policymaking is the subjective determination of what ought to be . . . . The promise of evidence-based policy making is to apply this evidence to 'inform decisions in government'."[2] Nevertheless, rules and guidance remain prone to dispute, including through litigation, based on challenges that the information used to develop them did not provide sound bases for their promulgation or issuance.

On June 14, 2023, the Committee held a hearing on the impact of federal regulations. In his written testimony, Anthony Campau, former Chief of Staff and Counselor for the Office of Information and Regulatory Affairs (OIRA) within OMB, stated, "It is [well]-established that regulatory policy should be anchored in the best reasonably available information, and that information ought to be made available to the public . . . This basic good regulatory practice out to be strengthened and institutionalized more fully in our regulatory process."[3] Regulations and guidance imposed on the American public indeed ought to be based upon the best reasonably available information, and that information ought also to be publicly accessible in a timely way.

Chairman James Comer of Kentucky stated during the Committee's February 6, 2023, markup of the bill that "[t]he Information Quality Assurance Act . . . [f]or the first time . . . requires that the information on which agencies rest their rules and guidance be the best reasonably available information. It also includes several additional terms to make sure agencies are . . . held to that standard. This legislation will improve the quality of agency decisionmaking, improve the acceptability of new rules and guidance, and avoid the need for many disputes over agencies' use of information to go to court."[4]

The bill's sponsor, Congresswoman Lisa McClain of Michigan, emphasized that "one of the most important ways we can make sure the Federal government does not use ill-informed regulations and guidance is also one of the simplest. [The bill] requires Federal regulators to base new regulations and guidance on the best reasonably available information."[5]

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[1] Maeve P. Carey, *The Federal Rulemaking Process: An Overview,* CONGRESSIONAL RESEARCH SERVICE (Jun. 17, 2013).

[2] H.R. Rep. No. 115–411, at 4 (2017).

[3] *H. Comm. on Oversight and Accountability, Hearing on Death by a Thousand Regulations: The Biden Administration's Campaign to Bury America in Red Tape*, at 12 (June 14, 2023), (statement of Mr. Anthony P. Campau, Principal, Clark Hill Public Strategies).

[4] *Markup of the Full Committee to Consider the Following: 1) H.R. 5798, the Protecting Our Nation's Capital Emergency Act of 2023; 2) H.R. 262, the All Economic Regulations are Transparent (ALERT) Act of 2023; 3) H.R. 7219, the Information Quality Assurance Act of 2024; 4) H.R. 7184, the Congressional Budget Office Data Access Act; 5) H.R. 6972, the Securing Chain of Command Continuity Act; 6) H.R. 6283, the Delinking Revenue from Unfair Gouging (DRUG) Act; 7) H.R. 5658, the Vote by Mail Tracking Act; 8) H.R. 5887, the Government Service Delivery Improvement Act; 9) Several postal naming measures, H. Comm. on Oversight & Reform,* 118th Cong. 2 (Feb. 6, 2024), (statement of Chairman James Comer).

[5] *Id.* (statement of Rep. Lisa McClain).

As stated by Congresswoman Katie Porter of California, an original cosponsor of the legislation, "[t]his legislation doesn't just expect Americans to take the government's word that it's relying on the best available information. Federal agencies would also be required to publish their rulemaking guidelines on their websites for all Americans to be able to read for themselves. Additionally, agencies would have to disclose the methods and data that they relied on to produce their guidelines. This level of transparency will allow the public to understand how Federal agencies developed their rules and to verify that they relied on the best available information." [6]

Further, as the Committee's Ranking Member Jamie Raskin of Maryland stated of the bill's requirements for updated information quality guidelines, "[u]pdated guidance [will] help agencies to better ensure the quality of information and evidence used in promulgating rules. The new guidance [will] ensure that the best reasonably available scientific, demographic, economic, financial, or statistical information is relied on in the regulatory process." [7] Ranking Member Raskin also noted the urgency of the matter during the Committee's June 14, 2023 hearing, stating, "the American people must pay attention to the methods by which we create our rules. These methods, which are contained in the Federal rulemaking process, ha[ve] not been updated in decades." [8]

As these bipartisan sentiments reflect, this legislation is an important step forward in modernizing the federal regulatory process and providing more transparency into the bases for federal rules and guidance.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

The short title is the "Information Quality Assurance Act of 2024".

Section 2. Information Quality Assurance

- Subsection (a) amends subchapter 1 of chapter 35 of title 44, U.S.C. (Coordination of Federal Information Policy) by inserting a new section 3522. "Information Quality Assurance," at the end:
    - Subsection (a) requires the Director of the Office of Management and Budget (OMB) to update guidelines to federal agencies issued under the Information Quality Act. Requires that updated guidelines be made available on the OMB website.
    - Subsection (b) requires OMB's updated guidelines to require each agency to update the agency's own guidelines under the Act to ensure the agency relies on the best reasonably available scientific, technical, demographic, economic, financial, or statistical information and evidence in developing, issuing, or informing the public about rules and guidance of the agency. Requires the agency to publish its updated guidelines on the agency's website. Requires the agency to ensure the Informa-

[6] *Id.* (statement of Rep. Katie Porter).
[7] *Id.* (statement of Ranking Member Raskin).
[8] *H. Comm. on Oversight and Accountability, Hearing on Death by a Thousand Regulations: The Biden Administration's Campaign to Bury America in Red Tape*, at 3 (June 14, 2023), (statement of Ranking Member Raskin).

tion Quality Act's administrative mechanisms are available to the public. Requires the agency to report annually to the OMB Director the number and nature of such challenges and how the agency handled them. The subsection's requirement to ensure the Information Quality Act's administrative mechanisms are available to the public under this Act is not intended to disturb existing judicial precedent concerning those mechanisms and whether they create distinct individual rights to the correction of information by the agency.

- Subsection (c) requires agencies to include in the docket for any rulemaking or administrative record for any guidance document—in a timely way prior to promulgation or issuance—any model, methodology, or source of scientific, technical, demographic, economic, financial, or statistical information and evidence relied upon in developing or issuing the rule or guidance. Requires agencies to implement the Act's disclosure requirements consistent with the Freedom of Information Act (FOIA) (5 U.S.C. section 552) and prohibits agencies from making information public that is prohibited by statute to be disclosed. Requires agencies to make information the Act requires to be public available as an Open Government Data Asset (*i.e.,* in a machine-readable and open format; 44 U.S.C. section 3502).
- Subsection (d) establishes definitions of certain terms in the Act and makes certain technical and conforming amendments.

LEGISLATIVE HISTORY

H.R. 7219, the Information Quality Assurance Act of 2024, was introduced on February 5, 2024, by Representative Lisa McClain (R–MI) and is cosponsored by Representative Katie Porter (D–CA). The bill was referred to the Committee on Oversight and Accountability and the Committee on the Judiciary. The Committee on Oversight and Accountability held a hearing used to develop or consider the bill on June 14, 2023.[9] The Committee considered H.R. 7219 at a business meeting on February 6, 2024, and ordered the bill as amended favorably reported by a recorded vote.

COMMITTEE CONSIDERATION

On February 6, the Committee met in open session and ordered the bill, H.R. 7219, favorably reported with an amendment in the nature of a substitute, by a roll call vote of 41–0, a quorum being present.

ROLL CALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following roll call vote occurred during the Committee's consideration of H.R. 7219:

A roll call vote was held on favorably reporting H.R. 7219 as amended. The bill was agreed to by a recorded vote of 41–0.

[9] *H. Comm. on Oversight and Accountability, Hearing on Death by a Thousand Regulations: The Biden Administration's Campaign to Bury America in Red Tape* (June 14, 2023).

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

118TH CONGRESS

RATIO 26-21

ROLL CALL

Vote on: Final Passage – H.R. 7219, Information Quality Assurance Act (IQAA)

Date: 2-6-2024 **VOTE #: 1**

Republicans	Aye	No	Present	Democrats	Aye	No	Present
MR. COMER (KY) *(Chairman)*	X			MR. RASKIN (MD) *(Ranking Member)*	X		
MR. JORDAN (OH)				MS. NORTON (DC)	X		
MR. TURNER (OH)	X			MR. LYNCH (MA)			
MR. GOSAR (AZ)	X			MR. CONNOLLY (VA)	X		
MS. FOXX (NC)	X			MR. KRISHNAMOORTHI (IL)	X		
MR. GROTHMAN (WI)	X			MR. KHANNA (CA)	X		
MR. CLOUD (TX)	X			MR. MFUME (MD)	X		
MR. PALMER (AL)	X			MS. OCASIO-CORTEZ (NY)			
MR. HIGGINS (LA)	X			MS. PORTER (CA)	X		
MR. SESSIONS (TX)	X			MS. BUSH (MO)	X		
MR. BIGGS (AZ)	X			MR. GOMEZ (CA)	X		
MS. MACE (SC)	X			MS. BROWN (OH)	X		
MR. LATURNER (KS)	X			MS. STANSBURY (NM)	X		
MR. FALLON (TX)	X			MR. GARCIA (CA)	X		
MR. DONALDS (FL)	X			MR. FROST (FL)	X		
MR. PERRY (PA)	X			MS. LEE of PENNSYLVANIA (PA)	X		
MR. TIMMONS (SC)	X			MR. CASAR (TX)	X		
MR. BURCHETT (TN)	X			MS. CROCKETT (TX)	X		
MS. GREENE OF GEORGIA (GA)				MR. GOLDMAN (NY)	X		
MRS. MCCLAIN (MI)	X			MR. MOSKOWITZ (FL)	X		
MRS. BOEBERT (CO)	X			MS. TLAIB (MI)	X		
MR. FRY (SC)							
MRS. LUNA (FL)	X						
MR. LANGWORTHY (NY)							
MR. BURLISON (MO)	X						
MR. WALTZ (FL)	X						

Roll Call Totals: Ayes: 41 Nays: 0 Present:

Passed: X Failed: _____

JIM JORDAN, Ohio
CHAIRMAN

COMMITTEE CORRESPONDENCE

JERROLD NADLER, New York
RANKING MEMBER

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6216
(202) 225-6906
judiciary.house.gov

February 22, 2024

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Comer:

I write regarding H.R. 7219, the Information Quality Assurance Act of 2024. Provisions of this bill fall within the Judiciary Committee's Rule X jurisdiction, and I appreciate that you consulted with us on those provisions. The Judiciary Committee agrees that it shall be discharged from further consideration of the bill so that it may proceed expeditiously to the House floor.

The Committee takes this action with the understanding that forgoing further consideration of this measure does not in any way alter the Committee's jurisdiction or waive any future jurisdictional claim over these provisions or their subject matter. We also reserve the right to seek appointment of an appropriate number of conferees in the event of a conference with the Senate involving this measure or similar legislation.

I ask that you please include this letter in your committee's report to accompany this legislation or insert this letter in the *Congressional Record* during consideration of H.R. 7219 on the House floor. I appreciate the cooperative manner in which our committees have worked on this matter, and I look forward to working collaboratively in the future on matters of shared jurisdiction. Thank you for your attention to this matter.

Sincerely,

Jim Jordan
Chairman

cc: The Honorable Jerrold Nadler, Ranking Member, Committee on the Judiciary
The Honorable Jamie Raskin, Ranking Member, Committee on Oversight and Accountability
The Honorable Jason Smith, Parliamentarian

JAMES COMER, KENTUCKY
CHAIRMAN

ONE HUNDRED EIGHTEENTH CONGRESS

JAMIE RASKIN, MARYLAND
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5074
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https://oversight.house.gov

February 22, 2024

The Honorable Jim Jordan
Chairman
Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Jordan:

Thank you for consulting with the Committee on Oversight and Accountability and agreeing to be discharged from further consideration of H.R. 7219, the Information Quality Assurance Act, so that it may proceed expeditiously to the House Floor.

I agree that by foregoing consideration of H.R. 7219 at this time, you do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that you will be appropriately consulted and involved on this or similar legislation as it moves forward. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

As discussed, I will seek to place a copy of our exchange of letters on this bill in the bill report filed by the Committee on Oversight and Accountability and in the *Congressional Record* during House floor consideration thereof. I appreciate your cooperation regarding this bill and look forward to future opportunities to work together on matters of shared jurisdiction.

Sincerely,

James Comer
Chairman
Committee on Oversight and Accountability

cc: The Honorable Mike Johnson, Speaker
House of Representatives

The Honorable Jamie B. Raskin, Ranking Member
Committee on Oversight and Accountability

The Honorable Rick Larsen, Ranking Member
Committee on Transportation and Infrastructure

Jason Smith, Parliamentarian
House of Representatives

EXPLANATION OF AMENDMENTS

During Committee consideration of the bill, Representative James Comer (R–KY), Chairman of the Committee, offered an amendment in the nature of a substitute that would make certain technical changes to the bill. The amendment in the nature of a substitute passed by voice vote.

LIST OF RELATED COMMITTEE HEARINGS

In accordance with House rule XIII, clause 3(c)(6), (1) The following hearing was used to develop or consider H.R. 7219:

On June 14, 2023, the Committee held a hearing titled "Death by a Thousand Regulations: The Biden Administration's Campaign to Bury America in Red Tape" with Mr. Anthony P. Campau, Principal, Clark Hill Public Strategies; Prof. Casey Mulligan, University of Chicago; Mr. Adam J. White, Senior Fellow, American Enterprise Institute, and Co-Executive Director, the C. Boyden Gray Center for the Study of the Administrative State, George Mason University Antonin Scalia Law School; and Prof. Sally Katzen, New York University School of Law.

(2) The following hearing related to H.R. 7219 was held:

On June 14, 2023, the Committee held a hearing titled "Death by a Thousand Regulations: The Biden Administration's Campaign to Bury America in Red Tape" with Mr. Anthony P. Campau, Principal, Clark Hill Public Strategies; Prof. Casey Mulligan, University of Chicago; Mr. Adam J. White, Senior Fellow, American Enterprise Institute, and Co-Executive Director, the C. Boyden Gray Center for the Study of the Administrative State, George Mason University Antonin Scalia Law School; and Prof. Sally Katzen, New York University School of Law.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the Background and Need for Legislation section above.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals or objectives of this bill are to ensure that Federal agencies rely on the best reasonably available information when developing federal regulations and guidance and make that information available to the public in a timely manner.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch where the bill relates to the terms and conditions of employment or access to public services and accommodations. This bill does not relate to employment or access to public services and accommodations in the legislative branch.

DUPLICATION OF FEDERAL PROGRAMS

In accordance with clause 3(c)(5) of rule XIII no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

This bill does not direct the completion of any specific rule makings within the meaning of section 551 of title 5, U.S.C.

FEDERAL ADVISORY COMMITTEE ACT STATEMENT

The Committee finds that this legislation does not direct the establishment of advisory committees within the definition of section 5(b) of the appendix to title 5, U.S.C.

UNFUNDED MANDATES REFORM ACT STATEMENT

Pursuant to section 423 of the *Congressional Budget Act of 1974* the Committee has included a letter received from the Congressional Budget Office below.

EARMARK IDENTIFICATION

This bill does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the House of Representatives.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d) of rule XIII of the Rules of the House of Representatives, the Committee includes below a cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974*.

NEW BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 402 of the *Congressional Budget Act of 1974* is as follows:

H.R. 7219, Information Quality Assurance Act
As ordered reported by the House Committee on Oversight and Accountability on February 6, 2024

By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	*	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	20	not estimated

Increases *net direct spending* in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases *on-budget deficits* in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and $500,000.

H.R. 7219 would require the Office of Management and Budget (OMB) and other federal agencies to update guidelines issued under the Information Quality Act concerning the use of reliable information for developing rules and guidance and for disseminating information to the public. The bill also would require agencies to publish relevant models, methods, and sources of information before promulgating rules or issuing guidance.

CBO expects that implementing the requirements under the bill would increase administrative costs for OMB and other federal agencies. Based on the costs of similar activities, CBO estimates that updating the guidelines would occur over the 2024–2026 period and would cost $10 million (or less than $500,000 per federal agency). Additionally, CBO estimates that the cost of publishing supporting material for rules or guidance would be $2 million annually (or about $40,000 annually per agency).

In total, CBO estimates that implementing the bill would cost $20 million over the 2024–2029 period. Any spending would be subject to the availability of appropriated funds.

The costs of the legislation, detailed in Table 1, fall within multiple budget functions.

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 7219

	By fiscal year, millions of dollars—						
	2024	2025	2026	2027	2028	2029	2024–2029
Estimated Authorization	*	7	7	2	2	2	20
Estimated Outlays	*	7	7	2	2	2	20

* = between zero and $500,000.

Enacting the bill could affect direct spending by some agencies that are allowed to use fees, receipts from the sale of goods, and other collections to cover operating costs. CBO estimates that any net changes in direct spending by those agencies would be negligible because most of them can adjust amounts collected to reflect changes in operating costs.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

The requirements of clause 3(e) of rule XIII of the Rules of the House of Representatives apply to H.R. 7219.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

TITLE 44, UNITED STATES CODE

* * * * * * *

CHAPTER 35—COORDINATION OF FEDERAL INFORMATION POLICY

SUBCHAPTER I—FEDERAL INFORMATION POLICY

Sec.
3501. Purposes.
* * * * * * *
3522. Information Quality Assurance.
* * * * * * *

§ 3522. Information Quality Assurance.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Information Quality Assurance Act, the Director shall—

(1) with public and Federal agency involvement, update the guidelines issued under subsection (a) of the Information Quality Act—

(A) to provide policy and procedural guidance to the heads of Federal agencies for better ensuring and maximizing the quality, objectivity, utility, and integrity of influential information or evidence—

(i) used by the heads of Federal agencies to develop or issue rules and guidance; or

(ii) disseminated to the public to inform the public about the nature and bases of such rules and guidance; and

(B) in a manner consistent with—

(i) this chapter; and

(ii) the amendments made by the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435); and

(2) make the guidelines updated under paragraph (1) available on the website of the Office of Management and Budget.

(b) CONTENT OF GUIDELINES.—In updating the guidelines under subsection (a), the Director shall require that the head of each Federal agency to which the guidelines apply, not later than 1 year after the Director updates such guidelines—

(1) update any guidelines issued by the head of the Federal agency under the Information Quality Act to ensure that, in the case of influential information or evidence, the best reasonably available information and evidence is relied on in developing, issuing, or informing the public about the rules and guidance of the Federal agency;

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

(3) ensure the administrative mechanisms established under subparagraph (B) of section (b)(2) of the Information Quality Act are available with respect to seeking and obtaining the correction of any influential information or evidence that the Federal agency uses to develop or issue a rule or guideline, or disseminates to the public to inform the public of the nature and basis of any rule or guidance of the Federal agency, that does not comply with the guidelines issued under paragraph (1); and

(4) include in the report required under subparagraph (C) of subsection (b)(2) of the Information Quality Act the information described under that subparagraph with respect to any complaints received by the Federal agency related to the accuracy of influential information or evidence the Federal agency uses to develop, issue, or inform the public of the nature and bases of rules or guidance.

(c) PUBLIC DISCLOSURE.—

(1) AVAILABILITY.—Except as provided under paragraph (2), the head of the Federal agency shall make available in the docket for the rulemaking of any rule of the Federal agency, or in the administrative record for any guidance, in a timely manner before the promulgation of the rule or issuance of the guidance document—

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

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

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

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

(2) EXCEPTION.—

(A) IN GENERAL.—The head of the Federal agency—

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

(ii) may not make available in the docket for the rulemaking of any rule of the Federal agency, or in the administrative record for any guidance, information that is prohibited from being disclosed to the public under any statute.

(B) EXPLANATION TO BE INCLUDED IN DOCKET OR ADMINISTRATIVE RECORD.—If the head of the Federal agency does not make a model, methodology, or source available under paragraph (1)(A) pursuant to paragraph (2)(A), the head of the Federal agency shall include in the docket for the rulemaking or the administrative record for the guidance document—

(i) an explanation as to why such information cannot be made publicly available, including a citation to the applicable law and policy; and

(ii) a description of any steps being taken to increase access to such information, even if the information cannot be made public.

(3) FORMAT OF SOURCE.—The head of each Federal agency shall make any model, methodology, or source required to be made available under paragraph (1)(A) available as an open Government data asset.

(d) DEFINITIONS.—In this section:

(1) EVIDENCE.—The term "evidence" has the meaning given that term in section 3561.

(2) INFLUENTIAL INFORMATION OR EVIDENCE.—The term "influential information or evidence" means information or evidence (including scientific, technical, demographic, economic, financial, and statistical information or evidence) that the head of the Federal agency can reasonably determine will have or does have a clear or substantial impact on—

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

(B) informing the public of the nature and basis of any rule or guidance of the Federal agency.

(3) INFORMATION QUALITY ACT.—The term "Information Quality Act" means section 515 of the Treasury and General Government Appropriations Act, 2001 (Public Law 106–554).

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