

Federal Agency Implementation of the Federal Information Quality Act

ABSTRACT

The federal Information Quality Act (Pub. L. No. 106-554, 114 Stat. 2763A-153 to 2763A-154, 44 U.S.C. § 3516 note) requires federal agencies to achieve specified quality standards for publicly disseminated information, most notably, objectivity in substance and presentation. By 2002 agencies were required to have established effective systems for post-dissemination error correction and pre-dissemination review to minimize the number of errors warranting correction. This paper analyzes six years' data (FY 2003-2009) on error correction petitions submitted by the public and agency responses thereto. The number of error correction petitions submitted has been modest, with many agencies receiving no petitions at all. The paper uses several procedural tests (e.g., efficient and effective public access, reasonableness of internal procedures, timeliness of response, transparency in decision-making) to analyze agencies' performance and shows that it has varied widely, with some agencies performing superbly while others have failed to implement the law at all. To date, the courts have denied petitioners standing to obtain judicial review of agency compliance. However, plaintiffs in these cases have failed to seek administrative remedies first, failed to prove standing, attempted to establish jurisdiction outside the scope of the Administrative Procedure Act, or sought relief beyond the scope of the law. It is predicted that the courts will take a more active interest in agency adherence to information quality principles and procedures as they are folded into routine agency practices within the Administrative Procedure Act and incorporated into amendments to authorizing legislation.

BIOGRAPHY

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Richard B. Belzer is president of Regulatory Checkbook, a Virginia-based non-profit organization that performs research and sponsors various activities related to regulatory science, economics, information quality, and peer review. Previously, Dr. Belzer was a visiting professor of public policy at Washington University in St. Louis and senior economist in the Office of Information and Regulatory Affairs, Office of Management and Budget. He earned his doctorate from Harvard University in 1989.

Dr. Belzer currently serves as the Treasurer for the Society for Benefit-Cost Analysis. From 1998-2003, he served the Society for Risk Analysis in the same capacity. He is a Fellow of the Cecil and Ida Green Center for the Study of Science and Society.