

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6329

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2026

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

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## 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 of 2025”.

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

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

10 **“SEC. 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 of 2025, the Director shall—

14               “(1) update the guidelines issued under the In-  
15 formation Quality Act—

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

21                               “(i) used by the heads of Federal  
22 agencies to develop or issue rules and guid-  
23 ance made available to the public; 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 115–435;  
9                   132 Stat. 5529); 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.—Not later than 1  
14                  year after the Director updates the guidelines under sub-  
15                  section (a), the head of each Federal agency to which the  
16                  guidelines apply shall—

17                  “(1) update any guidelines issued by the head  
18                  of the Federal agency under the Information Quality  
19                  Act to ensure that, in the case of influential infor-  
20                  mation or evidence, the best reasonably available in-  
21                  formation and evidence that is fit-for-purpose is re-  
22                  lied on in developing, issuing, or informing the pub-  
23                  lic about the rules and guidance of the Federal  
24                  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 subsection  
6 (b)(2) of the Information Quality Act are made  
7 available, as applicable, with respect to seeking and  
8 obtaining the correction of any influential informa-  
9 tion or evidence disseminated by agencies that the  
10 Federal agency uses to develop or issue a rule or  
11 guidance made available to the public, or to inform  
12 the public of the nature and basis of any rule or  
13 guidance of the Federal agency, that does not com-  
14 ply with the guidelines issued under paragraph (1);  
15 and

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

24           “(c) PUBLIC DISCLOSURE.—

25           “(1) AVAILABILITY.—

1           “(A) IN GENERAL.—Not later than 1 year  
2 after the date of enactment of this section, the  
3 Director shall issue guidance, which may be in-  
4 cluded in the guidelines updated under sub-  
5 section (a), that directs the head of the Federal  
6 agency to make available, except as provided  
7 under paragraph (2), in the docket for the rule-  
8 making of any rule of the Federal agency, or in  
9 the public administrative record for any guid-  
10 ance—

11           “(i) the critical factual material upon  
12 which the head of the Federal agency re-  
13 lied as part of the rulemaking or guidance  
14 development process; and

15           “(ii) a citation to any other source  
16 used to inform the rulemaking or guidance  
17 development process, including a citation  
18 to any public comment that is referenced  
19 in a final rulemaking action.

20           “(B) PROCESS.—

21           “(i) IN GENERAL.—Except as pro-  
22 vided under clause (ii), the guidance re-  
23 quired under subparagraph (A) shall direct  
24 an agency to make available the informa-  
25 tion that must be made available under

1           that subparagraph as soon as reasonably  
2           possible before, but at a minimum at, the  
3           time that the Federal agency promulgates  
4           a rule or issues guidance.

5           “(ii) NOTICE AND COMMENT.—If a  
6           Federal agency engages in notice and com-  
7           ment rulemaking under section 553 of title  
8           5 or provides for public notice and an op-  
9           portunity to comment on proposed guid-  
10          ance, the guidance required under subpara-  
11          graph (A) shall direct the Federal agency  
12          to provide notice and an opportunity to  
13          comment on the critical factual material  
14          upon which the head of the Federal agency  
15          relied.

16          “(C) REVISIONS.—If the critical factual  
17          material under subparagraph (A)(i) is revised  
18          in a manner that may materially affect the  
19          rulemaking or guidance after the public is given  
20          notice and an opportunity to comment pursuant  
21          to subparagraph (B)(ii), but before the rule or  
22          guidance is published, the head of the Federal  
23          agency shall make the revision available in the  
24          docket for the rulemaking or in the applicable

1 administrative record for the guidance in a  
2 timely manner.

3 “(2) IMPLEMENTATION OF PUBLIC DISCLOSURE  
4 REQUIREMENT EXCEPTIONS.—

5 “(A) IN GENERAL.—The guidance under  
6 paragraph (1) shall direct the head of the Fed-  
7 eral agency—

8 “(i) to implement paragraph (1) con-  
9 sistent with this chapter, sections 552 and  
10 552a of title 5, and any rights under titles  
11 17 and 35;

12 “(ii) to implement paragraph (1) to  
13 the maximum extent feasible, considering  
14 costs to the Federal Government; and

15 “(iii) in implementing paragraph (1),  
16 to not make available in the docket for the  
17 rulemaking of any rule of the Federal  
18 agency, or in the public administrative  
19 record for any guidance, as applicable, in-  
20 formation that is prohibited from being  
21 disclosed to the public under any statute.

22 “(B) EXPLANATION TO BE INCLUDED IN  
23 DOCKET OR ADMINISTRATIVE RECORD.—If the  
24 head of the Federal agency does not make crit-  
25 ical factual material available under paragraph

1 (1), subject to subparagraph (A) of this para-  
2 graph, the head of the Federal agency shall in-  
3 clude in the docket for the rulemaking or the  
4 public administrative record, if applicable, for  
5 the guidance—

6 “(i) an explanation as to why such in-  
7 formation cannot be made publicly avail-  
8 able; and

9 “(ii) a description of any steps being  
10 taken to increase access to such informa-  
11 tion, even if the information cannot be  
12 made public.

13 “(3) **FORMAT OF CRITICAL FACTUAL MATE-**  
14 **RIAL.—**

15 “(A) **IN GENERAL.—**Subject to paragraph  
16 (2) and subparagraph (B), the head of each  
17 Federal agency shall make available any critical  
18 factual material required to be made available  
19 under paragraph (1)(A) as an open Government  
20 data asset.

21 “(B) **EXCEPTION.—**If an exception under  
22 paragraph (2)(A) applies, the head of a Federal  
23 agency may—

1           “(i) maximize public access to the  
2           critical factual material to the extent per-  
3           mitted by law;

4           “(ii) make the critical factual material  
5           available by citation or description; and

6           “(iii) place in the docket for the rule-  
7           making or the administrative record for  
8           the guidance a specification of the identity  
9           of the entity that holds a legal right to  
10          prohibit or limit reproduction, distribution,  
11          or public display of the information and  
12          the means by which a member of the pub-  
13          lic may request to obtain a full copy of the  
14          information from such holder.

15          “(d) DEFINITIONS.—In this section:

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

18               “(2) INFLUENTIAL INFORMATION OR EVI-  
19               DENCE.—The term ‘influential information or evi-  
20               dence’ means information or evidence about which  
21               an agency can reasonably determine that reliance on  
22               or dissemination of the information will have or does  
23               have a clear and substantial impact on important  
24               public actions, policies or statements or on impor-  
25               tant private sector decisions.

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

5           (b) TABLE OF SECTIONS.—The table of sections for  
6           subchapter I of chapter 35 of title 44, United States Code,  
7           is amended by adding after the item relating to section  
8           3521 the following:

          “3522. Information Quality Assurance.”.

9           (c) NO ADDITIONAL FUNDS.—No additional funds  
10          are authorized to be appropriated for the purpose of car-  
11          rying out this Act or the amendments made by this Act.

          Passed the House of Representatives February 24,  
          2026.

Attest:

KEVIN F. MCCUMBER,

*Clerk.*